

Supporting Statement
Application for Family Unity Benefits
Form I-817
(OMB No. 1615-0005)

A. Justification.

1. This application provides for an automatic stay of removal and employment authorization for the spouse or unmarried child of an alien who has been granted temporary or permanent residence status under section 245A of the Immigration and Nationality Act (Act). 8 CFR 236.14 and 245a.33 requires the submission of Form I-817.
2. USCIS will use the data collected to determine whether the applicant meets the eligibility requirements. If the applicant fully demonstrates eligibility, the application will be approved, and USCIS will issue an employment authorization document and approval notice to the applicant.
3. The use of Form I-817 provides the most efficient means for collecting and processing the required data. Currently, USCIS does not have the automated capability in place to accept electronic submission of application. This form can be completed electronically but cannot be submitted electronically. However, this form has been designated for e-filing under the Business Transformation Project.
4. A review of the USCIS's Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available which 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 information is not collected, USCIS adjudicating officer will be unable to determine whether the applicant is eligible for the benefits sought under 8 CFR 236.14 or 8 CFR 245a.33.
7. There are no special circumstances applicable to this information collection.
8. On August 12, 2011, USCIS published a 60-day notice in the Federal Register at 76 FR 50237. USCIS did not receive comments on the 60-day notice.
USCIS published a 30-day notice in the Federal Register on November 8, 2011, at 76 FR 69274. USCIS has not received any comments on the 30-day notice to date.
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality. The associated system of records notice for this information collection is United States Citizenship and Immigration Services Benefits Information System. Published in the Federal Register on September 29, 2008 at 73 FR 56596. The related privacy impact assessment is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum.
11. There are some questions of a sensitive nature such as information regarding a family relationship. However, this information is necessary for an adjudicator to make a determination of eligibility for family unity benefits.

12. **Annual Reporting Burden:**

a.	Number of Respondents	1,750
b.	Number of Responses per Each Respondent	1
c.	Total Annual Responses	1,750
d.	Hours per Response	2.0
e.	Total Annual Reporting Burden	3,500

The total annual reporting burden hours for this information collection is 3,500.

This figure is derived by multiplying the number of respondents 1,750 by the frequency of the response (1) by the hours per response (2) hours per response.

13. There are no capital or start-up costs associated with this information collection. There is a fee charge of \$435 associated with the collection of this information. Additionally, there is an additional \$85 charge for Biometric Services.

14. Annualized Cost Analysis:

a.	Printing Cost	\$	8,000
b.	Collection and Processing	\$	902,000
c.	Total Cost to Program	\$	910,000
d.	Fee Charge	\$	9,10,000
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 (1,750) multiplied (x) by the suggested \$435 fee charge, (which includes the suggested hourly rate for clerical, officer and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking and distributing and processing of this form). In addition, there is a Biometrics Fee of \$85 multiplied (x) 1,750 applicants who are required to pay the fee.

Public Cost

The total annual burden hour cost for respondents is \$107,590. This is based on the number of respondents (1,750) x number of responses (1) x (2) hours per response x \$30.74 (average hourly rate).

The total annual fee burden cost for respondents is 910,000. This figure is based on the number of respondents 1,750 multiplied by the fee charge of \$435, plus the number of

applicants who are required to pay the biometrics fee 1,750 multiplied \$85 for the biometric fee.

15. There has been no increase or decrease of burden hours previously reported for this information collection. There is no change to the information being collected 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 for OMB approval of 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.

Sunday Aigbe,

Date

Chief,

Regulatory Products Division,

Office of the Executive Secretariat,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.