### DEPARTMENT OF COMMERCE

**Bureau of Industry and Security**

#### 15 CFR Part 730

**General Information**

**CFR Correction**

In Title 15 of the Code of Federal Regulations, Parts 300 to 799, revised as of January 1, 2015, on page 206, in § 730.8, in paragraph (c), remove the first instance of the phrase: “General information including assistance in understanding the EAR, information on how to obtain forms, electronic services, publications, and information on training programs offered by BIS, is available from the Office of Export Services at the following locations.”

**DATES:** This rule is effective November 10, 2015.

**FOR FURTHER INFORMATION CONTACT:**

Lauren A. Boquin, Legislation and Regulations Division, Visa Services, Bureau of Consular Affairs, Department of State, 600 19th St. NW., Washington, DC 20006, (202) 485–7638.

**SUPPLEMENTARY INFORMATION:**

*Why is the Department promulgating this rule?*

The Immigration and Nationality Act (INA), at section 222(h), sets out detailed requirements for in-person interviews of applicants for nonimmigrant visas. This rule amends 22 CFR 41.102 to be consistent with INA 222(h). It is also amended to reflect delegation of the Secretary of State’s authority under INA section 222(h)(1)(C)(ii) to waive visa interviews upon a determination that a waiver is necessary as a result of unusual or emergent circumstances. In a delegation of authority dated August 20, 2012 (77 FR 52379), the Secretary authorized the Assistant Secretary for Consular Affairs to waive in-person visa interviews under such circumstances, which would include humanitarian crises or medical emergencies. The delegation also included authority to re-delegate, and the authority was re-delegated to the Deputy Assistant Secretary for Visa Services.

**ACTION:** Final rule.

**SUMMARY:** This rule is promulgated to clarify the circumstances in which a consular officer and the Deputy Assistant Secretary for Visa Services may waive the requirement for a nonimmigrant visa interview.

**REGULATORY FINDINGS**

**Administrative Procedure Act**

This regulation involves a foreign affairs function of the United States and, therefore, in accordance with 5 U.S.C. 553(a)(1), is exempt from the requirements of 5 U.S.C. 553. In addition, since this rulemaking relates to rules of Department organization, procedure, or practice, it is exempt from notice-and-comment rulemaking in accordance with 5 U.S.C. 553(b). Finally, since this rulemaking is exempt from section 533, the provisions of 5 U.S.C. 553(d) do not apply, and this rulemaking is effective immediately.

**Unfunded Mandates Reform Act of 1995**

Because this final rule is exempt from notice-and-comment rulemaking under 5 U.S.C. 553, it is exempt from the Regulatory Flexibility Act (5 U.S.C. 603 and 604). Nonetheless, consistent with the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Department certifies that this rule will not have a significant economic impact on a substantial number of small entities.

**Small Business Regulatory Enforcement Fairness Act of 1996**

This rule is not a major rule as defined by 5 U.S.C. 804. The Department is aware of no monetary effect on the economy that will result from this rulemaking.

### DEPARTMENT OF STATE

**22 CFR Part 41**

[Public Notice: 9343]

RIN 1400–AD80

**Visas: Interview Waiver Authority**

**AGENCY:** State Department.

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