

Appendix II, continued

Federal Register / Vol. 54, No. 138 / Thursday, July 20, 1989 / Rules and Regulations 30369

American registry who is returning after a temporary absence abroad in connection with his/her duties as a crewman.

(ii) Alien traveling pursuant to government orders. An Alien Registration Receipt Card, including an expired Alien Registration Receipt Card issued to a conditional resident may be presented in lieu of an immigrant visa by an immigrant alien who is returning to an unrelinquished lawful permanent residence in the United States and:

(A) Is a civilian employee of the United States government returning from a foreign assignment pursuant to official orders; or

(B) Is a spouse or child of a civilian employee of the United States government or member of the United States Armed Forces, provided that the spouse or child resided abroad while the employee or servicperson was on overseas duty, and the spouse or child is preceding or accompanying the employee or servicperson, or is following to join the employee or servicperson within four months of his

or her return to the United States.

PART 216—CONDITIONAL BASIS OF LAWFUL PERMANENT RESIDENCE STATUS FOR CERTAIN ALIEN SPOUSES AND SONS AND DAUGHTERS

3. The authority citation for Part 216 is revised to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1154, 1184, 1130a.

§ 216.4 [Amended]

4. In § 216.4, paragraph (a)(4) is revised to read as follows:

(a) \* \* \*

(4) Physical presence at time of filing. A petition may be filed regardless of whether the alien is physically present in the United States. However, if the alien is outside the United States at the time of filing, he or she must return to the United States, with his or her spouse and dependent children, to comply with the interview requirements contained in the Act. Furthermore, if the

documentation submitted in support of the petition includes affidavits of third parties having knowledge of the bona fides of the marital relationship, the petitioner must arrange for the affiants to be present at the interview, at no expense to the government. Once the petition has been properly filed, the alien may travel outside the United States and return if in possession of documentation as set forth in § 211.1(b)(1) of this chapter, provided the alien and the petitioning spouse comply with the interview requirements described in § 216.4(b). An alien who is not physically present in the United States during the filing period but subsequently applies for admission to the United States shall be processed in accordance with § 235.11 of this chapter.

Dated: July 5, 1989.

Richard E. Norton,

Associate Commissioner, Examinations Immigration and Naturalization Service.

[FR Doc. 89-17040 Filed 7-19-89; 8:45 am]

BILLING CODE 4410-10-M

Appendix III

Memorandum



CO 264-C

Subject Alien Registration Documentation (Form I-551)

Date

JUL 18 1989

To All Regional Commissioners All District Directors (including foreign) All Officers in Charge (including foreign) All Chief Patrol Agents

From Office of the Commissioner

On or about August 1, 1989 the Service will embark on a new era of alien documentation and identification with the production of the first revision of the Alien Registration Card, Form I-551. The purpose of this memorandum is to alert you to the production of the first cards, describe some of the characteristics of the card to you, and discuss some of the advantages of the

## Appendix III, continued

new technology involved. I have requested the Assistant Commissioner, Intelligence, to produce an Intelligence Document Alert concerning the new card, to describe the new card in more detail, specifically with regard to the more sophisticated anti-fraud characteristics.

Production of the new cards is scheduled to begin on or about August 1, 1989. The first cards produced will be cards for lawful permanent residents (Forms I-551). Later, Border Crosser Cards (Forms I-586) will also be produced. The production technology used will be different from the current card production, and will give the Immigration Card Facility (ICF) the capability of producing up to two million documents per year.

The face side of the I-551 will be a rose (off-pink) color. The card will continue to contain the photograph, signature and fingerprint of the bearer. The laminated edge of the card will be embossed with lines slightly raised above the laminate. The laminate contains an optical variable ink pattern which reads "I-551" when the card is tilted at an angle. The card will also contain an expiration date, making the I-551 valid for a period of ten years from the date of issue; the applicant will then be required to obtain a new card.

The back of the I-551 will have a pink-to-blue rainbow effect shading on the top portion, with the bottom portion being white. This white area will contain data which will be machine readable. The readers currently being used at some ports of entry to read passports are being modified to read the new version of the I-551, the current I-551, and the prototype new nonimmigrant visas being tested by the Department of State.

Page 2

All Regional Commissioners  
 All District Directors (including foreign)  
 All Officers in Charge (including foreign)  
 All Chief Patrol Agents

With the issuance of a new card, the ICF will capture and store an image of the photo, fingerprint, and signature of each card holder, as well as some biographic data similar to that currently kept in the ADIT trailer record. Early next year, Regional Service Centers will have the ability to access the ICF system, to pull up photos, fingerprints and signatures from the original card applications on a computer screen. This feature will be used in the adjudication of applications for replacement cards (Forms I-90), to significantly reduce the issuance of cards to impostors claiming to have "lost" their I-551.

In addition, the ICF will test a system to electronically transfer information needed for card production from a district office or port of entry to the ICF. This process will reduce the time consuming and costly functions of typing and mailing of documents to the ICF.

Please disseminate this information to all Service personnel who come in contact with alien registration documents, as well as the personnel of other agencies.

*James L. Buck*  
 James L. Buck  
 Acting Commissioner