

SUPPORTING STATEMENT

Petition by Entrepreneur to Remove Conditions

Form I-829

OMB No. 1615-0045

A. Justification

1. Alien entrepreneurs admitted to the United States under section 203(b)(5) of the Immigration and Nationality Act (Act), are required to petition for removal of the conditional residence status imposed on them and their accompanying spouse and children, within a 90-day period before the second anniversary of their conditional residence (section 216A of the Act). Form I-829 provides a uniform petition that enables alien entrepreneurs to request the removal of the conditional basis of their lawful permanent resident status.
2. The data collected on Form I-829 will be used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for benefits and ensuring that the basic information required to assess eligibility is provided by applicants.
3. The use of this form currently provides the most efficient means for collecting and processing the required data. USCIS provides this application to the public via the USCIS Internet Web Site. This form is accessible and available for electronic generation only. USCIS does not currently have the automated capability in place to accept electronic submission of Form I-829. However, this form has been designated for e-filing under the Business Transformation Project.

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. If the collection of information is not conducted, USCIS would not be able to determine if eligibility requirements for removal of conditional residence status has been met.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. On December 15, 2008, USCIS published a 60-day Federal Register notice at 73 FR 76038 to allow the public to review and comment on the information collection. 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. Although, the Privacy Act of 1974 (Public Law 93-589) mandates that personal information solicited from individuals completing Federal records and forms shall be kept confidential, the respondent is informed prior to submission that we may provide this information to other government agencies.

11. There are questions of a sensitive nature regarding past behavior and activity. However, without this information, USCIS cannot make a determination on a petitioner's request to remove conditional residence status.

12. Annual Reporting Burden:

a.	Number of Respondents	200
b.	Number of Responses per each request	1
c.	Total Annual Responses	200
d.	Hours per Response	1.083
e.	Total Annual Reporting Burden	216

Annual Reporting Burden

Total annual reporting burden is 216. This estimate was derived by multiplying the number of respondents (200) x frequency of response (1) x 1 hrs and 5 minutes (2.083).

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 question 14. However, there is a fee charge of \$2,850 associated with this information collection. Plus a \$80 biometric fee.

14. Annualized Cost Analysis:

a.	Printing Cost	\$	140
b.	Collecting and Processing	\$	585,860
c.	Total Cost to Program	\$	586,000
d.	Fee Charge	\$	586,000

e. Total Annual Cost to Government \$ 0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (200) multiplied by the suggested \$2,850 fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits) plus (200) multiplied by the (80) biometrics fee. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form.

Annual Public Cost

The estimated annual public cost is \$ 593, 365. This estimate is based on the number of respondents (200) x 2 hrs. 5 minutes (2.083) per response x \$17.68 (average paralegal hourly rate per Bureau of Labor Statistics), plus the number of respondents 200 x \$2,850 fee charge plus 200 x \$80 biometric fee.

15. There has been no increase or decrease in the estimated annual burden hours previously reported for this information collection.

16. The USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.

17. USCIS is not seeking a waiver to display the expiration date of OMB approval for this information collection.

18. The USCIS does not request an exception to the certification of this information collection. See attached Item 19 of Form OMB 83-I.

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.

Sunday Aigbe

Chief,

Regulatory Management Division,

U.S. Citizenship and Immigration Services.

Date