

## **SUPPORTING STATEMENT**

### **Petition for Alien Fiance(e)**

**(Form I-129F)**

**OMB No. 1615-0001**

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

1. Section 214(d) of the Immigration and Nationality Act (Act) prohibits the issuance of a nonimmigrant visa under section 101(a)(15)(K) of the Act until the consular officer abroad has received a petition filed in the United States by a U.S. citizen on behalf of his/her spouse or fiance(e) and approved by the Secretary of Homeland Security. Likewise, 8 CFR 214.2(k) sets forth procedures which must be followed by a citizen of the United States who wishes to bring his/her spouse or fiance(e) to the United States. This includes the requirement that a completed Form I-129F must be filed with the U.S. Citizenship and Immigration Services (USCIS) in order to petition for an alien spouse, fiance(e), or child.
2. The data collected on Form I-129F will be used by USCIS to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for the benefit, and ensuring that basic information required to assess eligibility is provided by petitioners.
3. The use of Form I-129F provides the most efficient means for collecting and processing the required data. In this case the USCIS does not employ the use of information

technology in collecting and processing information. Currently, the USCIS does not have the automated capability in place to accept electronic submission of applications. However, this form does reside on the USCIS' Web site and can be completed and saved electronically. This form has been designated for e-filing under the Business Transformation Project.

4. A review of the USCIS automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. This collection of information does not have an impact on small businesses or other small entities.
6. If this information is not collected and presented to the USCIS there is no mechanism for the USCIS to determine whether satisfactory evidence has been submitted by the U.S. citizen to establish that the parties are married, in the case of a citizen seeking to obtain a nonimmigrant visa for his or her spouse. In the case of a citizen seeking to obtain a nonimmigrant visa for his or her fiance(e), if this information is not collected and presented to the USCIS there is no mechanism for the USCIS to determine whether satisfactory evidence has been submitted by the U.S. citizen to determine that the citizen and fiance(e) have previously met in person within 2 years before the date of filing the petition, have a bona fide intention to marry, and are legally able and actually willing to conclude a valid marriage within 90 days after the fiance(e) arrival in the United States.
7. There are no special circumstances associated with this information collection.
8. On September 29, 2009, USCIS published a 60-day notice in the Federal Register at 74 FR 49885. On December 23, 2009, USCIS published a 30-day notice in the Federal

Register at 74 FR 68273. USCIS did not receive any comments for this information collection.

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	200,000
b.	Number of Responses per each request	1
c.	Total Annual Responses	200,000
d.	Hours per Response	1.50
e.	Total Annual Reporting Burden	300,000

**Annual Reporting**

**Total annual reporting burden is 300,000.** This figure was derived by multiplying the number of respondents (200,000) x frequency of response (1) x 1.5 hours (90 minutes) 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. (*There is a \$455 fee charge associated with the filing of this information collection.*)

14. **Annualized Cost Analysis:**

Printing Cost	\$	48,000
Collecting and Processing	\$	90,952,000

Total Cost to Program	\$ 91,000,000
Fee Charge	\$ 91,000,000
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 (200,000) multiplied (x) by the suggested \$455 fee charge (which includes the average hourly rate for clerical, officer, and managerial time with benefits). In addition, this figure includes the estimated overhead cost \$48,000 for printing, stocking, distributing and processing of this form.

**Annual Public Cost**

**The estimated annual public cost is \$94,000,000.** This estimate is based on the number of respondents (200,000) x 1.5 hours (90 minutes) per response x \$10 (average hourly rate), plus the number of respondents (200,000) x \$455 fee charge.

15. There has been no increase or decrease in the estimated number of annual burden hours 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. DHS will not display the expiration date for this information collection on the form.
  - a. Displaying the expiration date serves no useful purpose for USCIS information collections, confuses the public, and requires USCIS to expend scarce fee revenue to re-program automated systems in order to change the expiration date.

- b. At any given time there are numerous forms on the USCIS Web site that have dates on them that indicate that the form has “expired.”
- c. The public, which is mostly unfamiliar with the Paperwork Reduction Act, does not know what that date means. Our experience indicates that much of the public interprets that date as meaning that the form has actually expired and thus there must be a current version available elsewhere.
- d. USCIS call centers receive numerous unnecessary inquiries about the “new” form when the version on the Web site has “expired” while USCIS awaits OMB approval of a revision or extension of the currently approved information collection.
- e. USCIS has recently posted a notice on its Web site informing the public that a form on that site that indicates that it has expired is still valid and accepted, which renders the expiration date meaningless.
- f. In the case of a request for an extension of an approved information collection, many of which USCIS must provide annually, the only change on the form may be the expiration date. In that case, the USCIS centralized Lockbox intake facility still must re-program its software to update it for the current version of the form at a cost of \$1,000. More extensive changes are more costly.
- g. Not displaying the expiration date on the form would allow USCIS to forego reprogramming costs in the case of a simple extension.

Accordingly, USCIS requests permission to not display the expiration date of this information collection because displaying the expiration date confuses the public,

serves no purpose, and may require inefficient expenditure of fee revenue collected from those who have requested immigration benefits.

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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**Sunday Aigbe,**

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**Date**

Chief,

Regulatory Products Division,

U.S. Citizenship and Immigration Services.