

the processing of over 1,800 bad checks were provided by the Administrative Centers.

As a result of our study, we have determined that the average cost to the Service to process each bad check received is \$30.11. We have rounded off the cost to \$30.00.

The Service notes that the United States Customs Service has recently completed a review of the costs incurred in processing bad checks and has also concluded that a \$30.00 fee for bad checks is appropriate compensation for the costs it incurs in processing bad checks.

On September 28, 1995, at 60 FR 50145, the Immigration and Naturalization Service published a proposed rule with request for comments in the Federal Register, to allow the Service to recoup the administrative costs incurred in processing all returned checks and other defaulted payments. Written comments were requested by November 27, 1995. The Service did not receive any comments to the proposed rule and is amending Section 103.7(a) to make the bad check charge consistent with the actual costs incurred by the Service in processing returned checks and other defaulted payments. Accordingly, the bad check charge is being increased from "\$5.00" to "\$30.00."

Regulatory Flexibility Act and Executive Order 12866

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601, et seq.), and for the reasons stated in the preamble, it is certified that the rule would not have a significant impact on a substantial number of small entities. Accordingly, this rule is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604. This rule will not result in a "significant regulatory action" under Executive Order 12866.

Executive Order 12612

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implication to warrant the preparation of a Federal Assessment.

List of Subjects in 8 CFR Part 103

Administrative practice and procedure, Authority delegations (Government agencies), Freedom of information, Privacy, Reporting and recordkeeping requirements, Surety bonds.

Accordingly, part 103 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 552, 552(a); 8 U.S.C. 1101, 1103, 1201, 1252 note, 1252(b), 1304, 1356; 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557; 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

2. Section 103.7 is amended by:

a. Redesignating the text of paragraph (a) following the heading as paragraph (a)(1);

b. Removing in the sixth sentence of newly designated paragraph (a)(1) the term "\$5" and adding in its place the term "\$30.00"; and

c. Removing the seventh sentence of newly designated paragraph (a)(1); and

d. Adding a new paragraph (a)(2), to read as follows:

§ 103.7 Fees.

(a) * * * (1) * * *

(2) A charge of \$30.00 will be imposed if a check in payment of a fee, fine, penalty, and/or any other matter is not honored by the bank or financial institution on which it is drawn. A receipt issued by a Service officer for any such remittance shall not be binding upon the Service if the remittance is found uncollectible. Furthermore, credit for meeting legal and statutory deadlines will not be deemed to have been met if payment is not made within 10 business days after notification by the Service of the dishonored check.

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Dated: April 30, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

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8 CFR Part 217

[INS No. 1777-96]

RIN 1115-AB93

Adding Argentina to the List of Countries Authorized to Participate in the Visa Waiver Pilot Program

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This rule amends the Immigration and Naturalization Service ("Service") regulations by adding Argentina to the list of countries designated to participate in the Visa Waiver Pilot Program (VWPP), thereby permitting nationals of Argentina to apply for admission to the United States for ninety (90) days or less as nonimmigrant visitors for business or pleasure without first obtaining a nonimmigrant visa. This action will facilitate travel to the United States and benefit United States businesses.

EFFECTIVE DATES: July 8, 1996. Written comments must be submitted on or before September 6, 1996.

ADDRESSES: Please submit written comments, in triplicate, to the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, 425 I Street, NW., Room 5307, Washington, DC 20536.

To ensure proper handling please reference INS number 1777-96 on your correspondence. Comments are available for public inspection at the above address by calling (202) 514-3048 to arrange for an appointment.

FOR FURTHER INFORMATION CONTACT: Tom Graber, Assistant Chief Inspector, Inspections Division, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536, Telephone number: (202) 616-7496.

SUPPLEMENTARY INFORMATION: Section 313 of the Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603, added section 217 to the Immigration and Nationality Act (Act), 8 U.S.C. 1187, which established the VWPP. The VWPP waives the nonimmigrant visa requirement for the admission of certain aliens to the United States for a period not to exceed ninety (90) days. That original provision authorized the participation of eight countries in the Pilot Program. Accordingly, the Service designated by regulations published in the Federal Register, the following eight (8) countries to participate in the VWPP:

Country	Effective date	Federal Register citation
(1) United Kingdom	July 1, 1988	53 FR 24901, June 30, 1988.
(2) Japan	Dec. 15, 1988 ...	53 FR 50161, Dec. 13, 1988.
(3) France	July 1, 1989	54 FR 27120, June 27, 1989.
(4) Switzerland	July 1, 1989	54 FR 27120, June 27, 1989.
(5) Germany	July 15, 1989	54 FR 27120, June 27, 1989.
(6) Sweden	July 15, 1989	54 FR 27120, June 27, 1989.
(7) Italy	July 29, 1989	54 FR 27120, June 27, 1989.
(8) Netherlands	July 29, 1989	54 FR 27120, June 27, 1989.

Section 201 of the Immigration Act of 1990 (IMMACT 90), Public Law 101-649, dated November 29, 1990, further amended the VWPP removing the eight-country cap and extending the

provisions to all countries that met the qualifying provisions contained in section 217 of the Act. In addition, section 201 of IMMACT 90 also extended the period for the VWPP until

September 30, 1994. Subsequently, the Service designated by regulations published in the Federal Register, the following fourteen (14) additional countries to participate in the VWPP:

Country	Effective date	Federal Register citation
(1) Andorra	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(2) Austria	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(3) Belgium	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(4) Denmark	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(5) Finland	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(6) Iceland	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(7) Liechtenstein	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(8) Luxembourg	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(9) Monaco	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(10) New Zealand	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(11) Norway	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(12) San Marino	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(13) Spain	Oct. 1, 1991	56 FR 46716, Sept. 13, 1991.
(14) Brunei	July 29, 1993	58 FR 40581, July 29, 1993.

Section 210 of the Immigration and Nationality Technical Corrections Act of 1994, Public Law 103-416, dated October 25, 1994, extended the expiration date of the VWPP until September 30, 1996.

Addition of Argentina to the VWPP

Argentina does not require visas for citizens and nationals of the United States entering for ninety (90) days or less. Thus it meets the requirement of providing reciprocal treatment for United States citizens and nationals. Argentina also meets the statutorily prescribed limits on visa refusal rates for the prior 2-year period and for each of those two years. Argentina also has a machine-readable passport program and the Attorney General has determined that law enforcement interests would not be compromised by the designation of Argentina. Accordingly, this interim rule amends 8 CFR part 217 to extend the VWPP to include the country of Argentina, which meets all the requirements for that status. Argentina is, therefore, designated as a country participating in the VWPP by the Secretary of State and the Attorney General, acting jointly through their designees. [See the Department of State rule published elsewhere in this issue of the Federal Register.]

The Service's implementation of this rule as an interim rule, with provisions for post-promulgation public comments, is based upon the "good cause" exceptions found at 5 U.S.C. 553(b)(B) and (d)(3). The reasons and the necessity for immediate implementation of this interim rule without prior notice and comment are as follows: This interim rule relieves a restriction and is beneficial to both the traveling public and United States businesses.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely removes a restriction for both the public and United States businesses.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget

has waived its review process under section 6(a)(3)(A).

Executive Order 12612

The regulation adopted herein will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 8 CFR Part 217

Administrative practices and procedures, Aliens, Nonimmigrants, Passports and visas.

Accordingly, part 217 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 217—VISA WAIVER PILOT PROGRAM

1. The authority citation for part 217 continues to read as follows:
Authority: 8 U.S.C. 1103, 1187; 8 CFR part 2.
2. § 217.5, paragraph (a)(1) is revised to read as follows:

§ 217.5 Designated countries.

(a)(1) *Visa Waiver Pilot Program Countries.* United Kingdom (effective July 1, 1988); Japan (effective December 15, 1988); France and Switzerland (effective July 1, 1989); Germany and Sweden (effective July 15, 1989); Italy and the Netherlands (effective July 29, 1989); Andorra, Austria, Belgium, Denmark, Finland, Iceland, Liechtenstein, Luxembourg, Monaco, New Zealand, Norway, San Marino, and Spain (effective October 1, 1991); Brunei (effective July 29, 1993); and Argentina July 8, 1996, have been designated as Visa Waiver Pilot Program countries based on the criteria set forth at sections 217(a)(2)(A) and 217(c) of the Act.

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Dated: June 24, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96-16624 Filed 7-5-96; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 110

RIN 3150-AF51

Export of Nuclear Equipment and Materials

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations pertaining to the export of nuclear equipment and materials. These amendments are necessary to conform the export controls of the United States to the international export control guidelines of the Nuclear Suppliers Group, of which the United States is a member, and to reflect the nuclear nonproliferation policies of the Department of State.

EFFECTIVE DATE: August 7, 1996.

FOR FURTHER INFORMATION CONTACT: Elaine O. Hemby, Office of International Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-2341, e-mail EOH@NRC.GOV.

SUPPLEMENTARY INFORMATION: The Nuclear Regulatory Commission (NRC) is amending its regulations pertaining to the export of nuclear materials and equipment. Cambodia and Vietnam are removed from the list of embargoed destinations; Algeria, Comoros, Guyana, Mauritania, Niger, St. Kitts, United Arab Emirates, Vanuatu, and Yemen Arab

Republic are removed from the list of restricted destinations; Brazil, New Zealand, Republic of Korea, South Africa, and Ukraine are added as member countries of the Nuclear Suppliers Group (NSG) eligible to receive radioactive materials under certain general licenses for export; Austria and Finland are added as eligible countries to receive nuclear reactor components under general license for export; plants for the conversion of uranium and especially designed or prepared equipment for uranium conversion are added to the export controls of the NRC; the kinds of uranium conversion equipment and uranium enrichment equipment under NRC export licensing authority are added for clarification; exports of less than one kilogram of source or special nuclear material exported under the U.S.-IAEA Agreement for Cooperation no longer require Executive Branch review before an NRC license is issued; a general license to export source material and a general license for import are amended to correct inadvertent errors; a reference is added to clarify that some imports and exports of nuclear items are under Department of State controls; and Appendices B and L to Part 110 are amended to correct errors.

Section 110.1, which describes the scope of 10 CFR Part 110, is revised to add a reference that nuclear items on the U.S. Munitions List are subject to the export controls of the Department of State.

In § 110.8, which lists the nuclear facilities and equipment under NRC export authority, and in the appendices to Part 110, which describe the especially designed and prepared equipment under NRC export controls, the word "specially" where it appears is changed to "especially" to conform to the NSG guidelines.

Section 110.8 is amended to add uranium conversion plants and especially designed or prepared equipment for uranium conversion plants to the export authority of the NRC to conform to the NSG guidelines. Recently, the United States and other member countries of the NSG agreed to add to the NSG Trigger List (INFCIRC/254/Part 1) uranium conversion plants. This includes conversion of uranium ore concentrates to UO₃, conversion of UO₃ to UO₂, conversion of uranium oxides to UF₄ or UF₆, conversion of UF₄ to UF₆, conversion of UF₆ to UF₄, conversion of UF₄ to uranium metal, and conversion of uranium fluorides to uranium oxides. The nuclear materials and equipment designated as "trigger list" items are controlled by the NRC.

Conversion of uranium is an essential step of the nuclear fuel cycle for both civil and military programs, including the production of highly enriched uranium and plutonium. In § 110.2, a definition of "conversion facility" is added for clarification.

Exports of uranium conversion plants and equipment are presently controlled by the Department of Commerce (DOC). The addition of uranium conversion plants to the NRC licensing authority will allow the DOC to remove this item from its nuclear referral list.

Accordingly, § 110.1(b)(3), which describes nuclear-related commodities that are subject to DOC export controls, is revised to remove the reference to DOC controls on conversion plants.

In § 110.22, paragraph (c) is amended to delete the word "not" where it first appears. This action is necessary to correct an inadvertent error in a final rule published July 21, 1995 (60 FR 37556). As corrected, § 110.22(c) authorizes the export of uranium or thorium, other than U-230, U-232, Th-227, or Th-228, in individual shipments of one kilogram or less to any country listed in § 110.29, not to exceed 100 kilograms per year to any one country, except for source material in radioactive waste.

In § 110.26, Austria and Finland are added as eligible recipients of nuclear reactor components under the NRC's general license authority for export. These countries are now members of EURATOM. EURATOM has provided the necessary written assurances to the U.S. Government to permit these kinds of exports.

In § 110.27, which describes the general licenses for import, paragraph (4) is amended to delete the term "advance" to describe the kind of notification required. For some activities under § 73.27, advance notification would not apply.

In § 110.28, which lists the embargoed destinations, Cambodia and Vietnam are removed. Because President Clinton lifted the U.S. general trade embargo against Vietnam on February 3, 1995, and the embargo restrictions for Cambodia in 1993, the Executive Branch recently recommended that Cambodia and Vietnam be removed from the embargoed destinations. Both Cambodia and Vietnam are adherents to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Exports to Cambodia and Vietnam now qualify for the NRC general licensing authorizations specified in §§ 110.21 through 110.25.

In § 110.29, Algeria, Comoros, Guyana, Mauritania, Niger, St. Kitts, United Arab Emirates, Vanuatu, and Yemen Arab Republic are removed from