

**SUPPORTING STATEMENT**

**Petition for U Nonimmigrant Status**

**Form I-918 and Supplement A and B**

**(OMB No. 1615-0104)**

**A. Justification.**

1. This petition permits victims of certain qualifying criminal activity and their immediate family members to apply for temporary nonimmigrant classification. This nonimmigrant classification provides temporary immigration benefits, potentially leading to permanent resident status, to certain victims of criminal activity who: suffered substantial mental or physical abuse as a result of having been a victim of criminal activity; have information regarding the criminal activity; and assist government officials in investigating and prosecuting such criminal activity.
2. The petition is divided into three parts. The Form I-918, I-918 Supplement A, and I-918 Supplement B. The principal petitioner must complete the Form I-918 to apply for temporary immigration status. The principal petitioner must complete Form I-918 Supplement A, to petition for derivative status for a qualifying immediate family member. A certifying official of a certifying agency (which must be a Federal, State, or local law enforcement agency, prosecutor, judge, or other authority, that has responsibility for the investigation or prosecution of a qualifying crime or criminal activity) must complete the Form I-

918 Supplement B, at the petitioner's request, to attest to the petitioner's claim of being a victim of certain qualifying criminal activity. Section 214(p)(1) of the Immigration and Nationality Act (INA) requires the petitioner to submit such certification to USCIS. The information on all three parts of the form will be used to determine whether petitioners meet the eligibility requirements for benefits under 8 CFR 212.17, and 214.14.

3. The use of this form provides the most efficient means for collecting and processing the required data. This form can be completed electronically ([www.uscis.gov](http://www.uscis.gov)) but cannot be submitted electronically. However, this form has been included for e-filing under the Business Transformation Project.
4. A review of USCIS Forms Inventory Report revealed no duplication of efforts, and there is no other similar form 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 form is not approved, there is no other vehicle USCIS may use to determine whether the alien was a victim of certain criminal activity.

7. The special circumstances contained in item seven of the supporting statement are not applicable to this information collection.
  
8. On March 12, 2010, USCIS published a 60-day notice in the Federal Register at 75 FR 11897. USCIS did not receive any comments. On May 27, 2010, USCIS published a 30-day notice in the Federal Register at 75 FR 29779.
  
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
  
10. The Privacy Act of 1974 (Public Law 93-589) mandates that personal information solicited from individuals completing Federal records and forms be kept confidential. The respondent is informed that the information provided in the petition package is confidential, and that it will only be used to determine eligibility and to enforce penalties for false statements. Further, the respondent is informed that the information will be released only as necessary to investigate the claim and to determine an applicant's eligibility for the requested benefit.
  
11. There are questions of a sensitive nature.

<b>12. <u>Annual Reporting Burden:</u></b>	<u><i>I-918</i></u>	<u><i>I-918A</i></u>	<u><i>I-918B</i></u>
a. Number of Respondents	12,000	24,000	12,000
b. Number of Responses per Respondent	1	1	1

c.	Total Annual Responses	12,000	24,000	12,000
d.	Hours per Response	5	1.5	1
e.	Annual Reporting Burden	60,000	36,000	12,000

### **Annual Reporting Burden**

**The estimated total annual reporting burden hours are 108,000.** This figure was derived by multiplying the number of:

- I-918 respondents 12,000 x 1 frequency of response x 5 hours per response;
- I-918A respondents 24,000 x 1 frequency of response x 1.5 hours (1 hour and 30 minutes) per response;
- I-918B respondents 12,000 x 1 frequency of response x 1 hour 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 information collection are identified in Item 14. There is no fee charge for this information collection, however, there is an \$80 biometrics fee equating to a annual cost burden of \$960,000.

14. Annualized Cost Analysis:

a.	Printing Cost	\$ 10,800
b.	Collection and Processing Cost	\$ 2,640,000

c.	Total Cost to Program	\$ 2,650,800
d.	Charges (Fee)	\$ 960,000
e.	Total Cost to Government	\$ 1,690,800

**Government Cost**

**The estimated annual Government cost is \$1,690,800\*.** The estimated cost of the program to the Government is calculated by multiplying:

- I-918 respondents 12,000 x 1 hour (time required to collect and process information) x \$40 (Suggested average hourly rate for clerical, officer, and supervisory time with benefits) = \$480,000.
- I-918 respondents 12,000 x \$80 biometric fee = \$960,000.
- I-918 Supplement A, respondents 24,000 x 1 hour (time required to collect and process information) x \$40 (Suggested average hourly rate for clerical, officer, and supervisory time with benefits) = \$960,000.
- I-918 Supplement B, respondents 12,000 x .50 (30 minutes) (time required to collect and process information x \$40 (Suggested average hourly rate for clerical, officer, and supervisory time with benefits) = \$240,000.
- Cost for printing and distribution of the form = \$10,800.

\* The overall cost to the Government is calculated by adding all of the above costs equating to \$2,650,800. However, since USCIS will be receiving biometric fees of \$960,000, the overall cost to the Government is \$1,690,800 (Government cost \$2,650,800 - \$960,000 biometric fees received = \$1,690,800).

## Public Cost

**The estimated annual public cost is \$2,040,000.** The estimated cost of the program to the Government is calculated by multiplying:

- I-918 respondents 12,000 x \$80 biometrics fee = \$960,000.
- I-918 respondents 12,000 x 1 frequency of response ) x 5 hours per response x \$10 (average hourly wage) = \$600,000.
- I-918 Supplement A, respondents 24,000 x 1 frequency of response x 1.5 (1 hour and 30 minutes) per response x \$10 (average hourly wage) = \$360,000.
- I-918, Supplement B, respondents 12,000 x 1 frequency of response x 1 hour per response x \$10 (average hourly wage) = \$120,000.

15. There is no increase or decrease in the annual burden hours previously reported for this information collection. However, there is a decrease of \$1,920,000 in the annual burden cost for this information collection. Although USCIS still charges a biometric services fee for the Form I-918, it no longer charges a fee for processing Form I-918 and Supplement A.

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

17. USCIS will display the expiration date for 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.

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**Sunday Aigbe,**  
Chief,  
Regulatory Products Division,  
U.S. Citizenship and Immigration Services.

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**Date**