

Department of State Regulatory Retrospective Review Update--February 2015

Agency	Sub-agency	Title Of Initiative/Rule or ICR	RIN/OMB Control Number	Summary of Initiative	Status of Initiative -- New to this update, Ongoing, or Completed	Target Completion Date (if completed, please add the publication date and cite in Federal Register for example)	Does the Initiative include pilot projects, safe harbor exemptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies?	Does this initiative employ any type of experimental design y/n?	If so, please briefly describe	What methods will you engage in to Identify Improvements (public comment, analyses, third party assessments, etc). Please identify all that apply	If Available, anticipated or realized savings in costs &/or burdens and anticipated or realized changes in benefits
State	Consular Affairs (PPT)	Bureau of Consular Affairs -- U.S. Passport Online Renewal Application for Eligible Individuals	1405-0020	The U.S. passport renewal application is used by eligible nationals of the United States who need to renew their current or recently expired U.S. passport. This initiative would allow for online renewal applications for eligible individuals.	Ongoing	15-21 months (From Jan 2015)	No	No	N/A	Public comment and feedback added to TSG, customer surveys, social media (twitter, facebook), analyses of public access of the site, gathering of metrics from the actual issued passports for customers who used the online service.	The Department anticipates that online renewal passport applications will lower the total burden for average applicant due to easier submission mechanism.
State	Consular Affairs (PPT)	Bureau of Consular Affairs - Statement Regarding a Lost or Stolen Passport	1405-0014	A passport bearer is required to submit a Statement Regarding a Lost or Stolen Passport, form DS-0064, after a loss or theft has taken place even if the bearer does not apply for a new passport. This initiative will make the option of reporting a passport loss or theft more convenient for the public and make processing the reports more efficient through the implementation of an electronic form.	Ongoing	Wednesday, April 01, 2015	No	No	N/A	Public comment and feedback added to TSG, customer surveys, social media (twitter, facebook), analyses of public access of the site, gathering of metrics from the actual passports reported lost or stolen using the online service.	If 25% of average 122,500 respondents use the online version, at a savings of \$1-2 per form (mailing costs), the savings would be in the range of \$30,625-\$61,000. This is an estimate.
State	Consular Affairs (OCS)	22 CFR 96 Accreditation of Agencies and Approval of Persons Under the Intercountry Adoption Act of 2000	TBD	The Department is revising Part 96 to allow the Accrediting Entity to renew the accreditation of adoption service providers on a staggered basis. Other revisions include providing for country specific authorization of adoption service providers, higher standards relating to homestudies and training of prospective adoptive parents.	Drafting revisions	Goal to publish final rule on 2/3/2016	No.	No	N/A	Public comments.	None.
State	Political-Military Affairs (DDTC)	Revision of USML Category I (Firearms)	1400-AC90	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	Proposed Rule publication TBD.	No	No	n/a	The proposed rule will invite public comment.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.

State	Political-Military Affairs (DDTC)	Revision of USML Category II (Guns and Armament)	1400-AD05	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	Proposed Rule publication TBD.	No	No	n/a	The proposed rule will invite public comment.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Revision of USML Category III (Ammunition and Ordnance)	1400-AD04	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	Proposed Rule publication TBD.	No	No	n/a	The proposed rule will invite public comment.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Revision of USML Category XII (Fire Control Equipment, etc.)	1400-AD32	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	The Department anticipates publishing a proposed rule in the second quarter of 2015.	No	No	n/a	The proposed rule will invite public comment.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Revision of USML Category XIV (Toxicological Agents, etc.)	1400-AD03	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	The Department anticipates publishing a proposed rule in the second quarter of 2015.	No	No	n/a	The proposed rule will invite public comment.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume will also result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on

State	Political-Military Affairs (DDTC)	Revision of USML Category XVIII (Directed Energy Weapons)	1400-AD35	This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.	Ongoing	The Department anticipates publishing a proposed rule in the second quarter of 2015.	No	No	n/a	The proposed rule will invite public comment.	This rule is also expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Revision to definition for defense service, export, public domain technical	1400-AC80.	This rule will revise the definitions of a number of key terms in the ITAR, pursuant to the President's Export Control Reform initiative.	Ongoing	The Department anticipates publishing a proposed rule in the second quarter of 2015.	No	No	n/a	The previous proposed rule, which was limited to defense services, invited public comment, which was	This rule is expected to provide enhanced clarity to exporters, and will eliminate the need for authorizations for items and services that fall outside of the scope of the definitions. Additionally, the harmonization of many definitions with those found in the Commerce Department's Export Administration Regulations will provide additional clarity.
State	Political-Military Affairs (DDTC)	Revision of International Traffic in Arms Regulations (ITAR) §123.22, §126.4, §123.9	1400-AC88	This rule will clarify the regulations pertaining to the export of items subject to the Export Administration Regulations, as well as to update the licensing exemption in ITAR §126.4 for exports made to or on behalf of an agency of the U.S. government. Other minor edits are made for clarity and to remove needless paper submission requirements.	Ongoing	The Department anticipates publishing a proposed rule in the second quarter of 2015.	No	No	n/a	The proposed rule will invite public comment.	This rule will reduce is expected to reduce reporting costs and facilitate cooperation between U.S. Government Agencies and make border operations more effective and efficient while saving government resources. This proposed change is in compliance with section 6(a) of E.O. 13659, Streamlining the Export/Import Process for America's Businesses.
State	Consular Affairs (VO)	22 CFR 41.2 Exemption or Waiver by Secretary of State and Secretary of Homeland Security of passport and/or visa requirements for certain categories of nonimmigrants – Individual cases of unforeseen emergencies	1400-AD30	This Notice of Proposed Rulemaking revises an existing regulation to comply with a court decision in United Airlines, Inc. v. Brien, 588 F.3d 158 (2d Cir. 2009), requiring joint action between DHS and the Department of State to provide clarity to industry of businesses that transport individuals to the United States. By incorporating current policy, the amendment allows for waiver of the visa and passport requirement for nonimmigrants in unforeseen emergencies, rendering the bifurcated roles of both agencies more clear to carriers, essential for the commercial business process. The Department of State is publishing the amendment after extensive coordination with DHS in response to a court directive that the two agencies promulgate the rule through joint action with a period for public comment.	Ongoing	Targeted early 2015, pending completion of DHS parallel rule.	No	No	N/A	N/A	The Department did not calculate savings estimates as it is not responsible for admitting foreign nationals under this provision, an exclusive authority of the Department of Homeland Security.
State	Consular Affairs (PPT)	22 CFR Part 51 Addition for sex crimes, cancellation of CRBA and other changes	1400-AD54	This rule is being revised to provide for erroneously or fraudulently issued revocation of Consular Reports of Birth Abroad, to clarify hearing procedures, incorporate statutory passport denial and revocation requirements for certain sex offenders, and clarify availability of limited direct return passports. The change will bring the regulation into line with actual practice regarding cancelling CRBAs.	Ongoing	Wednesday, April 01, 2015	No	No	N/A	proposed rule will undergo the CFR notice and comment rulemaking process.	The changes to the sections will clarify procedures and make it easier for the public to understand our process.
State	Consular Affairs (OCS)	22 CFR Part 102 Civil Aviation United States Aircraft Accidents Abroad	1400-AD55	The Department of State's draft Federal Register notice to repeal this outdated and seldom used 1957 regulation is undergoing internal Department of State review; once that review is complete, DoS will seek interagency review.	Ongoing	Target completion date for review Summer 2014. Proposed Rule June 2015. Final Rule late Summer 2015.	No.	No	N/A	The Department of State will seek interagency clearance prior to publication.	None. The Department of State's draft Federal Register notice to repeal this outdated and seldom used 1957 regulation is undergoing internal Department of State review; once that review is complete, DoS will seek interagency review.
State	Consular Affairs (OCS)	22 CFR 71 Protection and Welfare of Citizens and Their Property (Retitle Consular Protection of, and Financial Assistance to, U.S. Citizens Abroad	1400-AC44	The proposed rule would reorganize, restructure, and update the consular regulations at 22 CFR Part 71 regarding the protection and welfare of U.S. nationals abroad, would incorporate basic principles and practices regarding emergency financial assistance programs for U.S. citizens abroad, and would define eligibility for such programs, for Overseas Citizens Services "Trust" deposits, and for emergency evacuation loans.	Ongoing	Thursday, December 01, 2016	No.	No	N/A	Public Comment	None.

State	Consular Affairs (OCS)	22 CFR Part 193 Benefits for Hostages in Iraq, Kuwait, or Lebanon	1400-AD31	This regulation implemented a now closed program providing benefits for hostages in Lebanon from June 1, 1982 and hostages in Iraq and Kuwait from August 2, 1990 until the lifting of U.S. economic sanctions in May 2003. The Department of State will be eliminating this regulation.		Goal to publish final rule by August 2015	No.	No	N/A	Public comments.	None.
State	ECA	Subpart A	1400-AC36	The Department of State makes a number of technical changes to the general requirements for Exchange Visitor Programs, including providing more specific filing requirements for entities seeking to become designated sponsors, consolidating the previous Subpart F on SEVIS into Subpart A, and removing the former Appendices A-D.	Ongoing	June 2015 for Re-publication of Final rule taking comments into account; Final rule published in FR on 10-6-2014 (PN 8893)	No	No	n/a	Public comments, outreach to stakeholders	Some burden will be reduced on stakeholders because this rule replaces one dating to 1993 and it thus clarifies requirements for the J-visa program in terms of the current business environment. The rule removes the former Appendices A-D, thereby collecting that information in a shorter manner through forms DS-3036, DS-3037, and DS-3097
State	ECA	Training/Internship Placement Plan	1405-0170	The collection gathers information on the training or internship program to be followed by Interns and Trainees on the Exchange Visitor Program, methods of supervision, skills the trainee or intern will obtain, etc. The plan must be signed by the trainee or intern, sponsor, and third party placement organization.	Ongoing	PN 8888 in FR on 9/29/14	No	No	n/a	Public comments, outreach to stakeholders	The collection will be tied to the SEVIS database, which will automatically populate fields on the Training/internship Placement Plan; in addition, sponsors will be able to cut and paste from MS Word into the document and also retain the electronic document on file in case changes need to be made later; the form will not need to be retyped, which will save program sponsors time.
State	ECA	Annual Report (J-Nonimmigrant)	1405-0151	The collection gathers information and data from designated program sponsors to assist the Department in the oversight and administration of the Exchange Visitor Program. Reports provide a summary of the activities in which exchange visitors were engaged and the number of exchange participants organizations sponsored per category of exchange.	Ongoing	PN 8923 on 10-27-14	No	No	n/a	Public comments, outreach to stakeholders	None.
State	ECA	Certificate of Eligibility for Exchange Visitor Status (J-Nonimmigrant)	1405-0119	The collection is the continuation of information collected and needed by the Bureau of Educational and Cultural Affairs in administering the Exchange Visitor Program. Exchange Visitors selected for the program are sent a Form DS-2019 by their program sponsor prior to visa application.	Completed	PN 8723 on 5-9-2014; PN 8801 on 7-21-2014	No	No	n/a	Public comments, outreach to stakeholders	None.
State	ECA	Recording, Reporting, and Data Collection Requirements - Student and Exchange Visitor Information System (SEVIS)	1405-0147	The collection is the continuation of information collected and needed by the Bureau of Educational and Cultural Affairs in administering the Exchange Visitor Program and encompasses designation/redesignation/responsible officer documents for program sponsors.	Completed	PN 8360 6-26-2013	No	No	n/a	Public comments, outreach to stakeholders	None.
State	Political-Military Affairs (DDTC)	Initial Implementation of Export Control Reform, Revision of USML Categories VII (Aircraft and Related Articles) XVII (Classified Articles, Technical Data, and Defense Services Not Otherwise Enumerated), and XXI (Articles, Technical Data, and Defense Services Not Otherwise Enumerated), addition of USML	1400-AD37	This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.	Completed	Final rule published 4/16/13 (78 FR 22740).	No	No	n/a	The proposed rule invited public comments, which were taken into consideration in drafting the final rule.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.

State	Political-Military Affairs (DDTC)	Revision of USML Categories VI (Surface Vessels of War and Special Naval Equipment), VII (Ground Vehicles), XIII (Materials and Miscellaneous Articles), and XX (Submersible Vessels and	1400-AD40	This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.	Completed	Final rule published 7/8/13 (78 FR 40922).	No	No	n/a	The proposed rule invited public comments, which were taken into consideration in drafting the final rule.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles
State	Political-Military Affairs (DDTC)	Revision of USML Categories IV (Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines), V (Explosives and Energetic Materials, Propellants, Incendiary Agents, and Their	1400-AD46	This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.	Completed	Final rule published 1/2/14 (79 FR 0034).	No	No	n/a	The proposed rule invited public comments, which were taken into consideration in drafting the final rule.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Central African Republic policy update.	1400-AD41; 1400-AD62	These rules revised ITAR §126.1 to update the policy regarding exports to the Central African Republic, pursuant to the requirements of UN Security Council resolutions.	Completed	Final rule published 8/5/13 (78 FR 47179); separate final rule published on 8/4/14 (79 FR 45089)	No	No	n/a	None - the regulatory change was made pursuant to obligations of UN membership.	Regulatory update, pursuant to changes in the UNSC arms embargo.
State	Political-Military Affairs (DDTC)	Movement of definitions	1400-AD64	This rule moved definitions previously provided in §§121.3, 121.4, 121.14, and 121.15 into U.S. Munitions List Categories VIII, VII, XX, and VI, respectively.	Completed	Final rule published 10/10/14 (79 FR 61226)	No	No	n/a	None - this rule migrated existing definition text to new locations in the ITAR and did not warrant a period of public comment.	This rule is expected to lead to enhanced usability of the ITAR by consolidating definitional entries into either Part 120 of the ITAR (when the definition at issue applies to a term appearing throughout the ITAR) or into the appropriate USML category to which they relate specifically. Such change will reduce the compliance burden in locating critical definitions and interpretive language.
State	Political-Military Affairs (DDTC)	Revision of USML Category XI (Military Electronics)	1400-AD25	This rule revised the control text of this category pursuant to the President's Export Control Reform initiative.	Completed	Final Rule published 7/1/2014. 79 FR 37536 Effective 12/30/2014 Cat VIII(h)(4) effective 8/15/2014	No	No	n/a	The proposed rule invited public comments, which were taken into consideration in drafting the final rule.	This rule is expected to lead to a reduction of burden in many instances by eliminating the necessity of an export license from the Department of State. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
State	Political-Military Affairs (DDTC)	Revision of USML Category XV (Spacecraft Systems)	1400-AD33	This rule revised the control text of this category pursuant to the President's Export Control Reform initiative.	Completed	Interim Final rule published 5/13/14 (79 FR 27180).	No	No	n/a	The proposed rule invited public comments, which were taken into consideration in drafting the interim final rule.	This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.