


PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/subagency Department of Homeland Security, U.S. Citizenship and Immigration Services		OMB Control Number _____ 1615 _____ 0015 _____
<i>Enter only items that change</i>		
Current record		New record
Agency form number (s) I-140		
Annual reporting and recordkeeping hour burden		
Number of respondents		
Total annual responses		
Percent of these responses collected electronically	%	%
Total annual hours		
Difference		
Explanation of difference		
Program change Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested		
Difference		
Explanation of difference		
Program change Adjustment		
Other changes** See Attached		
Signature of Senior Official or designee:  Stephen Tarragon	Date: 5-15-2008	For OIRA Use _____ _____

** This form cannot be used to extend an expiration date.

CHANGES TO THE FORM I-140 INSTRUCTIONS (1615-0015)

The current regulations at 8 CFR 103.2(b)(4) (see below) require that the labor certification from the Department of Labor (DOL) submitted to support a petition, must be submitted in the original. USCIS has always required an original labor certification as a fraud deterrent since the original labor certification contains security features to reduce the threat of forgery.

The current version of the Form I-140 instructions on page 3 under the heading "Copies" currently requires that the labor certification be submitted as an original document. To avoid confusion, USCIS would also like to add the term "original" in the instructions on page 3 under the heading "General Evidence" so that the petitioner will not miss this requirement for an original document.

In addition, the current form number for the DOL labor certification has been changed from "ETA-750" to ETA-9089". Accordingly USCIS is changing the form number in it's instructions to ETA-9089.

Further USCIS is also making some cosmetic changes under "General Evidence" so the paragraph reads more clearly.

Reference in 8 CFR 103.2(b)(4)

(4) Submitting copies of documents. Application and petition forms, and documents issued to support an application or petition (such as labor certifications, Form DS 2019, medical examinations, affidavits, formal consultations, letters of current employment and other statements) must be submitted in the original unless previously filed with USCIS. Official documents issued by the Department or by the former Immigration and Naturalization Service need not be submitted in the original unless required by USCIS. Unless otherwise required by the applicable regulation or form's instructions, a legible photocopy of any other supporting document may be submitted. Applicants and petitioners need only submit those original documents necessary to support the benefit sought. However, original documents submitted when not required will remain a part of the record.