

Form G-1606-001 NEW - Responses to 60-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2023-0020](https://www.regulations.gov/document/USCIS-2023-0020)
 60-day FRN Citation (federalregister.gov): [89 FR 25893](https://www.federalregister.gov/documents/2023/04/12/2023-07893)
 Publish Dates: April 12, 2024 – June 11, 2024

Comment #/Topic	Comment (<i>Note: Public comments are copied and pasted here as written by the commenter, except where a letter is submitted, and a summary is provided.</i>)	USCIS Response
1.	Commenter: Rachel Baskin Commenter ID: USCIS-2023-0020-0004	
Account access for third party representatives	<i>While this tool appears helpful it provides no way for representation during this process. The tool is only permitted for Individual Account holders, not their attorney representatives. Moreover, while USCIS may have made improvements to individual accounts, attorneys are still unable to use their online accounts and cases that are paper filed rarely, if ever, populate in the attorney online account. This tool provides no way for attorneys to effectively assist and counsel their clients regarding biometrics rescheduling and requirements. Insofar as federal regulations indicate that applicants may have counsel, this effectively renders such counsel ineffective.</i>	Response: USCIS made no additional changes to this information collection based on this comment. The biometric rescheduling tool is available in the myUSCIS representative account, under the My Account drop down at the top right of the screen.
2.	Commenter: Emma Mahern Commenter ID: USCIS-2023-0020-0005	
Online reschedule limits and restrictions; Allow online rescheduling for emergency cases.	<i>I am an immigration lawyer and often assist clients with rescheduling their biometrics appointment. An online scheduling tool would be very helpful and reduce the burden on applicants and the local ASC centers that process biometrics since they will more easily be able to direct individuals to reschedule. Current online tools do not allow an individual to reschedule if it is within 24 hours of their appointment time or if the appointment time has passed. It would be helpful if the online tool allowed for rescheduling for emergent circumstances. Often an individual may be ill the day of the appointment, have car trouble on the way, or be involved in a traffic accident. It is currently very difficult to reschedule in these circumstances.</i>	Response: USCIS made no additional changes to this information collection based on this comment. The online biometrics rescheduling tool cannot be used to reschedule a biometrics appointment within 12 hours of the appointment time, or after the appointment time has already passed. In these cases, the individual or their representative are directed to call the USCIS Contact Center.
3.	Commenter: Erica Tatoian Commenter ID: USCIS-2023-0020-0006	
Biometric collection	<i>I write to address the burden imposed by USCIS when it requires applicants to repeat biometrics appointments. USCIS has required my clients to appear for biometrics three times in the last year, two of which are less than a month apart. The USCIS form provides a phone number for the UCIS Contact Center, but upon calling that number, the automated system does not allow a caller to speak to a representative (i.e., a human being). Instead, the automated system says that it will terminate the call if one asks to speak to a representative - and then it does just that. In the two instances where I've been fortunate enough to speak to a human being in the Contact Center, they could not provide any help concerning the repeated biometrics appointments. They referred me to emailing the National Benefit Center (the representatives provided two differing email addresses, mind you), which I did, followed with mailings of the same. More than two months have elapsed and I have yet to hear</i>	Response: USCIS made no additional changes to this information collection based on this comment. USCIS minimizes the number of times an applicant must submit biometrics in connection with a benefit request and, to the extent permitted by applicable law or policies. Repeated biometrics appointments for an applicant for the same request are very atypical.

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	<i>back from USCIS about the repeated scheduling of biometrics appointments. In the meantime, my clients - minors granted SIJS status - have had to travel more than 12 hours to attend a 15 minute appointment at a cost of \$300. They are now being summoned to come back for another biometrics appointment less than two months later. It is beyond reason that USCIS cannot use the same biometrics information it gathered a year ago, much less two months ago. Instead, it is imposing a significant burden on people with limited means who do not live near Application Support Centers to locate and pay for travel. Allowing the rescheduling of biometrics appointments online is helpful, but there must also be a system that allows applicants not only to speak to a human being, but also provide that person the authority to make decisions. For example, USCIS's website refers to mobile biometrics appointment, but there is currently no way to request such an appointment absent emailing the National Service Center (which, after 2 months, has not responded to that request). The USCIS biometrics system is deeply flawed and sets applicants up for failure by making it impossible for them to comply with USCIS's requirements.</i>	
4.	Commenter: Ahsen Kocaman Commenter ID: USCIS-2023-0020-0007 Note: The commenter uploaded a letter to regulations.gov at this link USCIS-2023-0020-0007. USCIS provided the commenter's recommendations below.	
Online reschedule limits and restrictions; Allow online rescheduling for emergency cases.	<i>Two significant restrictions of the Biometric Appointment Rescheduling Tool are that it cannot be used to reschedule an appointment that 1) is within twelve hours or 2) has been rescheduled two or more times. USCIS should decrease the restriction to allow applicants to reschedule biometrics appointments closer to the time of the original appointment; in addition, there should not be a set maximum for appointments rescheduled with good cause. From a public policy perspective, the Tool can further reduce burdens on the immigration population by accounting for emergency situations that may result in a late appointment reschedule or multiple appointment reschedules.</i>	Response: USCIS made no additional changes to this information collection based on this comment. Any person required to appear for a biometric services appointment may, before the scheduled date and time, request that USCIS reschedule the appointment for good cause. See 8 CFR 103.2(b)(9). The number of requests for rescheduling is not limited under 8 CFR 103.2(b)(9); however, for processing reasons, the rescheduling tool may not accommodate the third and subsequent rescheduling request. Similarly, for technical reasons, the tool may not update the USCIS scheduling system in time if the request is made within the 12-hour window. Therefore, customers are directed to call the USCIS Call Center.
5.	Commenter: Immigrant Defenders Law Center Commenter ID: USCIS-2023-0020-0008 Note: The commenter uploaded a letter to regulations.gov at this link USCIS-2023-0020-0008. USCIS provided the commenter's recommendations below.	
Online reschedule limits and restrictions; Allow for	<i>ImmDef has carefully reviewed the new biometrics appointment rescheduling tool and believes the tool should be improved by adding the options to reschedule biometrics appointments that have already been missed and to request a waiver of biometrics if they have recently been done in</i>	Response: USCIS made no additional changes to this information collection based on this comment. A benefit request is considered abandoned and is denied when a requestor fails to appear for a biometric services appointment and USCIS has not received a rescheduling request by the

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online rescheduling for missed appointments; and Biometric waivers.	<i>connection with another USCIS application even if beyond the 15-month period. ImmDef suggests that USCIS implements these minor changes to the Biometric Appointment Rescheduling Tool before reauthorizing it.</i>	appointment time. See 8 CFR 103.2(b)(13)(ii). However, according to USCIS policy guidance, when a benefit requestor submits a request to reschedule the appointment after the appointment date has passed, and if the benefit request remains pending, USCIS may, in its discretion and based on the applicant's circumstances, consider whether the benefit request has been abandoned. USCIS only accepts untimely rescheduling requests made to the USCIS Contact Center and does not accept untimely requests through the myUSCIS online rescheduling tool.
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