

## Department of Homeland Security

## § 103.8

Landing Permit under section 235 of the Act:

- (i) \$16.00, or
- (ii) \$32 for a family (applicant, spouse and unmarried children under 21 years of age, and parents of either spouse).

(4) *Form I-94*. For issuance of Arrival/Departure Record at a land border port-of-entry: \$6.00.

(5) *Form I-94W*. For issuance of Non-immigrant Visa Waiver Arrival/Departure Form at a land border port-of-entry under section 217 of the Act: \$6.00.

(6) *Form I-246*. For filing application for stay of deportation under 8 CFR part 243: \$155.00.

(7) *Form I-823*. For application to a PORTPASS program under section 286 of the Act:

- (i) \$25.00, or
- (ii) \$50.00 for a family (applicant, spouse, and minor children).
- (iii) The application fee may be waived by DHS.

(iv) If biometrics, such as fingerprints, are required, the inspector will inform the applicant of the current Federal Bureau of Investigation fee for conducting background checks prior to accepting the application fee.

(v) The application fee (if not waived) and fingerprint fee must be paid to CBP before the application will be processed. The fingerprint fee may not be waived.

(vi) For replacement of PORTPASS documentation during the participation period: \$25.00.

(8) *Fee Remittance for F, J, and M Non-immigrants* (Form I-901). The fee for Form I-901 is:

- (i) For F and M students: \$350.
- (ii) For J-1 au pairs, camp counselors, and participants in a summer work or travel program: \$35.

(iii) For all other J exchange visitors (except those participating in a program sponsored by the Federal Government): \$220.

(iv) There is no Form I-901 fee for J exchange visitors in federally funded programs with a program identifier designation prefix that begins with G-1, G-2, G-3, or G-7.

(9) *Special statistical tabulations*: The DHS cost of the work involved.

(10) *Monthly, semiannual, or annual "Passenger Travel Reports via Sea and*

*Air" tables*. (i) For the years 1975 and before: \$7.00.

(ii) For after 1975: Contact: U.S. Department of Transportation, Transportation Systems Center, Kendall Square, Cambridge, MA 02142.

(11) *Request for Classification of a citizen of Canada to engage in professional business activities pursuant to section 214(e) of the Act (Chapter 16 of the North American Free Trade Agreement)*: \$50.00.

(12) *Request for authorization for parole of an alien into the United States*: \$65.00.

(13) *Global Entry*. Application for Global Entry: \$100.

(14) *U.S. Asia-Pacific Economic Cooperation (APEC) Business Travel Card*. Application fee: \$70.

(15) *Notice of Appeal or Motion (Form I-290B) filed with ICE SEVP*. For a Form I-290B filed with the Student and Exchange Visitor Program (SEVP): \$675.

[85 FR 46914, Aug. 3, 2020]

### § 103.8 Service of decisions and other notices.

This section states authorized means of service by the Service on parties and on attorneys and other interested persons of notices, decisions, and other papers (except warrants and subpoenas) in administrative proceedings before Service officers as provided in this chapter.

(a) *Types of service*—(1) *Routine service*. (i) Routine service consists of mailing the notice by ordinary mail addressed to the affected party and his or her attorney or representative of record at his or her last known address, or

(ii) If so requested by a party, advising the party of such notice by electronic mail and posting the decision to the party's USCIS account.

(2) *Personal service*. Personal service, which shall be performed by a Government employee, consists of any of the following, without priority or preference:

- (i) Delivery of a copy personally;
- (ii) Delivery of a copy at a person's dwelling house or usual place of abode by leaving it with some person of suitable age and discretion;
- (iii) Delivery of a copy at the office of an attorney or other person, including a corporation, by leaving it with a person in charge;

## § 103.9

(iv) Mailing a copy by certified or registered mail, return receipt requested, addressed to a person at his last known address; or

(v) If so requested by a party, advising the party by electronic mail and posting the decision to the party's USCIS account.

(3) *Personal service involving notices of intention to fine.* In addition to any of the methods of personal service listed in paragraph (a)(2) of this section, personal service of Form I-79, Notice of Intention to Fine, may also consist of delivery of the Form I-79 by a commercial delivery service at the carrier's address on file with the National Fines Office, the address listed on the Form I-849, Record for Notice of Intent to Fine, or to the office of the attorney or agent representing the carrier, provided that such a commercial delivery service requires the addressee or other responsible party accepting the package to sign for the package upon receipt.

(b) *Effect of service by mail.* Whenever a person has the right or is required to do some act within a prescribed period after the service of a notice upon him and the notice is served by mail, 3 days shall be added to the prescribed period. Service by mail is complete upon mailing.

(c) *When personal service required—(1) Generally.* In any proceeding which is initiated by the Service, with proposed adverse effect, service of the initiating notice and of notice of any decision by a Service officer shall be accomplished by personal service, except as provided in section 239 of the Act.

(2) *Persons confined, minors, and incompetents—(i) Persons confined.* If a person is confined in a penal or mental institution or hospital and is competent to understand the nature of the proceedings initiated against him, service shall be made both upon him and upon the person in charge of the institution or the hospital. If the confined person is not competent to understand, service shall be made only on the person in charge of the institution or hospital in which he is confined, such service being deemed service on the confined person.

(ii) *Incompetents and minors.* In case of mental incompetency, whether or not

## 8 CFR Ch. I (1–1–21 Edition)

confined in an institution, and in the case of a minor under 14 years of age, service shall be made upon the person with whom the incompetent or the minor resides; whenever possible, service shall also be made on the near relative, guardian, committee, or friend.

(d) *When personal service not required.* Service of other types of papers in proceedings described in paragraph (c) of this section, and service of any type of papers in any other proceedings, may be accomplished either by routine service or by personal service.

[37 FR 11470, June 8, 1972, as amended at 39 FR 23247, June 27, 1974; 62 FR 10336, Mar. 6, 1997; 64 FR 17944, Apr. 13, 1999. Redesignated and amended at 76 FR 53781, Aug. 29, 2011]

### § 103.9 Request for further action on an approved benefit request.

(a) *Filing a request.* A person may request further action on an approved benefit request as prescribed by the form instructions. Requests for further action may be submitted with the original benefit request or following the approval of such benefit.

(b) *Processing.* The request will be approved if the requester has demonstrated eligibility for the requested action. There is no appeal from the denial of such request.

[Redesignated and amended at 76 FR 53781, Aug. 29, 2011]

### § 103.10 Precedent decisions.

(a) Proceedings before the immigration judges, the Board of Immigration Appeals and the Attorney General are governed by part 1003 of 8 CFR chapter V.

(b) *Decisions as precedents.* Except as Board decisions may be modified or overruled by the Board or the Attorney General, decisions of the Board, and decisions of the Attorney General, shall be binding on all officers and employees of the Department of Homeland Security or immigration judges in the administration of the immigration laws of the United States. By majority vote of the permanent Board members, selected decisions of the Board rendered by a three-member panel or by the Board en banc may be designated to serve as precedents in all proceedings involving the same issue or issues. Selected decisions designated by the