

**§ 100.5**

**8 CFR Ch. I (1–1–05 Edition)**

Ohio, Iowa, Nebraska, Montana, Idaho, and Kentucky.

(7) *Los Angeles, California.* The Asylum Office in Los Angeles has jurisdiction over the States of Arizona, the southern portion of California as listed in § 100.4(b)(16) and § 100.4(b)(39), Hawaii, the southern portion of Nevada currently within the jurisdiction of the Las Vegas Suboffice, and the Territory of Guam.

(8) *San Francisco, California.* The Asylum Office in San Francisco has jurisdiction over the northern part of California as listed in § 100.4(b)(13), the portion of Nevada currently under the jurisdiction of the Reno Suboffice, and the States of Alaska, Oregon, and Washington.

[60 FR 57166, Nov. 14, 1995, as amended at 61 FR 25778, May 23, 1996; 63 FR 70315, Dec. 21, 1998; 65 FR 39072, June 23, 2000; 66 FR 29672, June 1, 2001]

**§ 100.5 Regulations.**

The regulations of the Immigration and Naturalization Service, published as chapter I of title 8 of the Code of Federal Regulations, contain information which under the provisions of section 552 of title 5 of the United States Code, is required to be published and is subdivided into subchapter A (General Provisions, parts 1 through 3, inclusive), subchapter B (Immigration Regulations, parts 100 through 299, inclusive), and subchapter C (Nationality Regulations, parts 306 through 499, inclusive). Any person desiring information with respect to a particular procedure (other than rule making) under the Immigration and Nationality Act should examine the part or section in chapter I of title 8 of the Code of Federal Regulations dealing with such procedures as well as the section of the Act implemented by such part or section.

**§ 100.6 Rule making.**

Section 103(a) of the Immigration and Nationality Act requires the Attorney General to establish such regulations as he deems necessary for carrying out his authority under the provisions of that Act. The Attorney General has delegated certain rule making authority to the Commissioner of Immigration and Naturalization. The provisions

of the Federal Register Act (49 Stat. 500; 44 U.S.C. 301–314), as amended, and of the regulations thereunder (1 CFR—Administrative Committee of the Federal Register) as well as the provisions of section 553 of title 5 of the United States Code governing the issuance of regulations are observed.

**§ 100.7 OMB control numbers assigned to information collections.**

This section collects and displays the control numbers assigned to information collection requirements of the Immigration and Naturalization Service by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, Public Law 96–511. The Service intends that this section comply with the requirements of section 3507(f) of the Paperwork Reduction Act, which requires that agencies display a current control number assigned by the Director of the Office of Management and Budget for each agency information collection requirement.

8 CFR part or section where identified and described	Current OMB control No.
103.2(b)(1) .....	1115–0062
103.6 .....	1115–0085
103.6(c) .....	1115–0046
103.10(a)(2) .....	1115–0087
103.10(f) .....	1115–0088
204.1(a) .....	1115–0054
204.1(b) .....	1115–0049
204.1(c) .....	1115–0061
Part 207 .....	1115–0057
207.2 .....	1115–0066
207.2(d) .....	1115–0056
207.3(b) .....	1115–0098
Part 208 .....	1115–0086
211.1(b)(3) .....	1115–0042
211.2 .....	1115–0042
212.1(f) .....	1115–0042
212.2 .....	1115–0106
212.3 .....	1115–0032
212.4(b) .....	1115–0028
212.4(g) .....	1115–0040
212.6 .....	1115–0019
212.6 .....	1115–0047
212.7 .....	1115–0048
212.7(c) .....	1115–0059
212.8(b) .....	1115–0081
214.1 .....	1115–0051
214.1(c) .....	1115–0093
214.2(e) .....	1115–0023
214.2(f) .....	1115–0060
214.2(f) .....	1115–0051
214.2(g) .....	1115–0090
214.2(h) .....	1115–0038
214.2(k) .....	1115–0071
214.2(l) .....	1115–0038
214.2(m) .....	1115–0060
214.2(m) .....	1115–0051
214.3 .....	1115–0070
214.3(g) .....	1115–0051

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Part 223 .....	1115-0005
Part 223a .....	1115-0084
223.1 .....	1115-0037
Part 231 .....	1115-0083
Part 231 .....	1115-0078
Part 231 .....	1115-0108
Part 232 .....	1115-0036
Part 233 .....	1115-0036
234.2(c) .....	1115-0048
Part 235 .....	1115-0077
235.1(e) .....	1115-0065
243.4 .....	1115-0055
243.7 .....	1115-0043
Part 244 .....	1115-0025
Part 245 .....	1115-0053
Part 245 .....	1115-0066
245.2 .....	1115-0089
245.2(a)(2) .....	1115-0067
247.11 .....	1115-0037
247.12 .....	1115-0037
247.13 .....	1115-0037
248.3 .....	1115-0032
248.3(b) .....	1115-0038
248.4 .....	1115-0038
Part 249 .....	1115-0053
Part 249 .....	1115-0066
Part 250 .....	1115-0020
Part 251 .....	1115-0083
Part 251 .....	1115-0040
Part 252 .....	1115-0040
252.1(f) .....	1115-0073
253.1 .....	1115-0029
264.1 .....	1115-0004
264.1(c) .....	1115-0079
264.1(f) .....	1115-0002
265.1 .....	1115-0003
292.2 .....	1115-0026
316a.21 .....	1115-0014
319.11 .....	1115-0009
Part 322 .....	1115-0010
324.11 .....	1115-0009
327.1 .....	1115-0009
Part 328 .....	1115-0009
328.3 .....	1115-0022
Part 329 .....	1115-0009
329.2 .....	1115-0022
Part 330 .....	1115-0009
Part 330 .....	1115-0031
Part 334a .....	1115-0008
334.11 .....	1115-0009
334.17 .....	1115-0035
335.11 .....	1115-0009
336.16a .....	1115-0076
336.16a .....	1115-0052
338.16 .....	1115-0030
Part 341 .....	1115-0018
341.1(b) .....	1115-0009
343a.1 .....	1115-0015
343b .....	1115-0016

101.3 Creation of record of lawful permanent resident status for person born under diplomatic status in the United States.

101.4 Registration procedure.

101.5 Special immigrant status for certain G-4 nonimmigrants.

AUTHORITY: 8 U.S.C. 1103, 8 CFR part 2.

**§ 101.1 Presumption of lawful admission.**

A member of the following classes shall be presumed to have been lawfully admitted for permanent residence even though a record of his admission cannot be found, except as otherwise provided in this section, unless he abandoned his lawful permanent resident status or subsequently lost that status by operation of law:

(a) *Prior to June 30, 1906.* An alien who establishes that he entered the United States prior to June 30, 1906.

(b) *United States land borders.* An alien who establishes that, while a citizen of Canada or Newfoundland, he entered the United States across the Canadian border prior to October 1, 1906; an alien who establishes that while a citizen of Mexico he entered the United States across the Mexican border prior to July 1, 1908; an alien who establishes that, while a citizen of Mexico, he entered the United States at the port of Presidio, Texas, prior to October 21, 1918, and an alien for whom a record of his actual admission to the United States does not exist but who establishes that he gained admission to the United States prior to July 1, 1924, pursuant to preexamination at a United States immigration station in Canada and that a record of such preexamination exists.

(c) *Virgin Islands.* An alien who establishes that he entered the Virgin Islands of the United States prior to July 1, 1938, even though a record of his admission prior to that date exists as a non-immigrant under the Immigration Act of 1924.

(d) *Asiatic barred zone.* An alien who establishes that he is of a race indigenous to, and a native of a country within, the Asiatic zone defined in section 3 of the Act of February 5, 1917, as amended, that he was a member of a class of aliens exempted from exclusion by the provisions of that section, and that he entered the United States prior to July 1, 1924, provided that a record of his admission exists.

[48 FR 37201, Aug. 17, 1983]

**PART 101—PRESUMPTION OF LAWFUL ADMISSION**

Sec.

101.1 Presumption of lawful admission.

101.2 Presumption of lawful admission; entry under erroneous name or other errors.