

SUPPORTING STATEMENT
Request for Fee Waiver Denial Letter
Form G-1054
(OMB No. 1615-0089)

A. Justification.

1. The regulations at 8 CFR 103.7(c) allows U.S. Citizenship and Immigration Services (USCIS) to waive fees for benefits under the Immigration and Nationality Act (Act). Briefly 8 CFR 103.7(c), states "...any of the fees prescribed in paragraph (b) [8 CFR 103.7(b)] of this section relating to applications, petitions, appeals, motions, or requests may be waived by the Department of Homeland Security in any case under its jurisdiction in which the alien or other party affected is able to substantiate that he or she is unable to pay the prescribed fee." This information collection is necessary to maintain consistency in the adjudication of fee waiver requests.

2. If a fee waiver request is resubmitted, the suggested data listed on the Form G-1054 will be used by USCIS to determine eligibility for a fee waiver associated with the requested immigration benefit. The Form G-1054 serves the purpose of standardizing the denial of a request for a fee waiver, and will ensure that the basic information is provided to consistently assess eligibility when the requestor resubmits his or her request for a fee waiver.

3. The use of this form provides the most efficient means for collecting and processing the required data upon resubmission of the initial denied request for a fee waiver. In this case USCIS does not employ the use of information technology in collecting and processing information. Since this information collection is provided to the applicant by USCIS for failure to provide sufficient justification for a fee waiver, this information collection does not lend itself for e-filing.

4. A review of the 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. The collection of this information does not have an impact on small businesses or other small entities.
6. If the information listed on the form is not collected, or collected inconsistently, it would hinder the ability of the public to obtain a fee waiver. In addition, if the information was not collected it would hamper USCIS' ability develop an accurate record for fee waiver amounts.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. On June 2, 2009, USCIS published a 60-day notice in the Federal Register at 74 FR 26413. On August 20, 2009 USCIS published a 30 Day notice at 74 FR 42082. 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 Respondents	16,000
b.	Number of Responses per each Respondent	1
c.	Total Annual Responses	16,000
d.	Hours per Response	1.25
e.	Total Annual Reporting Burden	20,000

Annual Reporting Burden

The total annual reporting burden hours are 20,000. This figure was derived by multiplying the number of respondents (16,000) x frequency of response (1) x (1.25 hours) (1 hour and 15 minutes) per response.

13. There are no capital or start up costs associated with this information collection. There is no fee associated with the collection of this information.

14. Annualized Cost Analysis:

a.	Printing Cost	\$	2,880
b.	Collection and Processing Cost	\$	637,120
c.	Total Cost to Program	\$	640,000
d.	Fee Charge	\$	0
e.	Total Cost to Government	\$	640,000

Government Cost

The estimated cost of the program to the Government is 640,000. This figure is calculated by using the estimated number of respondents (16,000) multiplied (x) one hour (time required to collect and process information) x \$40 (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

Public Cost

The estimated annual public burden cost is \$200,000. This estimate is based on the number of respondents (16,000) x (1.25 hours) (1 hour and 15 minutes) per response x \$10.00 (average hourly rate).

15. There has been no increase or decrease in the estimated number of annual burden hours 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 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.

Stephen Tarragon,
Deputy Chief,
Regulatory Products Division,
U.S. Citizenship and Immigration Services.

Date