

## **SUPPORTING STATEMENT**

### **Supplement A to Form I-539**

#### **(Filing Instructions for V Nonimmigrant Status Applicants)**

**(OMB No. 1615-0004)**

#### **A. Justification.**

1. The information collected is required by 8 CFR 214.15. This information collection will be used by nonimmigrants to apply for an extension of stay, for a change to another nonimmigrant classification, or for obtaining V nonimmigrant classification. This information collection is needed to accompany the Form I-539 (Application to Extend/Change Nonimmigrant Status) in order to explain and provide instructions for the V nonimmigrant classification. As such, this information collection is necessary to explain what additional information applicants for V nonimmigrant status need to submit to prove eligibility for V nonimmigrant status.
2. This information collection will be used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. The information collection serves the purpose of standardizing requests for the benefit and ensuring that basic information required to assess eligibility is provided by petitioners.
3. The use of this information collection currently provides the most efficient means for collecting and processing the required data. Although the Form I-539 can be

filed electronically, Supplement A to Form I-539 is simply an instruction sheet asking for additional information from the petitioner.

4. A search of the USCIS automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. This collection of information does not have an impact on small businesses or other small entities.
6. Without this information there would be no means by which certain classes of nonimmigrant could apply for and receive an extension of stay or other nonimmigrant classification, or for an alien to obtain V classification.
7. The special circumstances contained in Item 7 of the Supporting Statement are not applicable to this information collection.
8. On March 26, 2008, USCIS published a 60-day notice in the Federal Register at 73 FR 16033. USCIS did not receive any comments for this information collection.
9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. There are no questions of a sensitive nature.
12. Annual Reporting Burden:

a.	Number of Respondents	200
b.	Number of Responses per Respondent	1
c.	Total Annual Responses	200
d.	Hours per Response	.5

e. Total Annual Reporting Burden 100

**Annual Reporting Burden**

**The annual reporting burden is 100.** This figure was derived by multiplying the number of respondents (200) x frequency of response (1) x 30 minutes per response (.50).

13. There are no capital or start-up costs associated with this information collection. Any cost burden to respondents as a result of this information collection are identified in Item 14. *(There is no fee charge for this information collection; however, there is an \$80 biometric fee associated with this information collection.)*

14. Annualized Cost Analysis:

a.	Printing Cost	\$	100
b.	Collection and Processing Cost	\$	8,000
c.	Total Cost to Program	\$	8,100
d.	Fee Charge	\$	0
e.	Total Cost to Government	\$	8,100

**Government Cost**

**The estimated cost of the program to the Government is 8,100.** This figure is calculated by using the estimated number of respondents (200) multiplied (x) by one (1) hour (time required to collection and process information) x \$40 (the suggested average hourly rate for clerical, officer, and managerial time with

benefits). In addition, this figure includes the estimated overhead cost of \$100 for printing, stocking, distributing and processing this form.

**Public Cost**

**The estimated annual public cost is \$ 17,000.** This estimate is based on the number of respondents 200 x 30 minutes (.50) x \$10 (Average hourly rate); plus the number of respondents 200 x \$80 biometric fee.

15. There has been a decrease of 213,400 annual burden hours previously reported for this information collection. It appears that USCIS must have mistakenly included the number of respondents submitting the additional evidence requirements associated with Supplement A to the Form I-539, with the total number of respondents submitting the Form I-539. The evidence required in Supplement A to the Form I-539 should only be submitted by V-nonimmigrants which is significantly less. Moreover, as every year passes, the number of V-nonimmigrants have decreased for this category since most have adjusted to legal permanent status.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.
17. USCIS is not seeking a waiver to display the expiration date of OMB approval of this information collection.
18. USCIS does not request an exception to the certification of this information collection.

**B. Collection of Information Employing Statistical Methods.**

Not Applicable.

**C. Certification and Signature.**

**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.

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**Stephen Tarragon,**

**Date**

Acting Chief,

Regulatory Management Division.

U.S. Citizenship and Immigration Services.