

the district office for the district in which the nonimmigrant alien subject to special registration's residence is located. Annual reregistration shall be in the same manner as provided in paragraph (f)(3), and shall occur within 10 days of the month and day of the anniversary of his or her original admission to the United States. Annual reregistration of a nonimmigrant alien subject to special registration under paragraph (f)(4) shall be in the manner prescribed in the applicable notice, subject to any modifications or changes included in any applicable intervening notice.

(6) In addition to the 30-day and annual reregistrations pursuant to paragraphs (f)(3) and (f)(5) of this section, any nonimmigrant alien subject to special registration who remains in the United States for 30 days or more shall notify the Service by mail or other such means as determined by the Attorney General, using a notification form designated by the Service, of any change of address of residence, change of employment, or change of educational institution, within 10 days of such change.

(7) A nonimmigrant alien subject to special registration may apply to the district director, or such other official as the Attorney General may designate, at the Service's district office in which the nonimmigrant alien subject to special registration's residence address is located and registered, for relief from the requirements of this paragraph (f). The decision of the district director or such other official is final and not appealable.

(8) When a nonimmigrant alien subject to special registration departs from the United States, he or she shall report to a departure control officer of the Service, at such port of entry as the Service may specify. Any nonimmigrant alien subject to special registration who fails, without good cause, to be examined by a departure control officer at the time of his or her departure, and to have his or her departure endorsed upon his or her special registration, shall thereafter be presumed to be inadmissible under, but not limited to, section 212(a)(3)(A)(ii) of the Act, as an alien whom the Attorney General has reasonable grounds to believe, based on the alien's past failure to conform with the requirements for special registration, seeks to enter the United States to engage in unlawful activity. An alien may overcome this presumption by making a showing that he or she satisfies conditions set by the Attorney General and the Secretary of State.

(9) Registration under this paragraph (f) is not deemed to be complete unless

all of the information requested on the forms required by the Service, and all requested documents, are provided in a timely manner. Each annual reregistration and each change of material fact is a registration that is required under sections 262 and 263 of the Act. Each change of address required under this paragraph (f) is a change of address required under section 265 of the Act.

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Dated: June 10, 2002.

**Larry D. Thompson,**

*Acting Attorney General.*

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## FEDERAL ELECTION COMMISSION

### 11 CFR Parts 100, 104, and 109

[Notice 2002-10]

#### Independent Expenditure Reporting

**AGENCY:** Federal Election Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** On March 20, 2002, the Commission published the text of regulations regarding independent expenditure reporting. The Commission announces that these rules are effective as of June 13, 2002.

**DATES:** Effective date: June 13, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosemary C. Smith, Acting Associate General Counsel, or Ms. Cheryl Fowle, Attorney, 999 E Street, NW, Washington, DC 20463, (202) 694-1650 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** The Commission is announcing the effective date of revisions to the regulations at 11 CFR 100.19, 104.4(b), 104.5(f) and (g), 104.14(a), 104.18(h), 109.1(f) and 109.2 regarding independent expenditure reporting. See Explanation and Justification for Independent Expenditure Reporting, 67 *FR* 12834 (March 20, 2002). These rules implement Public Law 106-346 (Department of Transportation and Related Agencies Appropriations Act, 2001, 114 Stat. 1356 (2000)), which amended the Federal Election Campaign Act of 1971, 2 U.S.C. 431 *et seq.*, ("the Act" or "FECA"). Under the new regulations, reports of last minute independent expenditures ("24-hour reports") must be actually received by the Commission or the Secretary of the Senate's office within 24 hours of the time the independent expenditure was made. To assist those who must meet

this new reporting deadline, the new rules allow reports of last minute independent expenditures to be filed by facsimile machine or electronic mail, unless the filer participates in the Commission's electronic filing program. Electronic filers must continue to file all reports of independent expenditures (24-hour reports as well as regularly scheduled reports) using the Commission's electronic filing system.

Under the Administrative Procedures Act, 5 U.S.C. 553(d), and the Congressional Review of Agency Rulemaking Act, 5 U.S.C. 801(a)(1), agencies must submit final rules to the Speaker of the House of Representatives and the President of the Senate and publish them in the **Federal Register** at least 30 calendar days before they take effect. The final rules on Independent Expenditure Reporting were transmitted to Congress on March 15, 2002. Thirty legislative days expired in the Senate on May 14, 2002, and in the House of Representatives on May 22, 2002.

In addition, please note, the Bipartisan Campaign Reform Act of 2002, Pub. L. 107-155, 116 Stat. 81 (March 27, 2002) requires, *inter alia*, the Commission to promulgate new rules regarding the reporting of independent expenditures. The Commission is in the process of promulgating such rules, which will not take effect before November 6, 2002.

The Commission also revised FEC Form 5, Reports of Independent Expenditures by Persons Other Than Political Committees, and Schedule E, Reports of Independent Expenditures by Political Committees, and their respective instructions. These forms were transmitted to Congress (2 U.S.C. 438(d)) on May 7, 2002, and ended their ten legislative day period on May 22, 2002, in the Senate and on May 24, 2002, in the House of Representatives. The revised forms and instructions are also effective as of June 13, 2002.

Dated: June 10, 2002.

**David. M. Mason,**

*Chairman, Federal Election Commission.*

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