

## **SUPPORTING STATEMENT**

### **Application for Employment Authorization**

**(Form I-765)**

**OMB No. 1615-0040**

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

1. Certain aliens authorized to work in the United States must file Form-I-765 to request an Employment Authorization Document (EAD). 8 CFR 274a.13.  
  
Employers are required to verify a person's right to work in the United States and the employee is required to furnish evidence of his or her authorization to work in the United States. This evidence, to be verified by the employer and furnished by the employee, shall establish identity and employability.
2. U.S. Citizenship and Immigration Services (USCIS) will use the information collected to determine the applicant's statutory eligibility for the benefit sought.  
  
An applicant may file Form I-765 for issuance of an EAD; to renew or replace an EAD; or to apply for the document on an interim basis. Aliens who are authorized to work in the United States without restrictions may use the form to apply for a document evidencing such work authorization.
3. The use of this form provides the most efficient means for collecting and processing the required data. Form I-765 is available for e-filing.

4. A review of the USCIS Forms Inventory Report revealed no duplication of efforts, and there is no other similar information currently available which can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. If the information is not collected, the adjudicating officer will be unable to determine whether the applicant is eligible for the benefits sought.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. On April 11, 2008, USCIS published a 60 day notice requesting comments at 73 FR19861. USCIS did not receive any comments.
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	1,885,296
b.	Number of Responses per Each Respondent	1
c.	Total Annual Responses	1,885,296
d.	Hours per Response	3.42
e.	Total Annual Reporting Burden	6,447,712

**Annual Reporting Burden**

**Total annual reporting burden hours is 6,447,712.** This figure was derived by multiplying the number of respondents (1,885,296) x frequency of response (1) x hours per response (3.42).

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 item 14. *(There is a fee charge of \$340 associated with the collection of this information collection).*

14. Annualized Cost Analysis:

a.	Printing Cost	\$ 735,265
b.	Collection and Printing Cost	\$ 640,265,375
c.	Total Cost to Program	\$ 641,000,640
d.	Fee Charge	\$ 641,000,640
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 (1,885,296) multiplied (x) by the suggested \$340 fee charge, (which includes the suggested hourly rate for clerical, officer and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking and distributing and processing of this form.

**Public Cost**

**The estimated annual public cost is \$705, 447,760.** This is based on the number of respondents 1,885,296 x 3 hours and 25 minutes (3.42 hours) per response x

- \$10.00 (average hourly rate), plus the number of respondents (1,885,296) x the fee charge of \$340.
15. There has been no increase or decrease in the estimated burden hours previously reported for this collection of information.
  16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
  17. The USCIS does not request an exception to the display the expiration date.
  18. The 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  
Acting Chief  
Regulatory Management Division

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Date