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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control No. 1615-0095]

Agency Information Collection Activities: Form I-290B; Extension  
of an Existing Information Collection; Comment Request

ACTION: 30-Day Notice of Information Collection Under Review; Form I-  
290B, Notice of Appeal or Motion.

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The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the Federal Register on September 29, 2009, at 74 FR 49886, allowing for a 60-day public comment period. USCIS received comments from one commenter.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until January 28, 2010. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), USCIS Desk Officer. Comments may be submitted to: USCIS, Chief, Regulatory Products Division, Clearance Office, 111 Massachusetts Avenue, Washington, DC 20529-2210. Comments may also be submitted to DHS via facsimile to 202-272-8352 or via e-mail at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov), and to the OMB USCIS Desk Officer via facsimile at 202-395-5806 or via e-mail at [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov).

When submitting comments by e-mail, please make sure to add OMB Control No. 1615-0095 in the subject box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to

be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of this Information Collection

(1) Type of Information Collection: Extension of an existing information collection.

(2) Title of the Form/Collection: Notice of Appeal or Motion.

(3) Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection: Form I-290B; U.S. Citizenship and Immigration Services (USCIS).

(4) Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households. Form I-290B is necessary for USCIS to make a determination that appeal or motion to reopen or reconsider meet eligibility requirements, and for the Administrative Appeals Office to adjudicate the merits of the appeal, or reopen the motion.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 30,000 responses at 1 hour and 30 minutes (1.50) per response.

(6) An estimate of the total public burden (in hours) associated with the collection: 45,000 annual burden hours.

If you need a copy of the information collection instrument, please visit the Web site at: <http://www.regulations.gov>.

We may also be contacted at: USCIS, Regulatory Products Division, 111 Massachusetts Avenue, NW., Washington, DC 20529-2210, Telephone number 202-272-8377.

Dated: December 21, 2009.

Stephen Tarragon

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

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