

(c) *Change of address.* If the sponsor is an alien, filing Form I-865 under this section does not satisfy or substitute for the change of address notice required under § 265.1 of this chapter.

§ 213a.4 Actions for reimbursement, public notice, and congressional reports.

(a) *Requests for reimbursement.* Requests for reimbursement under section 213A(b)(2) of the Act must be served by personal service, as defined by § 103.5a(a)(2) of this chapter. The request for reimbursement shall specify the date the sponsor's affidavit of support was received by the Service, the sponsored immigrant's name, alien registration number, address, and date of birth, as well as the types of means-tested public benefit(s) that the sponsored immigrant received, the dates the sponsored immigrant received the means-tested public benefit(s), and the total amount of the means-tested public benefit(s) received. It is not necessary to make a separate request for each type of means-tested public benefit, nor for each separate payment. The agency may instead aggregate in a single request all benefit payments the agency has made as of the date of the request. The request for reimbursement shall also notify the sponsor that the sponsor must, within 45 days of the date of service, respond to the request for reimbursement either by paying the reimbursement or by arranging to commence payments pursuant to a payment schedule that is agreeable to the program official. Prior to filing a lawsuit against a sponsor to enforce the sponsor's support obligation under section 213A(b)(2) of the Act, a Federal, State, or local governmental agency or a private entity must wait 45 days from the date it issues a written request for reimbursement under section 213A(b)(1) of the Act. If a sponsored immigrant, a Federal, State, or local agency, or a private entity sues the sponsor and obtains a final civil judgment against the sponsor, the sponsored immigrant, the Federal, State, or local agency, or the private entity shall mail a certified copy of the final civil judgment to the Service's Statistics Branch, 425 I Street, NW., Washington, DC 20536. The copy should be accompanied by a cover

letter that includes the reference "Civil Judgments for Congressional Reports under section 213A(i)(3) of the Act." Failure to file a certified copy of the final civil judgment in accordance with this section has no effect on the plaintiff's ability to collect on the judgment pursuant to law.

(b) Federal, State, and local government agencies should issue public notice of determinations regarding which benefits are considered "means-tested public benefits" prior to December 19, 1997, the date the new affidavit of support goes into effect, or as soon as possible thereafter. Additional notices should be issued whenever an agency revises its determination of which benefits are considered "means-tested public benefits."

(c) *Congressional reports.* (1) For purposes of section 213A(i)(3) of the Act, a sponsor shall be considered to be in compliance with the financial obligations of section 213A of the Act unless the sponsored immigrant or a Federal, State, or local agency or private entity has sued the sponsor, obtained a final judgment enforcing the sponsor's obligations under section 213A(a)(1)(A) or 213A(b) of the Act, and mailed a certified copy of the final judgment to the Service's Statistics Branch, 425 I Street, NW., Washington, DC 20536.

(2) If a Federal, State, or local agency or private entity that administers any means-tested public benefit makes a determination under section 421(e) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in the case of any sponsored immigrant, the program official shall send written notice of the determination, including the name of the sponsored immigrant and of the sponsor, to the Service's Statistics Branch. The written notice should include the reference "Determinations under 421(e) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

§ 213a.5 Relationship of this part to other affidavits of support.

Nothing in this part precludes the continued use of Form I-134, Affidavit of Support (other than INA section 213A), or of Form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody for Public Law 97-359

Amerasian, in any case, other than a case described in §213a.2(a)(2), in which these forms were used prior to enactment of section 213A of the Act. The obligations of section 213A of the Act do not bind a person who executes Form I-134 or Form I-361, although the person who executes Form I-361 remains subject to the provisions of section 204(f)(4)(B) of the Act and of §204.4(i) of this chapter.

PART 214—NONIMMIGRANT CLASSES

Sec.

- 214.1 Requirements for admission, extension, and maintenance of status.
- 214.2 Special requirements for admission, extension, and maintenance of status.
- 214.3 Petitions for approval of schools.
- 214.4 Withdrawal of school approval.
- 214.5 Libyan and third country nationals acting on behalf of Libyan entities.
- 214.6 Canadian and Mexican citizens seeking temporary entry to engage in business activities at a professional level.
- 214.7 What is habitual residence in the territories and possessions of the United States and what are the consequences thereof?

AUTHORITY: 8 U.S.C. 1101, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282; sec. 643, Pub. L. 104-208, 110 Stat. 3009-708; Section 141 of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901, note, and 1931 note, respectively; 8 CFR part 2.

§214.1 Requirements for admission, extension, and maintenance of status.

(a) *General.* (1) *Nonimmigrant classes.* For the purpose of administering the nonimmigrant provisions of the Act, the following administrative subclassifications of nonimmigrant classifications as defined in section 101(a)(15) of the Act are established:

- (i) Section 101(a)(15)(B) is divided into (B)(i) for visitors for business and (B)(ii) for visitors for pleasure;
- (ii) Section 101(a)(15)(C) is divided into (C)(i) for aliens who are not diplomats and are in transit through the United States; (C)(ii) for aliens in transit to and from the United Nations Headquarters District; and (C)(iii) for alien diplomats in transit through the United States;

(iii) Section 101(a)(15)(H) is divided to create an (H)(iv) subclassification for the spouse and children of a non-immigrant classified under section 101(a)(15) (H) (i), (ii), or (iii);

(iv) Section 101(a)(15)(J) is divided into (J)(i) for principal aliens and (J)(ii) for such alien’s spouse and children;

(v) Section 101(a)(15)(K) is divided into (K)(i) for the fiance(e) and (K)(ii) for the fiance(e)’s children;

(vi) Section 101(a)(15)(L) is divided into (L)(i) for principal aliens and (L)(ii) for such alien’s spouse and children; and

(vii) Section 101(a)(15)(Q)(ii) is divided to create a (Q)(iii) for subclassification for the spouse and children of a nonimmigrant classified under section 101(a)(15)(Q)(ii) of the Act.

(2) *Classification designations.* For the purpose of this chapter the following nonimmigrant designations are established. The designation in the second column may be used to refer to the appropriate nonimmigrant classification.

Section	Designation
101(a)(15)(A)(i)	A-1.
101(a)(15)(A)(ii)	A-2.
101(a)(15)(A)(iii)	A-3.
101(a)(15)(B)(i)	B-1.
101(a)(15)(B)(ii)	B-2.
101(a)(15)(C)(i)	C-1.
101(a)(15)(C)(ii)	C-2.
101(a)(15)(C)(iii)	C-3.
101(a)(15)(D)(i)	D-1.
101(a)(15)(D)(ii)	D-2.
101(a)(15)(E)(i)	E-1.
101(a)(15)(E)(ii)	E-2.
101(a)(15)(F)(i)	F-1.
101(a)(15)(F)(ii)	F-2.
101(a)(15)(G)(i)	G-1.
101(a)(15)(G)(ii)	G-2.
101(a)(15)(G)(iii)	G-3.
101(a)(15)(G)(iv)	G-4.
101(a)(15)(g)(v)	G-5.
101(a)(15)(H)(i)(A)	H-1A.
101(a)(15)(H)(i)(B)	H-1B.
101(a)(15)(H)(ii)(A)	H-2A.
101(a)(15)(H)(ii)(B)	H-2B.
101(a)(15)(H)(iii)	H-3.
101(a)(15)(H)(iv)	H-4.
101(a)(15)(I)	I.
101(a)(15)(J)(i)	J-1.
101(a)(15)(J)(ii)	J-2.
101(a)(15)(K)(i)	K-1.
101(a)(15)(K)(ii)	K-2.
101(a)(15)(L)(i)	L-1.
101(a)(15)(L)(ii)	L-2.
101(a)(15)(M)(i)	M-1.
101(a)(15)(M)(ii)	M-2.
101(a)(15)(N)(i)	N-8.
101(a)(15)(N)(ii)	N-9.
101(a)(15)(O)(i)	O-1.
101(a)(15)(O)(ii)	O-2.
101(a)(15)(O)(iii)	O-3.