

FDC date	State	City	Airport	FDC No.	Subject
08/03/03 .....	MO	St Louis .....	Lambert-St Louis Intl .....	6/5168	LDA/DME Rwy 30L, Amdt 1.
08/03/03 .....	MO	St Louis .....	Lambert-St Louis Intl .....	6/5169	ILS Rwy 30R, (CAT II), Amdt 9.
05/10/06 .....	ME	Augusta .....	Augusta State .....	6/7012	ILS Rwy 17, Amdt 2C.
08/01/06 .....	NH	Keene .....	Dillant-Hopkins .....	6/4653	VOR Rwy 2, Amdt 12C.
08/01/06 .....	MA	Orange .....	Orange Muni .....	6/4654	GPS Rwy 32, Orig-D.
08/02/06 .....	GA	Atlanta .....	Hartsfield Jackson Atlanta Intl .....	6/4815	ILS OR LOC Rwy 9R, ILS Rwy 9R (CAT II), ILS Rwy 9R (CAT III), Amdt 17A.
08/02/06 .....	NH	Rochester .....	Skyhaven .....	6/4816	NDB OR GPS-B Amdt 1B.
08/02/06 .....	WA	Pullman/Moscows .....	Pullman/Moscow Regional .....	6/4822	RNAV (GPS) Rwy 23, Orig.
08/03/06 .....	NJ	Wildwood .....	Cape May County .....	6/4914	LOC Rwy 19, Amdt 6.
08/03/06 .....	NJ	Wildwood .....	Cape May County .....	6/4916	VOR-A, Amdt 3.
08/03/06 .....	CA	Long Beach .....	Long Beach/Daugherty Field .....	6/4967	RNAV (RNP) Y Rwy 30, Orig.
08/03/06 .....	AZ	Tucson .....	Ryan Field .....	6/5012	ILS Rwy 6R, Amdt 5A.
08/03/06 .....	AL	Muscle Shoals .....	Northwest Alabama Regional .....	6/5153	RNAV (GPS) Rwy 36, Orig.
08/04/06 .....	FL	Destin .....	Destin-Fort Walton Beach .....	6/5225	NDB Rwy 32, Amdt 1.
08/04/06 .....	FL	Destin .....	Destin-Fort Walton Beach .....	6/5226	RNAV (GPS) Rwy 32, Orig-A.
08/04/06 .....	FL	Destin .....	Destin-Fort Walton Beach .....	6/5227	RNAV (GPS) Rwy 14, Orig-B.
08/07/06 .....	NY	New York .....	John F. Kennedy Intl .....	6/5449	VOR Rwy 4L, Orig.
08/08/06 .....	OR	Redmond .....	Roberts Field .....	6/5636	NDB OR GPS (Rwy 22, Amdt 1).
08/08/06 .....	CA	San Francisco .....	San Francisco Intl .....	6/5618	ILS Rwy 19L, Amdt 19A.

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## DEPARTMENT OF STATE

[Public Notice 5523]

### 22 CFR Part 41

RIN 1400-AC06

#### Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act; Correction

**AGENCY:** Department of State.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final rule published in the **Federal Register** of June 30, 2006. The rule expanded guidance to consular offices for the review of nonimmigrant visa issuances and refusals.

**DATES:** Effective Date: This rule is effective on August 25, 2006.

**FOR FURTHER INFORMATION CONTACT:** Charles E. Robertson, Legislation and Regulations Division, Visa Services, Department of State, Washington, DC 20520-0106. Phone: 202-663-3969. E-mail: robertsonce3@state.gov.

**SUPPLEMENTARY INFORMATION:**

#### Why Is the Department Correcting This Rule?

The rule as published on June 30, 2006 (71 FR 37494), contained an amendment to 22 CFR 41.121, governing review nonimmigrant visa refusals, as well as an addition to 22 CFR 41.113 providing guidelines for review of nonimmigrant visa issuances. Due to a clerical error, the first appearance of the words “refusal” and “issuance” in their respective rules is transposed, so that the first appearance of the word “issuance” in 41.113 (i) appears as “refusal” and the first appearance of the word “refusal” in 41.121 (c) appears as “issuance”. The purpose of this correction is to reverse that transposition so that the purpose of each rule change is clear.

#### List of Subjects in 22 CFR Part 41

Aliens, Foreign officials, Immigration, Nonimmigrants, Passports and visas, Students.

■ Accordingly, 22 CFR part 41 is corrected by making the following correcting amendments:

#### PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT

■ 1. The authority citation for part 41 shall continue to read as follows:

**Authority:** 8 U.S.C. 1104; Pub. L. 105-277, 112 Stat. 2681-795 through 2681-801. Additional authority is derived from section 104 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) Pub. L. 104-208, 110 Stat. 3546.

■ 2. In § 41.113, revise paragraph (i) to read as follows:

#### § 41.113 Procedures in issuing visas.

\* \* \* \* \*

(i) Nonimmigrant visa issuances must be reviewed, in accordance with guidance by the Secretary of State, by consular supervisors, or a designated alternate, to ensure compliance with applicable laws and procedures. Visa issuances must be reviewed without delay; that is, on the day of issuance or as soon as is administratively possible. If the reviewing officer disagrees with the decision and he or she has a consular commission and title, the reviewing officer may assume responsibility and readjudicate the case. If the reviewing officer does not have a consular commission and title, he or she

must consult with the adjudicating officer, or with the Visa Office, to resolve any disagreement.

■ 3. In § 41.121, revise paragraph (c) to read as follows:

**§ 41.121 Refusal of individual visas.**

\* \* \* \* \*

(c) Nonimmigrant refusals must be reviewed, in accordance with guidance by the Secretary of State, by consular supervisors, or a designated alternate, to ensure compliance with laws and procedures. If the ground(s) of ineligibility upon which the visa was refused cannot be overcome by the presentation of additional evidence, the refusal must be reviewed without delay; that is, on the day of the refusal or as soon as it is administratively possible. If the ground(s) of ineligibility may be overcome by the presentation of additional evidence, and the applicant has indicated the intention to submit such evidence, a review of the refusal may be deferred for not more than 120 days. If the reviewing officer disagrees with the decision and he or she has a consular commission and title, the reviewing officer can assume responsibility and readjudicate the case. If the reviewing officer does not have a consular commission and title, he or she must consult with the adjudicating officer, or with the Visa Office, to resolve any disagreement.

\* \* \* \* \*

Dated: August 7, 2006.

**Stephen A. Edson,**

*Deputy Assistant Secretary, Visa Services,  
Department of State.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 924

[MS-016-FOR]

#### State Abandoned Mine Land Reclamation Plan

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSM), are approving a partial abandoned mine land reclamation (AMLR) plan under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Mississippi

proposed revisions to and addition of statutes to the Mississippi Surface Coal Mining and Reclamation Law in order to authorize and establish an AMLR plan. The purpose of this amendment is to demonstrate both the intent and capability to assume responsibility for administering and conducting an AMLR plan.

**DATES:** *Effective Date:* August 25, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Arthur W. Abbs, Director, Birmingham Field Office. Telephone: (205) 290-7282. E-mail address: [aabbs@osmre.gov](mailto:aabbs@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Abandoned Mine Land Reclamation Program
- II. Submission of the AMLR Plan Statutes
- III. OSM's Findings
- IV. Summary and Disposition of Comments
- V. OSM's Decision
- VI. Procedural Determinations

#### I. Background on the Abandoned Mine Land Reclamation Program

The AMLR Program was established by Title IV of the Act (30 U.S.C. 1201 *et seq.*) in response to concerns over extensive environmental damage caused by past coal mining activities. The program is funded by a reclamation fee collected on each ton of coal that is produced. The money collected is used to finance the reclamation of abandoned coal mines and for other authorized activities. Section 405 of the Act allows States and Indian Tribes to assume exclusive responsibility for reclamation activity within the State or on Indian lands if they develop and submit, to the Secretary of the Interior for approval, a program (often referred to as a plan) for the reclamation of abandoned coal mines.

#### II. Submission of the AMLR Plan Statutes

By letter dated April 5, 2006 (Administrative Record No. MS-0402), Mississippi sent us its AMLR plan statutes under SMCRA (30 U.S.C. 1201 *et seq.*). The purpose of this submission was to demonstrate both the intent and capability to assume responsibility for administering and conducting the provisions of SMCRA and OSM's AMLR program (30 CFR Chapter 7, Subchapter R). Mississippi revised and added statutes to the Mississippi Surface Coal Mining and Reclamation Law at Sections 53-9-3, 53-9-7, 53-9-89, 53-9-89(1)(c), 53-9-89(1)(c)(i) through (v), 53-9-101, 53-9-103, 53-9-105, 53-9-107, 53-9-109, 53-9-111, 53-9-113, 53-9-115, 53-9-117, 53-9-119, 53-9-121, 53-9-123.

We announced receipt of the proposed plan statutes in the June 8, 2006, **Federal Register** (72 FR 33273). In

the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the adequacy of the statutes. We did not hold a public hearing or meeting because no one requested one. The public comment period ended on July 10, 2006. We received comments from three Federal agencies.

#### III. OSM's Findings

Following are the findings we made concerning the AMLR plan statutes under SMCRA and the Federal regulations at 30 CFR 884.14 and 884.15. We are approving the statutes as described below.

In accordance with section 405 of SMCRA, we find that Mississippi has submitted AMLR plan statutes for the reclamation of abandoned mines and has the authority to implement the provisions of Title IV of SMCRA.

1. The public has been given adequate notice and opportunity to comment and the record does not reflect major unresolved controversies.

2. We have solicited and considered the views of the Federal agencies having an interest in the Mississippi AMLR plan statutes. Agencies that responded include: the U.S. Bureau of Land Management (BLM), U.S. Natural Resources Conservation Service (NRCS), and the U.S. Environmental Protection Agency (EPA).

3. The Mississippi Department of Environmental Quality, Office of Geology, has the legal authority and administrative structure to carry out the State AMLR plan statutes.

4. The Mississippi AMLR plan statutes meet all requirements of OSM's Title IV program provisions.

5. We approved the Mississippi regulatory program effective September 4, 1980.

6. The Mississippi AMLR plan statutes are in compliance with all applicable State and Federal laws and regulations.

Therefore, we approve Mississippi's AMLR plan statutes. Although the AMLR plan statutes conform to statutory requirements, Mississippi must still submit the information required by 30 CFR 884.13(a) through (f) before we can make the findings necessary for full approval of its AMLR plan. The State will be able to receive and spend Federal AMLR grant funds only after we approve its complete State AMLR plan.

#### IV. Summary and Disposition of Comments

##### *Public Comments*

We asked for public comments on the amendment, but did not receive any.