

SUPPORTING STATEMENT

Application for Authorization to Issue Certification

for Health Care Workers and Related

Requirements (Form I-905)

OMB No. 1615-0086

A. Justification.

1. Under section 212(r) of the Immigration and Nationality Act (Act), an alien who seeks to enter the United States for the primary purpose of performing labor in one of the covered health care occupations, other than a physician, is inadmissible unless the alien presents a certificate from the Commission on Graduates of Foreign Nursing Schools (CGFNS) or an equivalent independent credentialing organization approved by the Secretary of the Department of Homeland Security in consultation with the Secretary of Health and Human Services (HHS).

The credentialing organizations use this form to request authorization from U.S. Citizenship and Immigration Services (USCIS) to issue certificates to foreign health care workers. In addition, 8 CFR 212.15 requires that the information collected through this form (*i.e.*, name and address of the certifying organization, a point of contact where the organization may be contacted in order to verify the validity of the certificate, the date the certificate was issued, the occupation for which the certificate was issued, and the alien's name, date and place of birth, and telephone number, etc.) be contained on all health care worker certificates issued by authorized organizations.

Authority: 8 CFR 212.15; section 212(r) of the INA.

2. This form standardizes the requests for authorization to issue certificates to foreign health care workers, and ensures that the credentialing organization provides basic information required to assess eligibility. The data required to be collected and displayed on all health care worker certificates will be used by the benefit granting agency or agencies (*i.e.*, the USCIS and the Department of State) to determine whether or not a health care worker coming to work in the United States is inadmissible under section 212(a)(5)(C) of the Act, to establish that the certificate relates to the health care workers who present themselves for admission or adjustment of status, and to provide the USCIS with a means of contacting the issuing organization to verify the certificate validity as quickly as possible. Further, this collection of information will standardize certificates issued by certifying organizations.
3. The use of this form provides the most efficient means for collecting and processing the required data. This form resides on the USCIS Web site and can be completed electronically. This form has been designated for e-filing under the Business Transformation initiative.
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. This collection of information does not have an impact on small businesses or other small entities.

6. If this information is not collected, USCIS will not be able to determine an organization's eligibility to issue certificates for foreign health care workers. In addition, if the information is not collected by the credentialing organization, the benefit granting agencies may be unable to comply with section 212(r) of the Act, which provides that aliens coming to the United States to perform labor in a covered health care occupation (other than a physician) are inadmissible unless they present a certificate attesting to their education, qualifications, and English language proficiency. The benefit granting agencies must be able to determine whether the certificates relate to the aliens requesting visas, presenting themselves for admission, or requesting adjustment of status.
7. There are no special circumstances applicable to this information collection.
8. On April 12, 2011 USCIS published a 60-day notice in connection with this information collection in the Federal Register at 76 FR 20362. USCIS received one comment in connection with the 60-day notice. The following is USCIS's response to the comment received on the 60-day notice.

Initially, USCIS indicated that the commenter's suggestions relate to the overall program and not the actual form and USCIS stated that it will consider the commenter's comment when determining whether any changes need to be made to the overall program.

On July 8, 2011, USCIS published a 30-day notice in the Federal Register at 76 FR 40386. The same commenter submitted a new comment in response to that publication, clarifying that his previous comment

“addressed three specific items directly regarding the Form itself. 1. A typo; 2. An error in referring the wrong form number; and 3. The change of address notification procedure.” USCIS has considered these comments and has determined that:

- The typo, to which the commenter referred to, was not found in the instructions to the form; therefore, no change was made to the form. USCIS considers that the issue may be with the type of software the commenter may be using to read the instrument. Some software do not convert pdf versions of a documents accurately. In addition, a transfer error may have occurred when the instructions were printed out. The customer should not encounter any issues while downloading the I-905 Instructions in the latest Adobe Free Reader. The latest Free Adobe Reader is available through a link at the bottom of USCIS’s Website, www.uscis.gov
 - The wrong form number was not apparent in the on-line version of the I-905 from August 7, 2009. The commenter may have used an older version where the form N-300 was printed by mistake.
 - With regard to the change of address notification procedure, USCIS has revised the information collection to reflect the latest guidance on how to submit a request for a change of address.
9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality. The system of record notice associated with this information collection is United States Citizenship and Immigration

Services Benefits Information System, which was published in the **Federal Register** on September 29, 2008 at 73 FR 56596. The privacy impact assessment associated with this information collection is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum (Dated September 5, 2008).

11. There are no questions of a sensitive nature.

12. Annual Reporting Burden

	Request to issue Certificates	Credential Org.	Applicants
a. Number of Respondents	10	14,000	14,000
b. Number of Responses per each Respondent	1	1	1
c. Total Annual Responses	10	14,000	14,000
d. Hours per Response	4	2	1.66
e. Total Annual Reporting Burden	40	28,000	23,240

Request to Issue Certificates:

Learning about the Form:	30 Minutes
Completing the Form:	180 Minutes
Assembling the Form:	30 Minutes
Total Hours per Response	240 Minutes (4 Hours)

Credentialing Organizations

Describing Process	20 minutes
Verifying the Alien's Eligibility	80 minutes
Issuing the Certificate	20 minutes
Total Hours per Credentialing Org. Response	120 minutes (2 Hours)

Applicants (Immigrant and Nonimmigrant Respondents)

Contacting Credentialing Org.	10 minutes
Obtaining Required Documentation	30 minutes
Taking English Examination	60 minutes
Total Hours per Individual Response	100 minutes(1 Hour 40 Mins)

The times listed for the components are estimates of the time that will be required to complete the task.

Annual Reporting Burden

Total annual reporting burden is 51,280.

Issue Certificates: This figure was derived by multiplying the number of respondents 10 x (1) frequency of response x 4 hours, the hours of response = 40 hours.

Credentialing Org.: This figure was derived by multiplying the number of respondents 14,000 x (1) frequency of response x 2 hours, the hours of response = 28,000 hours.

Applicants: This figure was derived by multiplying the number of respondents 14,000 x (1) frequency of response x 1.66 (1 hour and 40 minutes), the hours of response = 23,240 hours.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens as a result of this collection of information are identified in item 14. There is a \$230 fee charge associated with this collection of information. In addition, there is a public cost of approximately \$325 per applicant to receive certification from the credentialing organization.

14. Annualized Cost Analysis

	Request to issue Certificates
a. Printing Cost	\$ 10
b. Collecting and Processing	\$ 2,290
c. Total Cost to Program	\$ 2,300
d. Fee Charge, if any	\$ 2,300
e. Total Annual Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents 10 x \$230 the suggested fee charge (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).

There is no cost of the program to the Government concerning Credentialing Organizations.

Public Cost

The estimated annual public burden cost is \$6,128,647.

This figure was obtained based on the number of:

- Respondents to issue certificates, 10 respondents x 4 hours per response x \$30.74 (average hourly rate), plus the number of respondents 10 x \$230 fee charge; plus
- Credentialing organizations 14,000 x 2 hours per response x \$30.74 (average hourly rate); plus
- Immigrant and nonimmigrant applicants 14,000 x 1.66 hours per response x \$30.74 (average hourly rate), plus the number of immigrant and nonimmigrant applicants 14,000 x approximately \$325, the fee which the organization will charge to issue the certificate.

The estimated annual fee cost is \$4,552,300.

- Respondents to issue certificates, 10 respondents x \$230 fee charge; plus
 - Immigrant and nonimmigrant applicants 14,000 x \$325, the fee which the organization will charge to issue the certificate.
15. There has been an increase of \$300 in the annual cost burden compared to the amount previously reported for this information collection. This can be attributed to a calculation error in USCIS's last submission. There is no additional data being captured 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 in the form in accordance with OMB regulations.
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.

Sunday Aigbe

Date

Chief,

Regulatory Products Division,

Office of the Executive Secretariat,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.