

- Enhance the quality, utility, and clarity of the information to be collected; and
- 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 submissions of responses.

**FOR FURTHER INFORMATION CONTACT:**

Steve Yonkers, Privacy Officer, US-VISIT Program, Department of Homeland Security, Washington, DC 20528; telephone 202-298-5200 (this is not a toll free number).

**Analysis**

*Agency:* Department of Homeland Security, US-VISIT Program.

*Title:* US-VISIT Program.

*OMB Number:* 1600-0006.

*Frequency:* One-time collection.

*Affected Public:* Foreign visitors into the U.S.

*Number of Respondents:* 156,732,442.

*Estimated Time per Respondent:* 15 seconds.

*Total Burden Hours:* 658,276 hours.

*Total Burden Cost (capital/startup):* \$0.00.

*Total Burden Cost (operating/maintaining):* \$0.00.

*Description:* The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) is a program established by the Department of Homeland Security (DHS) to meet specific legislative mandates intended to strengthen border security, address critical needs in terms of providing decision makers with critical information, and demonstrate progress toward performance goals for national security, facilitation of trade and travel, and supporting immigration system improvements. US-VISIT represents a major achievement in creating an integrated border screening system that enhances our nation's security and efforts to reform our immigration and border management systems. Through US-VISIT, DHS is increasing our ability to manage the information collected about foreign visitors during the pre-entry, entry, status management, and departure processes, which allows us to conduct better analysis of that information, thereby strengthening the integrity of our immigration system.

**William Morgan, Jr.,**

*Deputy Chief Information Officer, US-VISIT Program.*

[FR Doc. 07-1065 Filed 3-2-07; 2:04 pm]

**BILLING CODE 4410-10-P**

**DEPARTMENT OF HOMELAND SECURITY****Office of the Secretary****Exercise of Authority Under Sec. 212(d)(3)(B)(i) of the Immigration and Nationality Act**

**AGENCY:** Office of the Secretary, DHS.

**ACTION:** Notice of determination.

**DATES:** This determination is effective February 20, 2007.

**Authority:** 8 U.S.C. 1182(d)(3)(B)(i).

Following consultations with the Secretary of State and the Attorney General, I hereby conclude, as a matter of discretion in accordance with the authority granted to me by Sec. 212(d)(3)(B)(i) of the Immigration and Nationality Act ("the Act"), considering the national security and foreign policy interests deemed relevant in these consultations, that subsection 212(a)(3)(B)(iv)(VI) of the Act shall not apply with respect to material support provided to the Alzados by an alien who satisfies the agency that he:

(a) Is seeking a benefit or protection under the Act and has been determined to be otherwise eligible for the benefit or protection;

(b) Has undergone and passed relevant background and security checks;

(c) Has fully disclosed, in all relevant applications and interviews with U.S. Government representatives and agents, the nature and circumstances of each provision of such material support; and

(d) Poses no danger to the safety and security of the United States. Implementation of this determination will be made by U.S. Citizenship and Immigration Services (USCIS), in consultation with U.S. Immigration and Customs Enforcement (ICE). USCIS has discretion to determine whether the criteria are met.

I may revoke this exercise of authority as a matter of discretion and without notice at any time with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above shall apply to any subsequent benefit or protection application, unless such exercise of authority has been revoked.

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U.S. Government to commence subsequent criminal or civil proceedings in accordance with U.S. law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority is not intended to create any substantive or procedural right or benefit that is legally

enforceable by any party against the United States or its agencies or officers or any other person.

In accordance with Sec. 212(d)(3)(B)(ii) of the Act, a report on the aliens to whom this exercise of authority is applied, on the basis of case-by-case decisions by the U.S. Department of Homeland Security, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U.S. law.

Dated: February 20, 2007.

**Michael Chertoff,**

*Secretary of Homeland Security.*

[FR Doc. E7-3905 Filed 3-5-07; 8:45 am]

**BILLING CODE 4410-10-P**

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(a) Is seeking a benefit or protection under the Act and has been determined to be otherwise eligible for the benefit or protection;

(b) Has undergone and passed relevant background and security checks;

(c) Has fully disclosed, in all relevant applications and interviews with U.S. Government representatives and agents,