

**DEPARTMENT OF HOMELAND SECURITY****U.S. Citizenship and Immigration Services**

[OMB Control Number 1615-0099]

**Agency Information Collection Activities: Application for T Nonimmigrant Status, Form I-914, Application for Immediate Family Member of T-1 Recipient, Supplement A, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons, Supplement B; Revision of a Currently Approved Collection****ACTION:** 60-Day notice.

**SUMMARY:** The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (i.e. the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

**DATES:** Comments are encouraged and will be accepted for 60 days until April 4, 2014.

**ADDRESSES:** All submissions received must include OMB Control Number 1615-0099 in the subject box, the agency name and Docket ID USCIS-2006-0059. To avoid duplicate submissions, please use only one of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at [www.regulations.gov](http://www.regulations.gov) under e-Docket ID number USCIS-2006-0059;

(2) *Email.* Submit comments to [USCISFRComment@uscis.dhs.gov](mailto:USCISFRComment@uscis.dhs.gov); or

(3) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140.

**SUPPLEMENTARY INFORMATION:****Comments**

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. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. 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 agency's 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:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for T Nonimmigrant Status, Application for Immediate Family Member of T-1 Recipient, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-914; Form I-914, Supplement A, and; Form I-914, Supplement B; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief*

*abstract:* *Primary:* Individuals or households. Form I-914 permits victims of severe forms of trafficking and their family members to demonstrate that they qualify for temporary nonimmigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA), and to receive temporary immigration benefits. USCIS is revising Form I-914 to make statutory changes required by the William Wilberforce Trafficking Victims Protection Act of 2008 (TVPRA 2008) and the Trafficking Victims Protection Act of 2013 (TVPRA 2013). Changes to the Form I-914 include:

- Clarifying physical presence includes being allowed entry into the U.S. to participate in investigative or judicial processes associated with an act or perpetrator of trafficking (TVPRA 2013).

- Implementing an exception from compliance with law enforcement requests for assistance due to physical or psychological trauma (TVPRA 2008).

- Implementing a new derivative category for the adult or minor children of a derivative of a principal who face a present danger of retaliation as a result of the principal's escape from trafficking or cooperation with law enforcement (TVPRA 2013).

- The requirement of a personal statement, including A numbers, passports and travel documents only if the applicant has them, ensuring address changes are sent directly to the Vermont Service Center in compliance with the Safe Address procedure to protect victims, explain the principal does not need to file a USCIS Form I-765, Application for Employment Authorization Document, and using the name as it appears on the birth certificate (these are not new collections, merely describing what is needed in plain language), and

- Adding language to clarify the role of law enforcement in the process, in order to speak to their main concerns and questions in plain language.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Form I-914—926 responses at 2 hours and 15 minutes (2.25) per response; Supplement A—795 responses at 1 hour per response; Supplement B—200 responses at 3 hours and 30 minutes (3.50) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 4,711 annual burden hours.

If you need a copy of the information collection instrument with instructions, or additional information, please visit

the Federal eRulemaking Portal site at: <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: January 28, 2014.

**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. Customs and Border Protection

#### Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Ocean and Rail Carriers

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This document announces U.S. Customs and Border Protection's (CBP's) plan to modify the National Customs Automation Program (NCAP) test concerning Cargo Release functionality in the Automated Commercial Environment (ACE). Originally, the test was known as the Simplified Entry Test because the test simplified the entry process by reducing the number of data elements required to obtain release for cargo transported by air. The test continues to be modified to provide more capabilities to test participants allowing CBP to deliver enhanced functionality. This notice modifies the ACE Cargo Release test to include expansion to the ocean and rail modes of transportation. This notice invites more participants to join the test.

**DATES:** The ACE Cargo Release test modifications set forth in this document are effective no earlier than January 5, 2014. The test will run until approximately November 1, 2015.

**ADDRESSES:** Comments or questions concerning this notice and indication of interest in participation in ACE Cargo Release should be submitted, via email, to Susan Maskell at [susan.c.maskell@cbp.dhs.gov](mailto:susan.c.maskell@cbp.dhs.gov). In the subject line of your email, please use, "Comment on ACE Cargo Release". The body of the email should include information regarding

the identity of the ports where filings are likely to occur.

**FOR FURTHER INFORMATION CONTACT:** For policy related questions, contact Stephen Hilsen, Director, Business Transformation, ACE Business Office, Office of International Trade, at [stephen.r.hilsen@cbp.dhs.gov](mailto:stephen.r.hilsen@cbp.dhs.gov). For technical questions, contact Susan Maskell, Client Representative Branch, ACE Business Office, Office of International Trade, at [susan.c.maskell@cbp.dhs.gov](mailto:susan.c.maskell@cbp.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

##### I. The National Customs Automation Program

The National Customs Automation Program (NCAP) was established in Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057, 2170, December 8, 1993) (Customs Modernization Act). See 19 U.S.C. 1411. Through NCAP, the initial thrust of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing which is intended to streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations and reducing costs for U.S. Customs and Border Protection (CBP) and all of its communities of interest. The ability to meet these objectives depends on successfully modernizing CBP's business functions and the information technology that supports those functions.

CBP's modernization efforts are accomplished through phased releases of ACE component functionality designed to replace a specific legacy ACS function. Each release will begin with a test and, if the test is successful, will end with implementation of the functionality through the promulgation of regulations governing the new ACE feature and the retirement of the legacy ACS function.

The ACE Cargo Release test was previously known as the Simplified Entry Test because the test simplified the entry process by reducing the number of data elements required to obtain release for cargo transported by air. Through phased releases of ACE component functionality this test has been expanded to allow all eligible participants to join the test for an

indefinite period regardless of the Customs-Trade Partnership Against Terrorism (C-TPAT) status of an importer self-filer or a customs broker.

For the convenience of the public, a chronological listing of **Federal Register** publications detailing ACE test developments is set forth below in *Section VII*, entitled, "Development of ACE Prototypes". The procedures and criteria applicable to participation in the prior ACE tests remain in effect unless otherwise explicitly changed by this or subsequent notices published in the **Federal Register**.

##### II. Authorization for the Test

The Customs Modernization Act provides the Commissioner of CBP with authority to conduct limited test programs or procedures designed to evaluate planned components of the NCAP. The test described in this notice is authorized pursuant to § 101.9(b) of title 19 of the Code of Federal Regulations (19 CFR 101.9(b)), which provides for the testing of NCAP programs or procedures. See Treasury Decision (T.D.) 95-21.

##### III. Expansion of ACE Cargo Release Test to Ocean and Rail Modes of Transportation

This document is announcing CBP's plan to expand the ACE Cargo Release test which allows for the filing capabilities by importers and customs brokers for cargo transported by air to include filing capabilities by importers and customs brokers for cargo transported by ocean and rail.

##### Eligibility Requirements

To be eligible to apply for this test, the applicant must: (1) Be a self-filing importer who has the ability to file ACE Entry Summaries certified for cargo release or a broker who has the ability to file ACE Entry Summaries certified for cargo release; or (2) have evinced the intent to file entry summaries in ACE.

Parties seeking to participate in this test must use a software package that has completed Automated Broker Interface (ABI) certification testing for ACE and offers the simplified entry message set prior to transmitting data under the test. See the General Notice of August 26, 2008 (73 FR 50337) for a complete discussion on procedures for obtaining an ACE Portal Account. Importers not self-filing must be sure their broker has the capability to file entry summaries in ACE.

##### Document Image System (DIS)

Parties who file entry summaries in ACE are allowed to submit specified CBP and Partner Government Agency