

*Estimated Total Annual Burden
Hours: 20,000.*

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Branch, U.S. Customs and Border Protection.*

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0109]

Agency Information Collection Activities; Revision; Guam-CNMI Visa Waiver Information (Form I–736)

AGENCY: U.S. Customs and Border
Protection (CBP), Department of
Homeland Security.

ACTION: 30-Day notice and request for
comments.

SUMMARY: The Department of Homeland
Security, U.S. Customs and Border
Protection (CBP) will be submitting the
following information collection request
to the Office of Management and Budget
(OMB) for review and approval in
accordance with the Paperwork
Reduction Act of 1995 (PRA). The
information collection is published in
the **Federal Register** to obtain comments
from the public and affected agencies.

DATES: Comments are encouraged and
must be submitted (no later than
January 9, 2026) to be assured of
consideration.

ADDRESSES: Written comments and/or
suggestions regarding the item(s)
contained in this notice should be sent
within 30 days of publication of this
notice to www.reginfo.gov/public/do/PRAMain. Please submit written
comments and/or suggestions in
English. Find this particular information
collection by selecting “Currently under
30-day Review—Open for Public
Comments” or by using the search
function.

FOR FURTHER INFORMATION CONTACT:

Requests for additional PRA information
should be directed to Seth Renkema,
Chief, Economic Impact Analysis
Branch, U.S. Customs and Border
Protection, Office of Trade, Regulations
and Rulings, 90 K Street NE, 10th Floor,
Washington, DC 20229–1177,
Telephone number 202–325–0056 or via
email CBP_PRA@cbp.dhs.gov. Please
note that the contact information
provided here is solely for questions
regarding this notice. Individuals
seeking information about other CBP
programs should contact the CBP

National Customer Service Center at
877–227–5511, (TTY) 1–800–877–8339,
or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP
invites the general public and other
Federal agencies to comment on the
proposed and/or continuing information
collections pursuant to the Paperwork
Reduction Act of 1995 (44 U.S.C. 3501
et seq.). This proposed information
collection was previously published in
the **Federal Register** (89 FR 3299) on
January 18, 2024, allowing for a 60-day
comment period. This notice allows for
an additional 30 days for public
comments. This process is conducted in
accordance with 5 CFR 1320.8. Written
comments and suggestions from the
public and affected agencies should
address one or more of the following
four points: (1) 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) 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)
suggestions to enhance the quality,
utility, and clarity of the information to
be collected; and (4) suggestions to
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. The
comments that are submitted will be
summarized and included in the request
for approval. All comments will become
a matter of public record.

Overview of This Information Collection

Title: Guam-CNMI Visa Waiver
Information (Form I–736).

OMB Number: 1651–0109.

Form Number: I–736.

Current Actions: Revision.

Type of Review: Revision.

Affected Public: Individuals.

Abstract: Public Law 110–229
provides for certain aliens to be exempt
from the nonimmigrant visa
requirement if seeking entry into Guam
or the Commonwealth of the Northern
Mariana Islands (CNMI) as a visitor for
a maximum stay of 45 days, provided
that no potential threat exists to the
welfare, safety, or security of the United
States, or its territories, and other
criteria are met. At the Secretary’s
discretion, passport holders of the
People’s Republic of China who are not
in possession of a visitors’ visa may be

allowed to enter CNMI for up to 14 days
under the discretionary parole
authority. Upon arrival at the Guam or
CNMI Ports-of-Entry, each applicant for
admission presents a completed paper
Form I–736 to CBP, which collects
information about the applicant’s
identity and travel documents. CBP
Form I–736 is provided for by 8 CFR
212.1(q).

Please note that certain items on the
new version remains identical to those
in the original version. However,
updates are necessary to be able to
transition to automating Form I–736,
Guam-CNMI Visa Waiver Information
that is used in compliance with the
Guam-CNMI Visa Waiver Program. The
automation will facilitate CBP to gather
information on travelers from Guam-
CNMI Visa Waiver Program countries to
determine their admissibility to enter
Guam or the CNMI. In addition, CBP
intends to migrate from paper I–736 to
a mandatory automated environment;
therefore, the collection of a paper form
will no longer be acceptable. However,
after the regulation implementing
mandatory automation is published,
CBP will grant a transition period of
three months to facilitate travelers
adjusting to the new collection method.
At the end of the transition period, the
paper I–736 form will become obsolete
and travelers must input and submit in
advance their personal information and
respond to the eligibility questions
using the new electronic format. The
travelers’ information is pre-screened or
vetted against law enforcement
databases. Based on the results of the
pre-screening, the application is
approve or denied. The system
generates a board or no board status
message to the carrier indicating a
denied or approved authorization to
board before the flight. The applicant
also receives a message with the
application status: approved, denied,
canceled or pending. All information
will be saved in the newly created
Guam-CNMI Visa Waiver Program
database.

In a recent approval, several data
elements were added to the Form I–736:
the foreign passport type (mandatory),
social media identifier (optional), valid
email address (mandatory), and social
media provider/platform (optional).
Adding these data elements enhances
the existing vetting process and
provides CBP with additional
information to determine travelers’
admissibility to enter Guam or the
CNMI under the Guam-CNMI Visa
Waiver Program. CBP intends to migrate
from the paper Form I–736 process to a
mandatory automated process via
rulemaking.

Proposed Changes

As part of the regulatory updates for the Interim Final Rule (IFR) which fully automates the collection of Form I-736 and requires that travelers under the G-CNMI VWP submit this information in advance of arrival. The rule also creates a new system, CNMI EVS-TAP, wherein travelers from the PRC to the CNMI can submit advance information to CBP so they may be vetted for a 14-day visa free admissibility period. These travelers will also need to complete an additional set of vetting questions.

Type of Information Collection: Form I-736.

Estimated Number of Respondents: 1,370,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 1,370,000.

Estimated Time per Response: 21 minutes.

Estimated Total Annual Burden Hours: 479,500.

Type of Information Collection: CNMI EVS-TAP.

Estimated Number of Respondents: 230,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 230,000.

Estimated Time per Response: 26 minutes.

Estimated Total Annual Burden Hours: 99,667.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in the state of Texas.

DATES: This determination takes effect on December 10, 2025.

SUPPLEMENTARY INFORMATION: Important mission requirements of the Department of Homeland Security (“DHS”) include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation’s national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate, the President’s Executive Order on Securing Our Borders directs that I take all appropriate action to deploy and construct physical barriers to ensure complete operational control of the southern border of the United States. Executive Order 14165, section 3 (Jan. 20, 2025).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS’s border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (“IIRIRA”). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated that in carrying out the authority of section 102(a), I provide for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors to achieve and maintain operational control of the border. Finally, in section 102(c) of IIRIRA,

Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol Laredo Sector is an area of high illegal entry. Between fiscal year 2021 and fiscal year 2025, Border Patrol apprehended over 310,390 illegal aliens attempting to enter the United States between border crossings in the Laredo Sector. In that same time period Border Patrol seized over 44,188 pounds of marijuana, over 576 pounds of cocaine, over 104 pounds of heroin, over 1,246 pounds of methamphetamine, and over 14 pounds of fentanyl.

Since the President took office, DHS has delivered the most secure border in history. More can and must be done, however. As the statistics cited above demonstrate, the Laredo Sector is an area of high illegal entry where illegal aliens regularly attempt to enter the United States and smuggle illicit drugs, and given my mandate to achieve and maintain operational control of the border, I must use my authority under section 102 of IIRIRA to install additional barriers and roads in the Laredo Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in a segment of the border in the Laredo Sector. The segment where such construction will occur is referred to herein as the “project area,” which is more specifically described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the state of Texas within the U. S. Border Patrol Laredo Sector, is an area of high illegal entry (the “project area”): Starting at approximately GPS point 28.028853, –100.008143 and generally following the Rio Grande River south and east to approximately GPS point 26.571855, –99.169240.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that