

## SCHEDULE OF FEES FOR CONSULAR SERVICES—Continued

Item No.	Fee
(g) A parent, sibling, spouse, or child of a U.S. government employee killed in the line of duty who is traveling to attend the employee's funeral and/or burial; or a parent, sibling, spouse, son, or daughter of a U.S. government employee critically injured in the line of duty for visitation during emergency treatment and convalescence.	NO FEE.
23. Nonimmigrant Visa Issuance Fee, including Border-Crossing Cards (Reciprocity Fee) .....	RECIPROCAL.
24. EXEMPTIONS from Nonimmigrant Visa Issuance Fee:	
(a) An official representative of a foreign government or an international or regional organization of which the U.S. is a member; members and staff of an observer mission to United Nations Headquarters recognized by the UN General Assembly; and applicants for diplomatic visas as defined under item 22(a); and their immediate families.	NO FEE.
(b) An applicant transiting to and from the United Nations Headquarters .....	NO FEE.
(c) An applicant participating in a U.S. government sponsored program .....	NO FEE.
(d) An applicant traveling to provide charitable services as determined by the Department .....	NO FEE.
25. Fraud Prevention and Detection Fee for Visa Applicant included in L Blanket Petition (principal applicant only).	\$500.
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<b>Immigrant and Special Visa Services</b>	
31. Filing Immigrant Visa Petition (collected for USCIS and subject to change):	
(a) Petition to classify status of alien relative for issuance of immigrant Visa .....	For fee amount, see 8 CFR 103.7(b)(1).
(b) Petition to classify orphan as an immediate relative .....	For fee amount, see 8 CFR 103.7(b)(1).
32. Immigrant Visa Application Processing Fee (per person):	
(a) Immediate relative and family preference applications .....	\$230.
(b) Employment-based applications .....	\$405.
(c) Other immigrant visa applications (including I-360 self-petitioners and special immigrant visa applicants).	\$220.
(d) Certain Iraqi and Afghan special immigrant visa applications .....	NO FEE.
33. Diversity Visa Lottery Fee (per person applying as a result of the lottery program) .....	\$330.
34. Affidavit of Support Review (only when reviewed domestically) .....	\$88.
35. Special Visa Services:	
(a) Determining Returning Resident Status .....	\$275.
(b) Waiver of two year residency requirement .....	\$215.
(c) Waiver of immigrant visa ineligibility (collected for USCIS and subject to change) .....	For fee amount, see 8 CFR 103.7(b)(1).
(d) Refugee or significant public benefit parole case processing .....	NO FEE.
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## PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

■ 3. The authority citation continues to read as follows:

**Authority:** 8 U.S.C. 1104 and 1182; Pub. L. 105–277; Pub. L. 108–449; 112 Stat. 2681–795 through 2681–801; The Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (done at the Hague, May 29, 1993), S. Treaty Doc. 105–51 (1998), 1870 U.N.T.S. 167 (Reg. No. 31922 (1993)); The Intercountry Adoption Act of 2000, 42 U.S.C. 14901–14954, Pub. L. 106–279.

■ 4. Revise § 42.33(i) to read as follows:

### § 42.33 Diversity immigrants.

(i) *Diversity Visa Lottery fee.* Consular officers shall collect, or ensure the collection of, the Diversity Visa Lottery fee from those persons who apply for a diversity immigrant visa, described in INA 203(c), after being selected by the diversity visa lottery program. The

Diversity Visa Lottery fee, as prescribed by the Secretary of State, is set forth in the Schedule of Fees, 22 CFR 22.1.

Dated: March 22, 2012.

**Patrick F. Kennedy,**  
*Under Secretary of State for Management,*  
*U.S. Department of State.*

[FR Doc. 2012–7569 Filed 3–28–12; 8:45 am]

**BILLING CODE 4710–06–P**

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### 28 CFR Part 25

[Docket No. OJP (BJA) 1577]

RIN 1121–AA79

### National Motor Vehicle Title Information System (NMVTIS): Technical Corrections

**AGENCY:** Office of Justice Programs, Justice.

**ACTION:** Direct final rule.

**SUMMARY:** The Office of Justice Programs (OJP) is promulgating this direct final rule for its National Motor Vehicle Title Information System Program (NMVTIS) in order to make two technical corrections to the NMVTIS regulations. **DATES:** *Effective date:* This direct final rule is effective June 27, 2012 without further action, unless adverse comments are received by the Bureau of Justice Assistance (BJA) by May 29, 2012. If adverse comment is received, BJA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** Please address all comments regarding this rule by U.S. mail, to: Todd Brighton, Bureau of Justice Assistance, 810 7th Street NW., Washington, DC 20531; or by telefacsimile to (202) 354–4135. To ensure proper handling, please reference OJP Docket No. 1577 on your correspondence. Comments may also be sent electronically through <http://regulations.gov> using the electronic comment form provided on that site. An electronic copy of this document is also available at the <http://regulations.gov>

Web site. BJA will accept attachments to electronic comments in Microsoft Word, WordPerfect, or Adobe PDF formats only. All electronic comments sent directly to BJA must be received by midnight Eastern Time on the day that the comment period closes. The public's ability to comment through <http://www.regulations.gov> terminates at midnight Eastern Time on the day that the comment period closes. All comments received via U.S. mail, or an express mail carrier, must be postmarked on or before the day that the comment period closes.

**FOR FURTHER INFORMATION CONTACT:** Todd Brighton, BJA, at 202-616-3879.

**SUPPLEMENTARY INFORMATION:**

**I. Posting of Public Comments**

Please note that all comments received are considered part of the public record and made available for public inspection online at <http://www.regulations.gov>. Information made available for public inspection includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you wish to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not wish it to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also locate all the personal identifying information that you do not want posted online in the first paragraph of your comment and identify what information you want the agency to redact. Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online.

If you wish to submit confidential business information as part of your comment but do not wish it to be posted online, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, the agency may choose not to post that comment (or to only partially post that comment) on <http://www.regulations.gov>. Confidential business information identified and located as set forth above will not be placed in the public docket file, nor will it be posted online.

If you wish to inspect the agency's public docket file in person by

appointment, please see the **FOR FURTHER INFORMATION CONTACT** paragraph.

**II. Background**

The National Motor Vehicle Title Information System was established pursuant to 49 U.S.C. 30501-30505. The purposes of the System include reducing fraud in the registering and titling of automobiles and making information available that would restrict the market for stolen automobiles. For further information, see the NMVTIS Web site at <http://www.vehiclehistory.gov>.

BJA is promulgating this direct-final rule to make two technical corrections in the regulations that were promulgated in 2009. 74 FR 5740 (Jan. 30, 2009). Those regulations, because of a typographical error, provided at 28 CFR 25.52 that, for purposes of the program, the term *Motor vehicle* had "the same meaning given that term in 49 U.S.C. 3102(6)." There is no section 3102 of title 49. The regulations should have given the section as 30102(6), where a definition of "motor vehicle" is contained in title 49.

Similarly, the earlier regulations, at 28 CFR 25.53(f)(2), provided that the fee calculation should be "based on the Highway Statistics Program of the Federal Highway Administration, U.S. Department of Transportation," but indicated that those statistics reported titled vehicles by state. Those statistics report registered vehicles (not titled vehicles) by state. This direct-final rule would correct this description of what information is reported by those statistics, so as to avoid any confusion and reflect that which was intended in the 2009 regulations.

**III. Regulatory Requirements**

*Executive Order 12866 and 13563—Regulatory Planning and Review*

This rule, which involves the minor correction of an existing regulation, has been drafted and reviewed in accordance with Executive Order 12866, "Regulatory Planning and Review" section 1(b), Principles of Regulation and in accordance with Executive Order 13563 "Improving Regulation and Regulatory Review" section 1(b) General Principles of Regulation. OJP has determined that this regulation is not a "significant regulatory action" under Executive Order No. 12866.

*Cost/Benefit Assessment*

Both Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is

necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity).

Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This regulation has no cost to state, local, or tribal governments, or to the private sector. It merely clarifies two provisions in the current regulations that clearly are in error and creates no new obligations.

*Administrative Procedure Act*

BJA's implementation of this rule as a direct-final rule, with provision for post-promulgation public comment, is based on findings of good cause pursuant to the Administrative Procedure Act (5 U.S.C. 553(b)(3)(B)). This minor rule amendment merely makes two technical corrections to the current regulations. BJA believes that the rule is noncontroversial and adverse comments will not be received, although comments on this rule are invited. Accordingly, BJA finds that "good cause" exists under 5 U.S.C. 553(b)(3)(B) to make this rule effective 90 days after publication in the **Federal Register**, unless an adverse comment is received within the comment period.

*Executive Order 13132—Federalism*

This rule, which involves the minor correction of an existing regulation, will not have a substantial direct effect on the states, on the relationship between the national government and the states, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order No. 13132, 64 FR 43255 (Aug. 4, 1999), it is determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

*Executive Order 12988—Civil Justice Reform*

This rule, which involves the minor correction of an existing regulation, meets the applicable standards set forth in sections 3(a) & (b)(2) of Executive Order No. 12988. Pursuant to section 3(b)(1)(I) of the Executive Order, nothing in this or any previous rule (or in any administrative policy, directive, ruling, notice, guideline, guidance, or writing) directly relating to the Program that is the subject of this rule is intended to create any legal or procedural rights enforceable against the United States, except as the same may

be contained within part 25 of title 28 of the Code of Federal Regulations.

#### *Regulatory Flexibility Act*

This rule, which involves the minor correction of an existing regulation, will not have a significant economic impact on a substantial number of small entities. This rule has no new cost to State, local, or tribal governments, or to the private sector. Such costs as the NMVTIS program imposes exist by virtue of the regulations promulgated in 2009 pursuant to notice and comment, which contained an impact analysis. Therefore, an analysis of the impact of this regulation on such entities is not required under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

#### *Paperwork Reduction Act of 1995*

This rule, which involves the minor correction of an existing regulation, contains no new information collection or record-keeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*).

#### *Unfunded Mandates Reform Act of 1995*

This rule, which involves the minor correction of an existing regulation, will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### **List of Subjects in 28 CFR Part 25**

Crime, Law enforcement, Motor vehicle safety, Motor vehicles, Reporting and recordkeeping requirements, Transportation.

#### **Authority and Issuance**

Accordingly, for the reasons set forth in the preamble, Title 28, Part 25, Subpart B of the Code of Federal Regulations is amended as follows:

#### **PART 25—DEPARTMENT OF JUSTICE INFORMATION SYSTEMS**

■ 1. The authority citation for 28 CFR Part 25 continues to read as follows:

**Authority:** Public Law 103–159, 107 Stat. 1536, 49 U.S.C. 30501–30505; Public Law 101–410, 104 Stat. 890, as amended by Public Law 104–134, 110 Stat. 1321.

#### **Subpart B—National Motor Vehicle Title Information System (NMVTIS)**

##### **§ 25.52 [Amended]**

■ 2. In § 25.52, in the definition of *Motor vehicle*, remove “3102(6)” and add in its place “30102(6)”.

##### **§ 25.53 [Amended]**

■ 3. Section 25.53(f)(2) is amended by removing “titled” and by adding in its place “registered”.

Dated: March 21, 2012.

**Mary Lou Leary,**

*Acting Assistant Attorney General.*

[FR Doc. 2012–7473 Filed 3–28–12; 8:45 am]

**BILLING CODE 4410–18–P**

#### **DEPARTMENT OF THE INTERIOR**

#### **Bureau of Safety and Environmental Enforcement**

#### **30 CFR Part 250**

[Docket ID BSEE–2012–0003]

**RIN 1014–AA01**

#### **Production Measurement Documents Incorporated by Reference**

**AGENCY:** Bureau of Safety and Environmental Enforcement (BSEE), Interior.

**ACTION:** Final rule.

**SUMMARY:** BSEE is establishing a final rule to incorporate by reference 12 additional production measurement industry standards into the regulations governing oil, gas, and sulphur operations in the Outer Continental Shelf. Incorporation of these production measurement standards provides industry with up-to-date standards for measuring oil and gas production volumes. This rule will result in more accurate and efficient measurement of oil and gas production.

**DATES:** *Effective Date:* This final rule becomes effective on May 29, 2012. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of May 29, 2012.

**FOR FURTHER INFORMATION CONTACT:** Wilbon Rhome, Regulations and Standards Branch, at [Wilbon.Rhorne@BSEE.gov](mailto:Wilbon.Rhorne@BSEE.gov), 703–787–1587.

**SUPPLEMENTARY INFORMATION:** This Final Rule falls under the authority of BSEE and as such, new Regulation Identifier Number (RIN) and Docket ID numbers were assigned to this rulemaking. The new RIN for this Final Rule is 1014–AA01, will replace RIN 1010–AD53 from the proposed rule. The Docket is now BSEE–2012–0003, replacing BOEM–2010–0033.

BSEE uses standards, specifications, and recommended practices developed by standard-setting organizations and the oil and gas industry as a means of

establishing requirements for activities in the Outer Continental Shelf (OCS). This practice, known as incorporation by reference, allows BSEE to incorporate the requirements of technical documents into the regulations at 30 CFR 250.198 without increasing the volume of the Code of Federal Regulations (CFR).

The regulations found at 1 CFR part 51 govern how BSEE and other Federal agencies incorporate by reference the requirements found in various documents. Agencies can incorporate by reference only through publication in the **Federal Register**. Agencies must also obtain approval from the Director of the Federal Register for each publication incorporated by reference. Incorporation by reference of a document or publication is limited to the edition of the document or publication cited in the regulations. Accordingly, newer editions, amendments, or revisions to documents already incorporated by reference in regulations are not part of BSEE regulations.

In some cases, BSEE may not agree with a standard or a specific section in a standard. As a result, a standard may not be included in the regulations at all or only a portion may be included.

#### **Why Technical Standards Are Important**

Industry standards incorporated in BSEE regulations are invaluable for a variety of reasons. In some instances they enable us to avoid unnecessarily detailed regulations. They have helped us to evolve from a regulatory process that reacts to inadequacies in OCS operations to a more orderly process that recognizes technical innovation and progressive ideas aimed at improving performance, safety, and efficiencies. Industry standards are also important because the law mandates their use by Federal agencies under certain circumstances.

#### **Legal and Policy Mandates**

Legal and Policy mandates to Federal agencies, including BSEE, to use industry standards include the following:

- In October 1993, the Office of Management and Budget (OMB) issued a revised Circular A–119 entitled, “Federal Participation in the Development and Use of Voluntary Standards”. This Circular established the policy for participation by Federal employees in the development of technical standards and the use of voluntary standards by Federal agencies.
- In March 1996, President Clinton codified this OMB policy into Federal