

companies to compete with foreign-based companies in domestic and export markets.

#### *Executive Order 12866*

This rule is considered by DHS to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review. Accordingly, this rule has been submitted to the Office of Management and Budget (OMB) for review. DHS has assessed both the costs and benefits of this rule as required by section 1(b)(6) of Executive Order 12866 and has made a determination that, although increasing the fee to \$385 will increase the cost to the individual applicant and/or petitioner, USCIS must establish and collect fees to recover the full costs of processing immigration benefit applications, as required by the authorizing statute, the INA. The implementation of this rule also will provide USCIS with an additional \$6.7 million in FY 2005 over the fee revenue that would be collected under the current fee structure. If USCIS does not adjust the current fees to recover the full costs of processing immigration benefit applications, our programs will not be fully funded and we will not be able to process applications in a timely manner. Thus, the backlog will likely increase. The results of the review showed that if the AAO's staffing increased, processing times would likely meet the President's mandate regarding backlog reduction. The revenue increase is based on USCIS costs and projected volumes that were available at the time of this rule.

#### *Executive Order 13132*

This rule 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 section 6 of Executive Order 13132, DHS has determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### *Executive Order 12988: Civil Justice Reform*

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995, Public Law 104-13, 109 Stat. 163 (1995), all Departments are required to submit to OMB, for review and approval, any reporting or record-

keeping requirements inherent in a rule. This rule does not impose any new reporting or record-keeping requirements under the Paperwork Reduction Act.

However, it should be noted that USCIS solicited public comments on the change of fees in the proposed rule that was published in the **Federal Register** on November 30, 2004. Because the change to the fees requires a change to Form I-290B, USCIS submitted a change request to OMB indicating the fee change from \$110 to \$385. OMB has approved changes to this form, consistent with the provisions in this final rule. The fee change is now reflected on USCIS Form I-290B.

#### 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; AVAILABILITY OF RECORDS**

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

**Authority:** 5 U.S.C. 301, 552, 552a; 8 U.S.C. 1101, 1103, 1304, 1356; 31 U.S.C. 9701; Public Law 107-296, 116 Stat. 2135 (6 U.S.C. 1 *et seq.*); E.O. 12356, 47 FR 14874, 15557, 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

■ 2. In § 103.5(a)(1)(iii), the introductory text is revised to read as follows:

#### **§ 103.5 Reopening or reconsideration.**

(a) \* \* \*

(1) \* \* \*

(iii) *Filing Requirements*—A motion shall be submitted on Form I-290B and may be accompanied by a brief. It must be:

\* \* \* \* \*

■ 3. Section 103.7(b)(1) is amended by:

- a. Revising the entry for the form "I-290B"; and by
- b. Revising the fee "\$110" to read "\$385" wherever that fee appears in the entry for "Motion."

The revision reads as follows:

#### **§ 103.7 Fees.**

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

\* \* \* \* \*

Form I-290B. For filing an appeal from any decision under the immigration laws in any type of proceeding over which the Board of

Immigration Appeals does not have appellate jurisdiction—\$385.00 (the fee will be the same when an appeal is taken from the denial of a petition with one or multiple beneficiaries, provided that they are all covered by the same petition, and therefore, the same decision).

\* \* \* \* \*

Dated: August 22, 2005.

**Michael Chertoff,**

*Secretary.*

[FR Doc. 05-17132 Filed 8-26-05; 8:45 am]

**BILLING CODE 4410-10-P**

## **NUCLEAR REGULATORY COMMISSION**

### **10 CFR Part 72**

**RIN 3150-AH70**

#### **List of Approved Spent Fuel Storage Casks: VSC-24 Revision, Confirmation of Effective Date**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule: confirmation of effective date.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is confirming the effective date of September 13, 2005, for the direct final rule that was published in the **Federal Register** on June 30, 2005 (70 FR 37647). This direct final rule amended the NRC's regulations to revise the VSC-24 cask system listing to include Amendment No. 5 to Certificate of Compliance (CoC) No. 1007.

**EFFECTIVE DATE:** The effective date of September 13, 2005, is confirmed for this direct final rule.

**ADDRESSES:** Documents related to this rulemaking, including comments received, may be examined at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. These same documents may also be viewed and downloaded electronically via the rulemaking Web site (<http://ruleforum.llnl.gov>). For information about the interactive rulemaking Web site, contact Ms. Carol Gallagher (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6219, e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On June 30, 2005 (70 FR 37647), the NRC published a direct final rule amending its regulations in 10 CFR Part 72 to

revise the VSC-24 cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 5 to CoC No. 1007. This amendment changes the certificate holder's name from Pacific Sierra Nuclear Associates to BNG Fuel Solutions Corporation. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on September 13, 2005. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 23rd day of August, 2005.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 05-17058 Filed 8-26-05; 8:45 am]

BILLING CODE 7590-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-21705; Airspace Docket No. 05-ACE-21]

#### Modification of Legal Description of the Class E Airspace; Columbia Regional Airport, MO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which modifies the legal description of the Class E Airspace at Columbia Regional Airport, MO.

**DATES:** Effective 0901 UTC, October 27, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64216; telephone: (816) 321-2121.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on July 21, 2005 (70 FR 41950). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that if no adverse notice of intent to submit such an

adverse comment was received within the comment period, the regulation would become effective on October 27, 2005. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on August 15, 2005.

**Elizabeth S. Wallis,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05-17060 Filed 8-26-05; 8:45 am]

BILLING CODE 4921-13-M

## DEPARTMENT OF STATE

### 22 CFR Parts 120, 122, 123, 124, 126, and 127

[Public Notice 5176]

#### Amendments to the International Traffic in Arms Regulations: Port Directors Definition, NATO Definition, Major Non-NATO Ally Definition, Recordkeeping Requirements, Supporting Documentation for Electronic License Applications, Disclosure of Registration Documents

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** The definition of "District Director of Customs" has been amended to reflect the change in title. Also, references to the Customs Service have been changed to the U.S. Customs and Border Protection. A definition has been added for the "North Atlantic Treaty Organization" and another definition for "major non-NATO ally." The recordkeeping requirement has been revised to include maintaining records in an electronic format and reproduction of readable documents. No need for multiple copies of supporting documentation for electronic license applications. Also, registration documents are not releasable to the public.

**DATES:** *Effective Date:* This rule is effective August 29, 2005.

**ADDRESSES:** Interested parties are invited to submit written comments to the Department of State:

- E-mail comments may be sent to [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov) with the subject line: Parts 120, 122, 123, 124, 126 and 127.

- Written comments may be sent to Directorate of Defense Trade Controls, Office of Defense Trade Controls Management, ATTN: Regulatory Change, Parts 120, 122, 123, 124, 126 and 127, SA-1, 12th Floor, Washington, DC 20522-0112.

Persons with access to the Internet may also view this notice by going to the regulations.gov Web site at: <http://www.regulations.gov>. Comments will be accepted at any time.

**FOR FURTHER INFORMATION CONTACT:**

Mary F. Sweeney, Office of Defense Trade Controls Management, Bureau of Political-Military Affairs, Department of State on 202-663-2865.

**SUPPLEMENTARY INFORMATION:**

The definition of "District Director of Customs" has been amended to reflect that references to "District Directors," have been replaced with "Port Directors" (Sections 123.4, 123.5, 123.6, 123.13, 123.16, 123.17, 123.18, 123.23, 126.4, 126.5, 126.6, and 126.13). Also, references to the "Bureau of Customs and Border Protection" and "U.S. Customs" have been replaced by "U.S. Customs and Border Protection" (Sections 122.5, 123.4, 123.5, 123.6, 123.13, 123.16, 123.17, 123.18, 123.22, 123.23, 123.24, 124.3, 126.4, 126.5, 126.6, 126.13, and 127.4).

The ITAR has been amended by adding two new definitions. There is a definition at 22 CFR 120.31 for the "North Atlantic Treaty Organization" and the countries are listed. The other definition is at 22 CFR 120.32 for "major non-NATO ally." Major non-NATO ally means a country that is designated in accordance with § 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k) as a major non-NATO ally for purposes of the Foreign Assistance Act of 1961 and the Arms Export Control Act (22 U.S.C. 2751 *et seq.*) (22 U.S.C. 2403(q)). The countries are listed in 22 CFR 120.32. Also, Taiwan shall be treated as though it were designated a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)) in accordance with section 1206 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Pub. L. 107-228). In complying with Presidential Determination No. 2004-35 of June 3, 2004 and Presidential Determination No. 2004-37 of June 16, 2004, the ITAR is being amended to add Morocco and Pakistan as major non-NATO allies of the United States.

Section 122.3 has been amended to require a registrant renewing its registration to submit the renewal request at least 30 days prior to the expiration date.

Section 122.5 has been amended to include if maintaining records in an electronic format the information must be capable of being reproduced legibly on paper. Also, the stored information if altered must keep track of all changes,