

SUPPORTING STATEMENT

Application for Advance Permission to Return to Unrelinquished Domicile

(Form I-191)

OMB No. 1615-0016

A. Justification.

1. To comply with section 212(c) of the Immigration and Nationality Act (the Act), and 8 CFR 212.3 the Form I-191 is used to determine whether U. S. Citizenship and Immigration Services (USCIS) can grant or deny an application for advance permission to return to an unrelinquished domicile in the United States, for an alien lawfully admitted for lawful permanent residence who voluntarily (not under an order of deportation) proceeded abroad and seeks to return to a lawful, unrelinquished domicile of seven consecutive years.
2. USCIS uses the information on the form to properly assess and determine whether the applicant is eligible for a waiver under section 212(c) of the Act.
3. The use of Form I-191 currently provides the most efficient means for collecting and processing the required data. In this case USCIS does not employ the use of information technology in collecting and processing information. However, Form I-191 resides on USCIS Web site and can be completed and saved electronically. This form will be scheduled for e-filing under the Business Transformation Project.
4. A search of 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, USCIS would not be able to properly assess the alien's eligibility for advance permission to return to an unrelinquished domicile in the United States.
7. There are no special circumstances associated with this information collection.
8. On November 24, 2009, USCIS published a 60-day notice in the Federal Register at 74 FR 61359. On March 15, 2010, USCIS published a 30-day notice in the Federal Register at 75 FR 12250. 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	300
b.	Number of Responses per each request	1
c.	Total Annual Responses	300
d.	Hours per Response	.250
e.	Total Annual Reporting Burden	75

Annual Reporting Burden

Total annual reporting burden is 75. This number is calculated by multiplying the number of respondents (300) x (1) frequency of responses (1) x .25 hours (15 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 fee charge of \$545 associated with the filing of this information collection.)
14. **Annualized Cost Analysis:**

a.	Printing Cost	\$ 100
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b. Collecting and Processing	\$163,400
c. Total Cost to Program	\$163,500
d. Fee Charge	\$163,500
e. Total Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents (300) x \$545 suggested fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits). In addition, this figure includes the estimated overhead cost of \$100 for printing, stocking, and distributing this form.

Public Cost

The estimated annual public cost is \$164,250. This is based on the number of respondents (300) x number of responses (1) x .25 hours (15 minutes) per response x \$10 (average hourly rate), plus the number of respondents (300) x \$545 fee charge.

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 not display the expiration date for this information collection on the form.
 - 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.
 - 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.”

- 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.
- 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.
- 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.
- 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.
- 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. 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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Date

Chief,

Regulatory Products Division,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.