

**DEPARTMENT OF STATE****[Delegation of Authority 269]****Exemptions From US-VISIT**

By virtue of the authority vested in me as Secretary of State, including the authority of Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended, and the authority conferred on me by 8 CFR 215.8(a)(2) and 235.1(d)(1)(iv), I hereby delegate the following functions as indicated.

**Section 1. Functions Delegated to the Assistant Secretary for Consular Affairs, the Chief of Protocol, the Permanent Representative to the United Nations, Chiefs of Mission, Other Principal Officers, or Deputy Chiefs of Mission, and the Director and Deputy Director of American Institute of Taiwan**

*a. Functions Delegated*

The functions vested in me as Secretary of State by 8 CFR 215.8(a)(2) and 235.1(d)(1)(iv) (relating to exempting individual aliens from arriving or departing requirements for fingerprinting and photographing or for providing other specified biometric identifiers), to be exercised under the standards and procedures set forth below.

*b. Standards*

(1) A determination by the Assistant Secretary for Consular Affairs to exempt an individual may be made in any case in which an exemption is in the national interest.

(2) A determination by the Chief of Protocol to exempt an individual may be made only after consultation with the Assistant Secretary for CA, or her designee, and only in cases in which: (a) Protocol has responsibility for the movement of a high-ranking foreign government official or members of that official's delegation; and (b) the individual could have traveled on a visa that would have qualified for an exemption under 8 CFR 215.8(a)(2)(ii) or (iii), or 235.1(d)(1)(iv)(A), (B), or (C).

(3) A determination by the Permanent Representative to the United Nations to exempt an individual may be made only if the individual is a member of a Permanent Observer Mission or Office to the United Nations who is granted a "B" visa by virtue of the member's status with the United Nations or an immediate family member of such member who is granted a "B" visa for purposes of accompanying the member.

(4) A determination by a Chief of Mission, other Principal Officer, Deputy

Chief of Mission, or the Director or Deputy Director of American Institute of Taiwan may be made only for an individual nonimmigrant alien who qualifies for a Class A Referral under guidelines currently found at 9 FAM 302, App. K, which guidelines may be changed from time to time in accordance with Department procedures.

*c. Procedures*

Any individual exceptions granted pursuant to this delegation, and the factual basis therefore, shall be granted and documented in accordance with instructions from the Bureau of Consular Affairs.

**Section 2. Additional Functions Delegated to the Assistant Secretary for Consular Affairs**

The functions vested in me as Secretary of State by 8 CFR 215.8(a)(2)(iii) and 235.1(d)(1)(iv)(C) (relating to exempting jointly with the Secretary of Homeland Security classes of aliens from arriving or departing requirements for fingerprinting and photographing or for providing other specified biometric identifiers).

**Section 3. Technical Provisions**

The Assistant Secretary for Consular Affairs and the Permanent Representative to the United Nations may redelegate the functions delegated to me by this delegation.

Notwithstanding any provision of this Delegation of Authority, the Secretary of State, the Deputy Secretary of State, the Under Secretary for Political Affairs, and the Under Secretary of State for Management may at any time exercise any function delegated by this delegation of authority.

The statutes, regulations, and procedures referenced in this delegation shall be deemed to be such statutes, regulations, or procedures as amended from time to time.

This delegation shall be published in the **Federal Register**.

Dated: January 30, 2004.

**Colin L. Powell,**

*Secretary of State, Department of State.*

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**DEPARTMENT OF STATE****[Delegation of Authority No. 271]**

**Functions Relating to Arrivals and Departures from the United States**

By virtue of the authority vested in me as Secretary of State, including the

authority conferred on me by Executive Order 13323, I hereby delegate to the Assistant Secretary for Consular Affairs the functions vested in me as Secretary of State by Executive Order 13323.

Notwithstanding any provision of this Delegation of Authority, the Secretary of State, the Deputy Secretary of State, the Under Secretary for Political Affairs, and the Under Secretary of State for Management may at any time exercise any function delegated by this delegation of authority.

The functions delegated by this delegation of authority may not be redelegated.

The statutes, regulations, and procedures referenced in this delegation shall be deemed to be such statutes, regulations or procedures as amended from time to time.

This delegation shall be published in the **Federal Register**.

Dated: January 30, 2004.

**Colin L. Powell,**

*Secretary of State, Department of State.*

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**DEPARTMENT OF STATE****[Delegation of Authority 270]****Exemptions From US-VISIT**

By virtue of the authority vested in me as Secretary of State, including the authority of section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended, and the authority conferred on me by 8 CFR 215.8(a)(2)(iv) and 235.1(d)(1)(iv)(D), I hereby delegate to Richard H. Jones the authority to determine that requirements for fingerprinting and photographing or for providing other specified biometric identifiers shall not apply to an individual nonimmigrant alien upon arrival or departure from the United States. Such a determination may be made only for an individual when it is in the national interest to do so and it will not compromise national security interests. All such exemptions and the factual basis for them shall be documented.

Mr. Jones may exercise this delegated authority only during the period of his detail to the Coalition Provisional Authority in Iraq and only in his capacity as a State Department employee operating under the direction and supervision of the Secretary of State.

Notwithstanding any provision of this Delegation of Authority, the Secretary of State, the Deputy Secretary of State, the