

**Supporting Statement
Form I-687**

**Application for Status as Temporary Resident under Section 245A
Of the Immigration and Nationality Act; NWIRP Class-Member Worksheet**

OMB No. 1615-0090

A. Justification

1. Section 245A of The Immigration and Nationality Act (Act), section 245A legalization program ended in 1988. Pursuant to the terms of a recent settlement agreement in the legalization class action *Northwest Immigrant Rights Project, et al. v. U.S. Citizenship and Immigration Services, et al.*, CV 88-379R (NWIRP) (a.k.a. "LEAP") U.S. Citizenship and Immigration Services (USCIS) must provide aliens the opportunity to file Form I-687 after the last registration period ended. At this time, this form will be used for the NWIRP court case and the application period will begin on February 1, 2009.
2. This form will now be used to apply to USCIS for benefits pursuant to the terms and conditions of the NWIRP settlement agreement. If approved, applicants will be granted Temporary Resident status in the United States with the opportunity to file for permanent residency. The data collected on this form is used by USCIS to verify the applicant's status and determine his or her eligibility for the benefit. This form is being revised (see table of changes) and a new worksheet is being created.
3. The use of this form provides the most efficient means for collecting and processing the required data. In this case, USCIS does not employ the use of information technology in collecting and processing information. However, this form has been designated for e-filing under the Business Transformation Project.
4. A search of USCIS' automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. The collection of information does not have an impact on small businesses or other small entities.
6. The collection of information on Form I-687 is required to verify the applicant's eligibility for temporary status, and if the applicant is deemed eligible, to grant him or her the benefit sought. Lacking such form, the applicant could not seek the benefit provided pursuant to the settlements.

7. There are no special circumstances applicable to this information collection.
8. On October 17, 2008, USCIS published a 60-day notice in the Federal Register at 73 FR 61891. USCIS did not receive any comments for this information collection.
9. 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 Responses	100,000
b. Number of Responses per Applicant	1
c. Total Annual Responses	100,000
d. Hours per Response	1.16
e. Total Annual Reporting Hours	116,000

Annual Burden Hours

Total annual reporting burden hours is 116,000. This number is calculated by multiplying the number of respondents (100,000) x (1) frequency of responses x 1 hour and 10 minutes (1.16) per response.

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. However, there is a fee of \$710 and a \$80 biometric fee.

14. Annualized Cost Analysis:

a. Printing Cost	\$42,000
b. Collection and Processing Cost	\$78,958,000
c. Total Cost to Program	\$79,000,000

d. Fee Charge	\$79,000,000
e. Total Cost to Government	\$0

Government Cost

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents (100,000) x the \$710 fee charge (which includes the 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 this form); plus the number of respondents (100,000) x the \$80 biometric fee.

Public Cost

The estimated annual public cost is \$80,160,000. This estimate is based upon the number of respondents (100,000) x 1 hour and 10 minutes (1.16) per response by \$10.00 (average hourly rate); plus the number of respondents (100,000) x fee charged of \$710; plus the number of respondents (100,000) x the \$80 biometric fee.

- 15. There has been no increase or decrease in the burden hours previously reported for this information collection.
- 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 for 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 compiled with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Sunday Aigbe,
Chief,
Regulatory Management Division,
U.S. Citizenship and Immigration Services,
Department of Homeland Security.

Date