

SUPPORTING STATEMENT

Petition for Alien Relative

Form I-130

OMB No. 1615-0012

A. JUSTIFICATION

1. Section 204 of the Immigration and Nationality Act (INA), allows a citizens or lawful permanent resident of the United States to petition on behalf of certain alien relatives who wish to immigrate to the United States. 8 CFR 204.1(a)(1) provides for the use of the Form I-130 by petitioners to establish their relationship to certain alien relatives.
2. The data collected on Form I-130 will be used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for benefits and ensuring that basic information required to assess eligibility is provided by applicants. USCIS is amending the Form I-130 to require petitioners filing on behalf of their spouse to submit documentation to establish the bona fides of their marital relationship. This information is required in order to determine eligibility for the requested immigration benefit. USCIS has found that petitioners filing on behalf of their spouses fail to submit sufficient documentation to establish the bona fides of the marital relationship. Such failure often results in a delay in the adjudication process. USCIS is therefore specifying that petitioners filing on behalf of their spouses submit documentation, such as joint financial accounts or joint property leases. Attached is the table of changes to the Form I-130.
3. The use of the Form I-130 provides the most efficient means of collecting and processing the information needed to determine eligibility for individuals seeking to establish a familial relationship. USCIS does not currently have the automated capability in place to accept electronic submission of the Form I-130 petitions. However, this form has been designated for electronic submission under the Business Transformation Project.
4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
5. The collection of information does not have an impact on small businesses or other small entities.

6. If this information is not collected, it would hinder USCIS's ability to accept and analyze information submitted by petitioners for certain alien relatives. Overall, not collecting this information would render USCIS's process for immigration ineffective.
7. There are no special circumstances associated with this information collection.
8. On June 13, 2006, USCIS published a notice in the Federal Register at 71 FR 34152 allowing for comments by the public for 60 days. The USCIS received one comment to item 15 of the form. USCIS has adopted the comment (attached).
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. The Privacy Act of 1974 (Public Law 93-589) mandates that personal information solicited from individuals completing Federal records and forms shall be kept confidential. The respondent is informed prior to submission that USCIS may provide this information to other agencies.
11. There are questions of a sensitive nature such as requiring evidence demonstrating the bona fides of a familial relationship. However, this information is required in order for a citizen or lawful permanent resident of the United States to petition on behalf of certain alien relatives under Section 204 of the INA.

12. Annual Reporting Burden:

a. Number of Respondents	183,034
b. Number of Responses per each Respondent	1
c. Total Annual Responses	183,034
d. Hours per Response	1.5*
e. Total Annual Reporting Burden	274,551

* It is estimated that an additional one hour will be added to completing this form as a result of the requirement requiring petitioners filing on behalf of their spouse to submit documentation to establish the bona fides of their marital relationship.

Annual Reporting Burden

The total annual reporting is **274,551**. This figure is calculated by multiplying the number of respondents (183,034) x frequency of response (1) x hours per response (1 hour and 30 minutes (1.5)).

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in question 14. However, there is a fee charge of \$190 associated with the filing of this information collection.

14. Annualized Cost Analysis:

a.	Printing Cost	\$ 98,838
b.	Collecting and Processing Cost	\$ 34,677,622
c.	Total Cost to Program	\$ 34,776,460
d.	Fee Charge, if any	\$ 34,776,460
e.	Total Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (183,034) multiplied (x) by the \$190 fee (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

Public Cost

The estimated annual public cost is **\$37,521,970**. This figure is calculated by multiplying the number of respondents 183,034 x \$190 fee charge; plus the number of respondents 183,034 x frequency of response (1) x hours per response (1 hour and 30 minutes (1.5) x \$10 (average hourly rate).

15. There has been a burden hour increase of **183,034** previously reported for this collection of information. This increase is attributed to the additional time it will take to provide evidence to show the bona fides of a marital relationship. There has also been a cost increase of **\$9,151,460** previously reported for this information collection. The increase in cost is attributed to an increase in the filing fee.

16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. USCIS will display the expiration date of this information collection.
18. USCIS does not request an exception to the certification of this information collection. See attached item 19 of the Form OMB 83-I

A. Collection of Information Employing Statistical Methods.

Not Applicable

A. Certification and Signatures

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan,
Director,
Regulatory Management Division,
U.S. Citizenship and Immigration Services.

Date