

**SUPPORTING STATEMENT**

**Application to Extend/Change Nonimmigrant Status**

**Form I-539**

**(OMB No. 1615-0003)**

**A. JUSTIFICATION.**

1. The information collected is required by 8 CFR 214.1(c). This form will be used by nonimmigrants to apply for an extension of stay or for a change to another nonimmigrant classification.
  
2. The data collected on this form will be used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit; the form will serve as a standardized request for the benefit sought and will ensure that basic information required to assess eligibility is provided by all applicants.
  
3. The use of this form provides the most efficient means for collecting and processing the required data. This form is available for e-filing.  
<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=f3fe194d3e88d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=9059d9808bcbd010VgnVCM100000d1f1d6a1RCRD>

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. This collection of information does not have an impact on small businesses or other small entities.
6. Without this information collection there would be no venue by which certain classes of nonimmigrants could apply for and receive an extension of stay or other nonimmigrant classification.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. USCIS published a 60 Day notice on May 22, 2008 at 73 FR 29774 requesting comments. USCIS did not receive any comments.
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 Respondents                   | 260,967 |
| b. | Number of Responses per each Respondent | 1       |
| c. | Total Annual Responses                  | 260,967 |
| d. | Hours per Response                      | .75     |
| e. | Total Annual Reporting Burden           | 195,725 |

**Annual Burden Hours**

**Total annual reporting burden hours is 195,725.** This figure was derived by multiplying the number of respondents (260,967) x frequency of response (1) x hours per response (45 minutes (.75)).

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 **\$300** associated with the filing of this information collection and a biometrics fee of **\$80**.

14. Annualized Cost Analysis:

|    |                                |    |            |
|----|--------------------------------|----|------------|
| a. | Printing Cost                  | \$ | 20,363     |
| b. | Collection and Processing Cost | \$ | 99,147,097 |

|    |                          |    |            |
|----|--------------------------|----|------------|
| c. | Total Cost to Program    | \$ | 99,167,460 |
| d. | Fee Charge               | \$ | 99,167,460 |
| 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 (260,967) multiplied (x) by the suggested \$300 fee charge; plus estimated number of respondents (260,967) multiplied (x) by the \$80 Biometrics Fee.

**Public Cost**

**The estimated annual public cost is \$101,124,710.** This is based on the number of respondents 260,967 x 45 minutes (.75) per response x \$10 (average hourly rate); plus the number of respondents 260,967 x fee charge of \$300; plus the number of respondents 260,967 x biometric fee charge \$80.

15. There has been a decrease of 675 annual burden hours associated with this collection of information. There has also been a reduction of \$342,000 in the annual burden cost for this information collection. This can be attributed to the final rule titled “Period of Admission and Extension of Stay for Canadian and Mexican Citizens Engaged in Professional Business Activities — TN Nonimmigrants; 1615-AB64.”
  
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 OMB approval 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 complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

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**Sunday Aigbe,**

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

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**Date**

