

accompanied by a certificate from the importer establishing that:

(1) The petroleum is imported pursuant to a commercial exchange agreement between United States and Canadian refiners which has been approved by the Secretary of Energy;

(2) The petroleum is imported pursuant to an import license issued by the Secretary of Energy;

(3) An equivalent amount of domestic or duty-paid foreign crude petroleum on which the importer has executed a written waiver of drawback, has been exported to Canada pursuant to the export license and previously has not been used to effect the duty-free entry of like Canadian products; and,

(4) An export license has been issued by the Secretary of Commerce for the petroleum which has been exported to Canada.

(b) The provisions of this section may be applied to:

(1) Liquidated or reliquidated entries if the required certification is filed with the district director at the port where the original entry was made on or before the 180th day after the date of entry; and

(2) Articles entered, or withdrawn from warehouse, for consumption, pursuant to a commercial exchange agreement.

(c) Verification of the quantities of crude petroleum exported to or imported from Canada under such a commercial exchange agreement shall be made in accordance with import verification provided in Part 151, Subpart C, Customs Regulations (19 CFR Part 151, Subpart C).

(R.S. 251, as amended; sec. 624, 46 Stat. 759, 77A Stat. 14, Sec. 2, 91 Stat. 1269 (5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11) 1624))

William T. Archey,

Acting Commissioner of Customs.

Approved: October 26, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

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BILLING CODE 4810-22-M

## 19 CFR Part 134

[T.D. 81-290]

### Country of Origin Marking

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

**SUMMARY:** This document amends the Customs Regulations, relating to the scope of country of origin marking requirements, by including a cross reference to a section in another part of the Customs Regulations which

describes procedures for falsely marked importations.

**EFFECTIVE DATE:** December 28, 1981.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Mahoney, Entry Procedures and Penalties Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20029 (202-566-5765).

### SUPPLEMENTARY INFORMATION:

#### Background

Section 134.0, Customs Regulations (19 CFR 134.0), outlines the scope of country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). Section 134.0 also indicates that the provisions regarding false or misleading markings as to the country of origin are set forth under Part 134, as well as the consequences and procedures to be followed if imported articles are not legally marked.

Although Part 134 does contain the provisions and procedures governing imported articles not legally marked (19 CFR 134.51), the provisions and procedures concerning false markings are not found in Part 134, § 134.0 notwithstanding. The procedures involving falsely marked articles are set forth in § 11.13, Customs Regulations (19 CFR 11.13), which prohibits importation of articles which bear, or the containers of which bear, false designations of origin or false descriptions or representations. Such falsely designated or falsely described articles are subject to detention by Customs.

To prevent readers from being misled, this document revises § 134.0 to indicate that the provisions relating to falsely marked importations are found in § 11.13.

#### Notice and Public Procedure Unnecessary

Because this minor amendment is informational in nature and essentially procedural, pursuant to 5 U.S.C. 553(b)(B), notice and public participation thereon are unnecessary.

#### Executive Order 12291 and Regulatory Flexibility Act

It has been determined that the amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, and therefore no regulatory impact analysis has been prepared.

In addition, it has been determined that the amendment is not subject to the provisions of Pub. L. 96-354, the Regulatory Flexibility Act (5 U.S.C. 601-612), because publication of a notice of

proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), or any other law.

### Drafting Information

The principal author of this document was Robert J. Pisani, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

## PART 134—COUNTRY OF ORIGIN MARKING

### Amendment to the Regulations

Section 134.0, Customs Regulations (19 CFR 134.0), is revised to read as follows:

#### § 134.0 Scope

This part sets forth regulations implementing the country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). The consequences and procedures to be followed when articles are not legally marked are set forth in this part. The consequences and procedures to be followed when articles are falsely marked are set forth in § 11.13 of this chapter. Special marking and labeling requirements are covered elsewhere.

(R.S. 251, as amended, secs. 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14, 80 Stat. 379; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11) 1304, 1624))

William T. Archey,

Deputy Commissioner of Customs.

Approved: November 9, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 81-34320 Filed 11-27-81; 8:45 am]

BILLING CODE 4820-02-M

## 19 CFR Part 141

[T.D. 81-291]

### Entry of Merchandise; Special Invoice Requirements for Certain Articles of Steel

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

**SUMMARY:** This document amends the Customs Regulations relating to special invoice requirements for certain articles of steel to identify 32 designated articles of steel by American Iron and Steel Institute ("AISI") category numbers.

**EFFECTIVE DATE:** December 28, 1981.



**FOR FURTHER INFORMATION CONTACT:**

Irene Barrack, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202 566-8235).

**SUPPLEMENTARY INFORMATION:****Background**

When § 141.89, Customs Regulations (19 CFR 141.89), was amended on February 13, 1978, by T.D. 78-53 (43 FR 6065), to require that a special invoice be presented to Customs for each shipment of certain articles of steel having an aggregate purchase price over \$2500, the articles were listed in the document both by the AISI category number and by letter designation. Section 141.89(b)(2) lists the 32 articles of steel only by letter designations (A-FF). It is a common practice in the steel industry, both in the United States and abroad, to identify these articles of steel by AISI category numbers (1-32) and not by letter designations. All printed materials referencing these items identify them by the AISI category numbers.

In order to eliminate a possible source of confusion to readers, Customs is redesignating the articles of steel listed in the present § 141.89(b)(2) by AISI category numbers under a new subparagraph (i).

**Notice and Public Procedure Unnecessary**

Because this minor amendment is informational in nature and essentially procedural, pursuant to 5 U.S.C. 553(b)(B), notice and public participation thereon are unnecessary.

**Executive Order 12291 and Regulatory Flexibility Act**

It has been determined that the amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, and therefore no regulatory impact analysis has been prepared.

In addition, it has been determined that the amendment is not subject to the provisions of Pub. L. 96-354, the Regulatory Flexibility Act (5 U.S.C. 601-612), because publication of a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), or any other law.

**Drafting Information**

The principal author of this document was Robert J. Pisani, Regulations Control Branch, Office of Regulations

and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

**Amendment to the Regulations****PART 141—ENTRY OF MERCHANDISE**

Section 141.89(b)(2), Customs Regulations (19 CFR 141.89(b)(2)), is amended by revising it to read as follows:

**§ 141.89 Additional information for certain classes of merchandise.**

\* \* \*

(b) \* \* \*

(2) The following articles of steel are subject to the special invoice requirements of § 141.89(b)(1):

(i) Category Number and Products:

- (1) Ingots, blooms, billets, slabs, etc.
- (2) Wire rods.
- (3) Structural shapes, plain 3 inches and over.
- (4) Sheet piling.
- (5) Plates.
- (6) Rail and track accessories.
- (7) Wheels and axles.
- (8) Concrete reinforcing bars.
- (9) Bar shapes under 3 inches.
- (10) Bars, hot rolled, carbon.
- (11) Bars, hot rolled, alloy.
- (12) Bars, cold finished.
- (13) Hollow drill steel.
- (14) Welded Pipe and tubing.
- (15) Other Pipe and tubing.
- (16) Round and shaped wire.
- (17) Flat wire.
- (18) Bale ties.
- (19) Galvanized wire fencing.
- (20) Wire nails.
- (21) Barbed wire.
- (22) Black plate.
- (23) Tin plate.
- (24) Terne plate.
- (25) Sheets, hot rolled.
- (26) Sheets, cold rolled.
- (27) Sheets, coated including galvanized.
- (28) Sheets, coated, alloy.
- (29) Strip, hot rolled.
- (30) Strip, cold rolled.
- (31) Strip, hot and cold rolled-alloy.
- (32) Sheets other, electric coated.

(R.S. 251, as amended, sec. 407, 42 Stat. 18; secs. 481, 484, 624, 46 Stat. 719, 722, as amended, 759, 77A Stat. 14, Tariff Schedules of the United States (General Headnote 11) (19 U.S.C. 66, 173, 1202, 1481, 1484, 1624))

William T. Archey,

Deputy Commissioner of Customs.

Approved: November 9, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 81-34321 Filed 11-27-81; 8:45 am]

BILLING CODE 4820-02-M

**DEPARTMENT OF STATE****Office of the Secretary****22 CFR Part 22**

[Docket No. SD-172; Departmental Reg. 108.813]

**Change in Fees for Consular Services**

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** The Schedule of Fees for consular services performed in foreign countries and in the United States is being revised primarily to clarify certain descriptions of services and to present new requirements for: (a) Surcharges related to fee services and (b) collections for transportation and other expenses when appropriate and necessary.

**EFFECTIVE DATE:** November 30, 1981.

**FOR FURTHER INFORMATION CONTACT:** Ronald K. Somerville, (202) 632-3528.

**SUPPLEMENTARY INFORMATION:** This revision of the Schedule of Fees was published as a proposed rule on October 2, 1981, (46 FR 48884). No public comments on the proposed rule have been received.

Dated: November 20, 1981.

Richard T. Kennedy,  
Under Secretary for Management.

Accordingly, Part 22 of Title 22 of the Code of Federal Regulations is revised as set forth below.

**PART 22—SCHEDULE OF FEES FOR CONSULAR SERVICES—  
DEPARTMENT OF STATE AND  
FOREIGN SERVICE**

Sec.

- 22.1 Schedule of fees.
- 22.2 Requests for services in the United States.
- 22.3 Remittances in the United States.
- 22.4 Requests for services, Foreign Service.
- 22.5 Remittances to Foreign Service posts.
- 22.6 Refund of fees.
- 22.7 Collection and return of fees.
- 22.8 Effective date.

Authority: Secs. 3, 4, 63 Stat. 111, as amended (22 U.S.C. 811a; 2658; 22 U.S.C. 2851; 5 U.S.C. 483a; 22 U.S.C. 1201); E.O. 10718, 22 FR 4632; 3 CFR, 1954-1958 Comp. page 382.

**§ 22.1 Schedule of fees.**

| Item number                                                                    | Fee     |
|--------------------------------------------------------------------------------|---------|
| <i>Passport and Citizenship Services</i>                                       |         |
| 1. Execution of application for passports.....                                 | \$5.00  |
| 2. Examination of passport application executed before a foreign official..... | \$5.00  |
| 3. Issuance of passport (22 U.S.C. 214).....                                   | \$10.00 |
| (Item No. 4 vacant)                                                            |         |
| 5. Issuance of card of identity.....                                           | \$5.00  |



| Item number                                                                                                                                                                                                                   | Fee      | Item number                                                                                                                                                                                                                                                                            | Fee         | Item number                                                                                                                                                                                                                                                                                                                     | Fee      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 6. Execution of application for and issuance of passport.                                                                                                                                                                     |          |                                                                                                                                                                                                                                                                                        |             |                                                                                                                                                                                                                                                                                                                                 |          |
| (a) To officers or employees of the United States proceeding abroad or returning to the United States in the discharge of their official duties, or members of their immediate families (22 U.S.C. 214).                      | No fee.  | or of any of the States or their subdivisions or of the District of Columbia, or of any of the territories and possessions of the United States.                                                                                                                                       |             | extract made from an official or a private document is a true copy. For certifying each copy of each page.                                                                                                                                                                                                                      |          |
| (b) To American seamen who require a passport in connection with their duties aboard an American flag-vessel (22 U.S.C. 214).                                                                                                 | No fee.  | (b) Performed in response to a subpoena or other order of a court. (However, fees are chargeable when the service is for the benefit of a party in interest and a court order or subpoena is issued in an individual's behalf.)                                                        | No fee.     | 48. Certifying to official character of a foreign notary or other official (i.e., authenticating a document).                                                                                                                                                                                                                   | \$4.00.  |
| (c) To widows, children, parents, brothers, or sisters of deceased members of the Armed Forces proceeding abroad to visit the graves of such members (22 U.S.C. 214).                                                         | No fee.  | (c) Performed in providing to a party in interest, a copy of the transcript of a hearing held before a panel, board, or other authority of the Department.                                                                                                                             | No fee.     | 49. Administering oaths, taking acknowledgments, or supplying authentications, in connection with application for letters patent or registration of trademarks, or with the assignment or transfer of rights thereunder.                                                                                                        | \$4.00.  |
| (d) To employees of the American National Red Cross proceeding abroad as a member of the Armed Forces of the United States (10 U.S.C. 2602(c)).                                                                               | No fee.  | 16. Granting an exception under 22 CFR 53.2(h) of Travel Control Regulations.                                                                                                                                                                                                          | \$60.00.    | 50. Administering an oath and certificate thereof for petition for immediate relative, non-immigrant finance(e), temporary worker, non-immigrant intracompany transferee, or preference immigrant status.                                                                                                                       | \$4.00.  |
| (e) Peace Corps Volunteers and Volunteer Leaders, who are deemed to be employees of the United States for purposes of exemption from passport fees (22 U.S.C. 2504(a)).                                                       | No fee.  | 17. Instant Photo Service, where offered by a Foreign Service post for each pair of identical photographs.                                                                                                                                                                             | \$7.00.     | 51. Administering oaths or taking acknowledgments, or authenticating the signatures of officials, in connection with kinmen's petitions for wages and effects of deceased seamen of the American merchant marine (46 U.S.C. 627).                                                                                               | \$13.00. |
| 7. Amendment to passport:                                                                                                                                                                                                     |          | (Item Nos. 18 and 19 vacant)                                                                                                                                                                                                                                                           |             | 52. For affidavit of petitioner or his agent on documents or evidence to be presented to the Federal Government.                                                                                                                                                                                                                | \$4.00.  |
| (a) To show current or new information.                                                                                                                                                                                       | No fee.  | Visa Service For Aliens                                                                                                                                                                                                                                                                |             | 53. Authenticating a Federal, State or Territorial seal, or certifying to the official status of an officer of the United States, Department of State or of a foreign diplomatic or consular officer accredited to or recognized by the United States Government, or any document submitted to the Department for that purpose. | \$4.00.  |
| (b) To correct administrative error.                                                                                                                                                                                          | No fee.  | 20. Furnishing and verification of application for immigrant visa, including duplicate copy.                                                                                                                                                                                           | \$5.00.     | (Item No. 54 vacant).                                                                                                                                                                                                                                                                                                           |          |
| (c) To extend time limitation.                                                                                                                                                                                                | No fee.  | 21. Issuance of each immigrant visa.                                                                                                                                                                                                                                                   | \$20.00.    | 55. Noting of a negotiable instrument for want of acceptance or payment, certifying to protest and giving notice to issuer and endorser when requested to do so.                                                                                                                                                                | \$10.00. |
| 8. Verification of passport.                                                                                                                                                                                                  | No fee.  | 22. Furnishing and verification of application and issuance of nonimmigrant visa. (Fees prescribed in Appendices B, C, and E, Part IV, FAM, Vol. 9 of Department of State, as amended from time to time).                                                                              | Reciprocal. | (Item Nos. 56 through 57 vacant)                                                                                                                                                                                                                                                                                                |          |
| 9. Execution of application for registration.                                                                                                                                                                                 | No fee.  | 23. Furnishing and verification of application and issuance of nonimmigrant visa to:                                                                                                                                                                                                   |             | 58. Services under the heading, "Notarial Services and Authentications" when rendered:                                                                                                                                                                                                                                          |          |
| 10. Execution of affidavit in regard to American birth in connection with application for passport or citizenship determination.                                                                                              | No fee.  | (a) An alien proceeding solely in transit to and from the headquarters district of the United Nations under the provisions of section 11 of the Agreement between the United Nations and the United States of America regarding the headquarters of the United Nations (61 Stat. 756). | No fee.     | (a) In connection (except those related to applications for passports or immigrant visas) with the execution of forms or documents required by and to be presented to any department or agency of the Federal Government.                                                                                                       | No fee.  |
| 11. Administering the oath of allegiance to a native-born American woman who lost her citizenship.                                                                                                                            | No fee.  | (b) An official representative of a foreign government, or an international or regional organization of which the U.S. is a member.                                                                                                                                                    | No fee.     | (b) In connection with the assignment and transfer of United States bonds or other Federal financial obligations or the execution of powers of attorney therefor to collect interest thereon.                                                                                                                                   | No fee.  |
| 12. For delivery to the applicant of a certified copy of an executed form:                                                                                                                                                    |          | (c) An alien participating in a U.S. Government program.                                                                                                                                                                                                                               | No fee.     | (c) In connection with the execution of forms or documents required by and to be presented to the States and their subdivisions, the District of Columbia, or any of the territories or possessions of the United States.                                                                                                       | No fee.  |
| (a) Of repatriation of a native-born American woman whose marital status with an alien terminated prior to January 13, 1941.                                                                                                  | \$4.00.  | 24. Visa or supplemental visa of alien crew list: (If Item 93 is applicable, only one Surcharge shall be applied per group served on the same visit).                                                                                                                                  |             | (d) In the execution of tax returns for filing with the Federal or State Governments or political subdivisions thereof.                                                                                                                                                                                                         | No fee.  |
| (b) Of repatriation of a native-born American woman under sec. 324 of the Immigration and Nationality Act (8 U.S.C. 1435).                                                                                                    | \$4.00.  | (a) Up to 40 crew members.                                                                                                                                                                                                                                                             | \$35.00.    | (e) To claimants and beneficiaries and their witnesses, in connection with Federal, State and municipal allotment, pension, retirement, insurance, medical compensation, or like benefits.                                                                                                                                      | No fee.  |
| (c) Of repatriation under the act of July 20, 1954 (6 U.S.C. 1438 sup.) of a person who while a citizen of the United States lost his citizenship by voting in Japan between September 2, 1945 and April 27, 1952, inclusive. | \$4.00.  | (b) 41 to 100 crew members.                                                                                                                                                                                                                                                            | \$60.00.    | (f) To American citizens, while outside the United States, in preparation of ballots to be used in any primary, general or other public elections in the United States or in territories under their jurisdiction.                                                                                                              | No fee.  |
| 13. Documents relating to births, marriages or deaths of American citizens abroad where reported to a Foreign Service post:                                                                                                   |          | (c) 101 to 200 crew members.                                                                                                                                                                                                                                                           | \$86.00.    | (g) For official non-commercial use by a foreign government or by an international agency of which the Government of the United States is a member.                                                                                                                                                                             | No fee.  |
| (a) Registration of birth of American citizen, including furnishing one copy of Form FS-240 "Report of Birth Abroad of a Citizen of the United States of America" and Form FS-545, "Certification of Birth".                  | \$13.00. | (d) Over 200 crew members.                                                                                                                                                                                                                                                             | \$152.00.   | (h) To an official of a foreign government in circumstances where furnishing the service is an appropriate or reciprocal courtesy.                                                                                                                                                                                              | No fee.  |
| (b) "Certificate of Witness to Marriage" in quadruplicate (Exempt from charges of Item 93 and Item 94).                                                                                                                       | \$55.00. | 25. Revalidation or transfer of a nonimmigrant visa.                                                                                                                                                                                                                                   | Reciprocal. | (i) To U.S. Government personnel and Peace Corps volunteers or their dependents officially stationed or traveling in a foreign country.                                                                                                                                                                                         | No fee.  |
| (c) Authentication of original documents of marriage, per copy.                                                                                                                                                               | \$4.00.  | (Item Nos. 26 through 29 vacant)                                                                                                                                                                                                                                                       |             | 59. Affidavit on preparation and packing of remains.                                                                                                                                                                                                                                                                            | No fee.  |
| (d) "Report of Death of an American Citizen" and sending one copy each to legal representative and to closest known relative or relatives.                                                                                    | No fee.  | Services Relating to Vessels and Seamen                                                                                                                                                                                                                                                |             | 60. Consular mortuary certificate.                                                                                                                                                                                                                                                                                              | No fee.  |
| [Certified copies of the above documents may be obtained from Passport Services, Correspondence Branch, Department of State, Washington, D.C. 20524, \$4.00 per copy].                                                        | \$4.00.  | 30. Noting marine protest, when required by a master of a foreign or an undocumented vessel.                                                                                                                                                                                           | \$9.00.     |                                                                                                                                                                                                                                                                                                                                 |          |
| 14. Documents from passport files and related records (except as specified in Item 13):                                                                                                                                       |          | 31. Extending marine protest, when required by a master of a foreign or an undocumented vessel.                                                                                                                                                                                        | \$52.00.    |                                                                                                                                                                                                                                                                                                                                 |          |
| (a) For file search.                                                                                                                                                                                                          | \$8.00.  | 32. Protest of master against charterers or freighters, when required by a master of a foreign or an undocumented vessel.                                                                                                                                                              | \$8.00.     |                                                                                                                                                                                                                                                                                                                                 |          |
| (b) For duplicating by photocopy or other such means, per each copy of each page.                                                                                                                                             | \$0.20.  | 33. Shipment or discharge of seaman on undocumented vessel, each seaman (if Item 93 is applicable, only one Surcharge shall be applied per group served on the same visit).                                                                                                            | \$5.00.     |                                                                                                                                                                                                                                                                                                                                 |          |
| (c) For certifying of a true copy.                                                                                                                                                                                            | \$2.00.  | 34. Recording of bill of sale of vessel purchased abroad, taking of application for provisional certificate of registration or certificate of American ownership, and investigation.                                                                                                   | \$40.00.    |                                                                                                                                                                                                                                                                                                                                 |          |
| (d) For certifying by letter under official seal a statement or extract from passport files or a statement that no record of a passport file can be located (plus \$8 search charge 14a).                                     | \$2.00.  | 35. Issuance of provisional certificate of registry of certificate of American ownership.                                                                                                                                                                                              | \$30.00.    |                                                                                                                                                                                                                                                                                                                                 |          |
| 15. Any service described in Item 14 when:                                                                                                                                                                                    |          | 36. Services under this tariff (unless designated "no exceptions") when performed for American vessels or for American seamen (22 U.S.C. 1186).                                                                                                                                        | No fee.     |                                                                                                                                                                                                                                                                                                                                 |          |
| (a) Required for official use by an agency of the Federal Government                                                                                                                                                          | No fee.  | (Item Nos. 37 through 44 vacant)                                                                                                                                                                                                                                                       |             |                                                                                                                                                                                                                                                                                                                                 |          |
|                                                                                                                                                                                                                               |          | Notarial Services and Authentications                                                                                                                                                                                                                                                  |             |                                                                                                                                                                                                                                                                                                                                 |          |
|                                                                                                                                                                                                                               |          | 45. Administering an oath and certificate thereof.                                                                                                                                                                                                                                     | \$4.00.     |                                                                                                                                                                                                                                                                                                                                 |          |
|                                                                                                                                                                                                                               |          | 46. Taking the acknowledgement of the execution of a document and certificate thereof.                                                                                                                                                                                                 | \$4.00.     |                                                                                                                                                                                                                                                                                                                                 |          |
|                                                                                                                                                                                                                               |          | 47. Certifying under official seal that a copy or                                                                                                                                                                                                                                      | \$2.00.     |                                                                                                                                                                                                                                                                                                                                 |          |



| Item number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Fee      | Item number                                                                                                                                                  | Fee      |          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| (Item Nos. 61 through 65 vacant)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          |                                                                                                                                                              |          |          |
| 66. Executing commissions to take testimony in connection with foreign documents for use in criminal cases when the commission is accompanied by an order of Federal court on behalf of an indigent party as contemplated by 18 U.S.C. 3495.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$16.00  | States or of any corporation in which the Federal Government or its representative shall own the entire outstanding capital stock.                           |          |          |
| 67. Providing seal and certificate for return of letters rogatory executed by foreign officials.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          | <i>Other Consular Services</i>                                                                                                                               |          |          |
| (Item No. 68 vacant)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |                                                                                                                                                              |          |          |
| <i>Services Relating to the Taking of Evidence</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          |                                                                                                                                                              |          |          |
| 69. In taking depositions or executing commissions to take testimony:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |          | (a) From a Foreign Service post to the Department of State.                                                                                                  | \$15.00. |          |
| (a) For the services of a diplomatic or consular officer, per hour or fraction thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$90.00. | (b) From the Department of State to a Foreign Service post.                                                                                                  | \$15.00. |          |
| (b) For the services, if required, of a staff member of the Foreign Service as interpreter, stenographer or typist per hour or fraction thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$35.00. | (c) From a Foreign Service post to another Foreign Service post.                                                                                             | \$15.00. |          |
| [Services of (a) and (b) above are exempt from charges of Item 93, but not of Item 94].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |          |                                                                                                                                                              |          |          |
| <i>Decedents and decedents/estates</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |                                                                                                                                                              |          |          |
| 70. Taking into possession under 22 U.S.C. 1175 the personal estate of any citizen who shall die within the limits of a consular district, and arranging for inventory, sale, and final disposition thereof according to law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | No fee.  | 85. Making an Interested Party toll telephone call. (See bracketed instruction on collections under Item 94).                                                | Cost.    |          |
| 71. Services as described under Item No. 70 above when performed in the case of a deceased employee of the United States.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No fee.  | 86. U.S. Selective Service Registration in a foreign country.                                                                                                | No fee.  |          |
| 72. For placing or removing official seal on estates of decedents; for disbursing funds supplied by relatives and others; for forwarding to legal representative or other authorized person of securities and other instruments not negotiated (or not negotiable) by the consular officer, or evidence of bank deposits of the decedent; or for releasing on the spot against memorandum receipt and without occasion either for safekeeping on official accountability or for consular inventory and appraisal, to the legal representative or other authorized person in the country, of personal property taken into nominal possession for the explicit purpose of transfer of custody.                                                                                                                                                                                                                                                                | No fee.  | 87. Distribution of U.S. Treasury checks to Federal beneficiaries.                                                                                           | No fee.  |          |
| 73. Arrangements for shipping or other disposition of remains.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | No fee.  | 88. Searching for and forwarding a document requested from a Foreign Service post by a non-government individual, organization or group (for each document). | \$8.00.  |          |
| (Items Nos. 89 and 90 vacant)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          |                                                                                                                                                              |          |          |
| 91. Collection of fees by a Foreign Service post for: services performed by Department of State offices within the United States under this Schedule of Fees; services performed under 22 C.F.R. 614 (Freedom of Information Services).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |          |                                                                                                                                                              |          | No fee.  |
| 92. Setting up and maintaining a trust account for one year or less to transfer funds to, or in behalf of, an American in need in a foreign country.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |                                                                                                                                                              |          | \$15.00. |
| <i>Surcharges</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |          |                                                                                                                                                              |          |          |
| 93. Surcharges for services rendered away from office or after duty hours in the United States or in a foreign country are required for all "Fee" services listed above when performed at the request of an interested party unless specifically exempted, but are not required for "No fee" services nor for instances of common disaster (i.e., ship wrecks, air crashes, etc.) or evacuations. However, whether employees can be made available to perform duties away from office or after duty hours will be determined by the Consul General, the supervising consular officer, or the Passport Agency Director after considering workload priorities for the staff concerned. The following Surcharges, when required, are added to the regular fee.                                                                                                                                                                                                 |          |                                                                                                                                                              |          |          |
| (1) American employee.....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                                                                                                                                              |          | \$20.00. |
| (2) Foreign Service National employee.....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                                                                                                                                              |          | \$10.00. |
| <i>Transportation and Other Expenses</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |                                                                                                                                                              |          |          |
| 94. Transportation and other expenses necessarily being incurred by officers or other employees of U.S. Passport Agencies or American Consular Posts in foreign countries shall be collected on an estimated cost basis from the persons requesting the performance of "Fee" services listed above unless specifically exempted. Transportation and other expenses may also be collected for "No fee" or any other consular services when the Consul General, the supervising consular officer, or the Passport Agency Director concerned determines that collections for these purposes are appropriate and necessary. For example: the service of assisting in the recovery of lost or stolen vehicles, boats or planes may call for coverage of such expenses; or special estate settlement, handling or disposition services requested by the next of kin or legal representative of the decedent may require unusual travel or other special expenses. |          |                                                                                                                                                              |          | Cost.    |
| [Collections under Item 85 and Item 94 shall not be considered as part of the official fees but shall be recorded as refunds to the post allotment and accounted for as such. If there is uncertainty as to the extent or timing of expenses, a trust account, per Item 92 above, may be established with payment(s) made as performance of the service progresses].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |                                                                                                                                                              |          |          |
| <i>Exemption for Federal Agencies and Corporations</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |                                                                                                                                                              |          |          |
| 83. Any and all services (unless above designated "No exceptions") performed for the official use of the Government of the United                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No fee.  |                                                                                                                                                              |          |          |

## § 22.2 Requests for services in the United States.

(a) *Requests for records.* Requests by the file subject of the individual's authorized agent for services involving U.S. passport applications and related records, including consular birth, marriage and death records and authentication of other passport file documents, shall be addressed to Passport Services, Correspondence Branch, Department of State, Washington, D.C. 20524. Requests for consular birth records should specify if a Consular Report of Birth (Form FS 240, or long form) or Certification of Birth (Form DS 1350, or short form) is desired. Advance remittance of the exact fee is required for each service.

(b) *Authentication services.* Requests for Department of State authentication of documents other than passport file documents must be accompanied by remittance of the exact total fee chargeable and addressed to the Authentication Officer, Department of State, Washington, D.C. 20520.

## § 22.3 Remittances in the United States.

(a) *Type of Remittance.* Remittances shall be in the form of: (1) check or bank draft drawn on a bank in the United States; (2) money order—postal, international or bank; or (3) U.S. currency. Remittances shall be made payable to the order of the Department of State. The Department will assume no responsibility for cash which is lost in the mail.

(b) *Exact payment of fees.* Fees must be paid in full prior to issuance of requested documents. If uncertainty as to the existence of a record or as to the number of sheets to be copied precludes remitting the exact fee chargeable with the request, the Department of State will inform the interested party of the exact amount required.

## § 22.4 Requests for services, Foreign Service.

Officers of the Foreign Service shall charge for official services performed abroad at the rates prescribed in this schedule, in coin of the United States or at its representative value in exchange (22 U.S.C. 1202). For definition of representative value in exchange, see § 23.4 of this chapter. No fees named in this schedule shall be charged or collected for the official services to American vessels and seamen (22 U.S.C. 1186). The term "American vessels" is defined to exclude, for the purposes of this schedule, undocumented American vessels and the fees prescribed herein shall be charged and collected for such undocumented vessels. However, the



fees prescribed herein shall not be charged or collected for American public vessels, which includes any vessel owned or operated by a U.S. Government department or agency and engaged exclusively in official business on a non-commercial basis. This schedule of fees shall be kept posted in a conspicuous place in each Foreign Service consular office, subject to the examination by all persons interested therein (22 U.S.C. 1197).

#### § 22.5 Remittances to Foreign Service posts.

Remittances to Foreign Service posts from persons in the United States in payment of official fees and charges or for the purpose of establishing deposits in advance of rendition of services shall be in a form acceptable to the post, drawn payable to the American Embassy (name of city), American Consulate General (name of city) or American Consulate (name of city), as the case may be. This will permit cashing of negotiable instruments for deposit in the Treasury when not negotiated locally. See § 23.2 of this Chapter.

(a) *Time at which fees become payable.* Fees are due and payable prior to issue or delivery to the interested party of a signed document, a copy of a record, or other paper representative of a service performed.

(b) *Receipt for fees; register of services.* Every officer of the Foreign Service responsible for the performance of services as enumerated in the Schedule of Fees for Consular Services, Department of State and Foreign Service (§ 22.1), shall give receipts for fees collected for the official services rendered, specifying the nature of the service and numbered to correspond with entries in a register maintained for the purpose (22 U.S.C. 1192, 1193, and 1194). The register serves as a record of official acts performed by officers of the Foreign Service in a governmental or notarial capacity, corresponding in this regard with the record which notaries are usually expected or required to keep of their official acts. See § 92.2 of this chapter.

(c) *Deposits to guarantee payment of fees or incidental costs.* When the amount of any fee is determinable only after initiation of the performance of a service, or if incidental costs are involved, the total fee and incidental costs shall be carefully estimated and an advance deposit required, subject to refund of any unused balance to the person making the deposit.

#### § 22.6 Refund of fees.

Fees which have been collected for deposit in the Treasury are refundable: (a) as specifically authorized by law (see 22 U.S.C. 214a concerning passport fees erroneously charged persons excused from payment, 22 U.S.C. 216 concerning passport fees in cases where the appropriate representative in the United States of a foreign government refuses a visa, and 46 U.S.C. 8 concerning fees improperly imposed on vessels or seamen); (b) when the principal officer at the consular post where the fee was collected (or the officer in charge of the consular section at a combined diplomatic/consular post) finds upon review of the facts that the collection was erroneous under applicable law; and (c) where determination is made by the Department of State with a view to payment of a refund in the United States in cases which it is impracticable to have the facts reviewed and refund effected by and at the direction of the responsible consular office. See § 13.1 of this chapter concerning refunds of fees improperly exacted by consular officers who have neglected to return the same to the Treasury.

#### § 22.7 Collection and return of fees.

No fees other than those prescribed in the Schedule of Fees, § 22.1, or by or pursuant to an act of Congress, shall be charged or collected by officers of the Foreign Service for official services performed abroad (22 U.S.C. 1201). All fees received by any officer of the Foreign Service for services rendered in connection with the duties of office or as a consular officer shall be accounted for and paid into the Treasury of the United States (22 U.S.C. 99 and 812). For receipt, registry, and numbering provisions, see § 22.5(b). Collections for transportation and other expenses necessary for performance of services or for Interested Party toll telephone calls shall be refunded to post allotment accounts and made available for meeting such expenses.

#### § 22.8 Effective date.

The charges established become effective November 30, 1981 with respect to all services rendered pursuant to requests received in the Department of State and the Foreign Service on or after the effective date.

[FR Doc. 81-34374 Filed 11-27-81; 8:45 am]

BILLING CODE 4710-06-M

#### Bureau of Consular Affairs

#### 22 CFR Part 41

[Dept. Reg. 108.812]

#### Nonresident Alien Mexican Border Crossing Cards; Correction

AGENCY: Department of State.

ACTION: Final rule; correction.

**SUMMARY:** This document adds two words which were inadvertently omitted from the final rule relating to Mexican border crossing cards, which appeared at page 54729 in the *Federal Register* of Wednesday, November 4, 1981. It also corrects typographical errors contained in that same publication.

**FOR FURTHER INFORMATION:** Gerald M. Brown, Chief Legislation and Regulations Division, Visa Services, Bureau of Consular Affairs. (202) 632-1900.

#### SUPPLEMENTARY INFORMATION:

#### § 41.128 [Corrected]

Accordingly, the words "or expired" are added immediately after the word "valid" in the text of the Summary and in § 41.128(b)(2); the "a" in the word "Boarder" appearing in the introductory heading is removed and the "(g)" in the sixth line of the text of instructions is changed to "(f)".

Dated: November 17, 1981.

Gerald M. Brown,

Chief, Legislation and Regulations Division,  
Visa Services.

[FR Doc. 81-33676 Filed 11-27-81; 8:45 am]

BILLING CODE 4710-06-M

#### DEPARTMENT OF DEFENSE

#### Corps of Engineers, Department of the Army

#### 33 CFR Part 208

[ER 1110-2-241]

#### Flood Control Regulations; Use of Storage Allocated for Flood Control and Navigation Purposes

AGENCY: Army Corps of Engineers, DOD.

ACTION: Final rule.

**SUMMARY:** This regulation prescribes policy for controlling storage and discharge of waters from reservoirs for flood control or navigation. Appendix A has been revised providing pertinent data for projects which are subject to this regulation. This regulation is intended to establish an understanding between project owners, operating agencies and the Corps of Engineers