

automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved information collection.

(2) *Title of the Form/Collection:* Consideration of Deferred Action for Childhood Arrivals.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-821D, U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or Households. The information collected on this form is used by USCIS to determine eligibility of certain individuals who were brought to the United States as children and meet the following guidelines to be considered for deferred action for childhood arrivals:

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching their 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or their lawful immigration status expired as of June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

These individuals will be considered for relief from removal from the United States or from being placed into removal proceedings as part of the deferred action for childhood arrivals process. Those who submit requests with USCIS and demonstrate that they meet the threshold guidelines may have removal action in their case deferred for a period of two years, subject to renewal (if not

terminated), based on an individualized, case by case assessment of the individual's equities. Only those individuals who can demonstrate, through verifiable documentation, that they meet the threshold guidelines will be considered for deferred action for childhood arrivals, except in exceptional circumstances.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 700,000 responses at 2 hours and 45 minutes (2.75 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1,925,000 annual burden hours.

If you need a copy of the information collection instrument with instructions, or additional information, please visit the Federal eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov). We may also be contacted at: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140, Telephone number 202-272-8377.

Dated: December 11, 2012.

**Laura Dawkins,**

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0035]

#### Agency Information Collection Activities: Application To Adjust Status From Temporary to Permanent Resident, Form Number I-698; Extension, Without Change, of a Currently Approved Collection

**ACTION:** 30-Day Notice.

**SUMMARY:** The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection notice was previously published in the **Federal Register** on October 4, 2012, at 77 FR 60708, allowing for a 60-day public comment period. USCIS did not receive

any comments in connection with the 60-day notice.

**DATES:** The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until January 14, 2013. This process is conducted in accordance with 5 CFR 1320.10.

**ADDRESSES:** Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to DHS, and to the OMB USCIS Desk Officer. Comments may be submitted to: DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140. Comments may also be submitted to DHS via email at [uscisfrcomment@dhs.gov](mailto:uscisfrcomment@dhs.gov), to the OMB USCIS Desk Officer via facsimile at 202-395-5806 or via email at [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) and via the Federal eRulemaking Portal Web site at <http://www.Regulations.gov> under e-Docket ID number USCIS-2008-0019. When submitting comments by email, please make sure to add OMB Control Number 1615-0035 in the subject box.

All submissions received must include the agency name, OMB Control Number and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. For additional information please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

**Note:** The address listed in this notice should only be used to submit comments concerning this information collection. Please do not submit requests for individual case status inquiries to this address. If you are seeking information about the status of your individual case, please check "My Case Status" online at: <https://egov.uscis.gov/cris/Dashboard.do>, or call the USCIS National Customer Service Center at 1-800-375-5283.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection Request:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application to Adjust Status from Temporary to Permanent Resident.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-698; U.S. Citizenship and Immigration Services (USCIS).

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. The data collected on this form is used by USCIS to determine eligibility to adjust an applicant's residence status.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 165 responses at 1 hour per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 165 annual burden hours.

If you need a copy of the information collection instrument with supplementary documents, or need additional information, please visit <http://www.regulations.gov>. We may also be contacted at: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140; Telephone 202-272-8377.

Dated: December 11, 2012.

**Laura Dawkins,**  
Chief, Regulatory Coordination Division,  
Office of Policy and Strategy, U.S. Citizenship  
and Immigration Services, Department of  
Homeland Security.

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2523-12; DHS Docket No. USCIS-2009-0033]

RIN 1615-ZB13

### Implementation of Immigrant Visa DHS Domestic Processing Fee

**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** U.S. Citizenship and Immigration Services (USCIS) announces that as of February 1, 2013, USCIS will begin to collect a \$165 Immigrant Visa DHS Domestic Processing Fee (USCIS Immigrant Fee) from individuals who have been issued immigrant visas by the U.S. Department of State (DOS) and are applying for admission to the United States. Prospective adoptive parents whose child(ren) is/are seeking admission to the United States under the Orphan or Hague Process will be exempt from the USCIS Immigrant Fee. The USCIS Immigrant Fee covers the cost of processing that is performed in the United States after immigrant visa holders receive their visa packages from DOS and are admitted to the United States. This notice provides instructions on how individuals who have been issued immigrant visas from DOS can pay the fee.

**DATES:** On February 1, 2013, USCIS will begin collecting the USCIS Immigrant Fee from individuals who have been issued immigrant visas by DOS.

**FOR FURTHER INFORMATION CONTACT:** Lyndon Lewis, U.S. Citizenship and Immigration Services, Financial Management Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2060; or by phone at (202) 272-9675 (this is not a toll-free number). You may also visit [www.USCIS.gov/immigrantfee](http://www.USCIS.gov/immigrantfee) where a news release and a detailed payment Web page, including a set of questions and answers about the USCIS Immigrant Fee, are available.

### SUPPLEMENTARY INFORMATION:

#### I. Background on Fee

On September 24, 2010, the Department of Homeland Security (DHS) published the final rule titled, *U.S. Citizenship and Immigration Services Fee Schedule*. 75 FR 58962. That final rule became effective on Nov. 23, 2010. The final rule, among other things, established the USCIS Immigrant

Fee at \$165 to recover the cost of processing that is performed in the United States after immigrant visa holders receive their immigrant visa packages from DOS at overseas consulates and are admitted to the United States. *See* 8 CFR 103.7(b)(1)(i)(D); *see also* 75 FR at 58979 (public comments on the Immigrant Visa DHS Domestic Processing Fee and DHS response). USCIS established this fee to recover its costs associated with processing, filing and maintaining the immigrant visa package, and producing and mailing required documents. USCIS has not collected the fee from immigrant visa holders applying for admission to the United States because implementing procedures have only recently been developed in conjunction with DOS. Since the fee has not been collected since it was established, USCIS is publishing this Notice to announce that the USCIS Immigrant Fee collection process is now in place and that USCIS will begin collecting the fee in accordance with this Notice and the USCIS fee regulation at 8 CFR 103.7(b)(1)(i)(D).

The USCIS Director, however, is exempting from this USCIS Immigrant Fee prospective adoptive parents whose child(ren) is/are seeking admission to the United States under the Orphan or Hague Process. In addition, the Director has determined that the public interest of encouraging adoption of international orphans is served by exempting these new adoptive parents from this fee. USCIS will include the cost of processing immigrant visas for overseas adoptees in the next fee study conducted for adjustment of the USCIS fee schedule.

#### II. Fee Collection Process

To simplify and centralize the new fee collection process, immigrant visa holders applying for admission to the United States must pay the USCIS Immigrant Fee online at [Pay.gov](http://Pay.gov). Immigrant visa holders can electronically submit the fee by answering the questions on the USCIS intake page on [Pay.gov](http://Pay.gov) and providing their checking account, debit or credit card information. Check payments must be drawn on a U.S. bank. If the immigrant visa holder is unable to make this payment, another person can make this payment on the immigrant visa holder's behalf.

Immigrant visa holders must submit payments online after they receive their immigrant visa package from DOS. DOS will issue the applicant:

- A USCIS handout which will include the immigrant visa holder's Alien number and Case ID number; and