

**SUPPORTING STATEMENT FOR
Application to Replace Permanent Resident Card
OMB Control No.: 1615-0082
COLLECTION INSTRUMENT(S): I-90**

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

According to 8 CFR 264.5, a permanent resident is required to replace a Permanent Resident Card using Form I-90 when:

- (1) The previous card has been lost, stolen, or destroyed;
- (2) The existing card will be expiring within six months;
- (3) The existing card has been mutilated;
- (4) The bearer's name or other biographic information has been legally changed since issuance of the existing card;
- (5) The applicant is taking up actual residence in the United States after having been a commuter, or is a permanent resident taking up commuter status;
- (6) The applicant has been automatically converted to permanent resident status;
- (7) The previous card was issued but never received;
- (8) The bearer of the card reaches the age of 14 years, unless the existing card will expire prior to the bearer's 16th birthday; or when
- (9) The existing card bears incorrect data on account of U.S. Citizenship and Immigration Services (USCIS) error.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information collected will be used by USCIS to determine eligibility for a Permanent Resident Card and collect biometric information. The form serves the purpose of standardizing requests for the benefit and ensuring that basic information required to assess eligibility and the biometrics information required for card production are provided by the applicants. This form has been revised (see table of changes).

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The paper version of the form I-90 is available electronically at:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=b3f7ab0a43b5d010VgnVCM10000048f3d6a1RCRD&vgnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD>

This form can be electronically filed at url:

<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=b1659e415d116310VgnVCM100000082ca60aRCRD&vgnextchannel=b1659e415d116310VgnVCM100000082ca60aRCRD>

Currently, the I-90 is also available to respondents via the USCIS e-file webpage accessed through the USCIS Forms homepage. This method of completing the information collection process will no longer be available once the approval to collect the data via USCIS' Electronic Immigration System (USCIS ELIS) is approved as this will be the new e-filing option for the form.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

A review of the USCIS 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. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

This collection of information does not have an impact on small businesses or other small entities.

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If we do not collect this information, a lawful permanent resident will not be able to replace his or her Permanent Resident Card.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

- 8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

On May 7, 2013 USCIS published a 60-day notice in the Federal Register at 78 FR 26647. USCIS received comments from one commenter after publishing that notice. On October 23, 2013, USCIS published a 30-day notice in the Federal Register at 78 FR 63236. USCIS has not received comments any comments to date.

Below is a summary of the comments and USCIS response:

Responses are combined as one series as they identify related issues concerning Form I-90 and instructions; the comments were submitted by the same commenter:

Issue Number 1

The commenter suggests that USCIS adds “if different than mailing address” after “physical address” on the form.

USCIS Response

USCIS will make the requested change to the form. Part 1 prior to question 7a shall read “U.S. Physical Address (if different than mailing address)”.

Issue Number 2

The commenter asks that the question "did you enter on an immigrant visa..." be moved to the top of the 2nd column right above questions 5A and states that it is too hard to follow as it currently is laid out.

USCIS Response

USCIS has moved the question as requested.

Issue Number 3

The commenter suggested rewording of question 3 on page 3. The commenter suggested using "what city were you living in when you applied for ..." or "what immigration office did you submit your application to...." instead of "location where you applied for immigrant visa...”.

USCIS Response

USCIS appreciates your comment, however all forms follow the Plain Writing Act signed into law by President Obama on October 13, 2010. The question mentioned above follows USCIS guidance for implementing such Act.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

USCIS does not provide any payment for benefit sought.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

There is no assurance of confidentiality. The System of Records Notices associated with this information collection are DHS/USCIS/PIA-041 – ELIS-1 Temporary Accounts and Draft Benefit Requests dated May 16th, 2012, DHS/USCIS/PIA-042 – ELIS-2 Account

and Case Management dated May 16th, 2012, and DHS/USCIS/PIA-043 – ELIS-3 Automated Background Functions dated May 16th, 2012.

The associated Privacy Impact Assessment are DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records June 13, 2011, 76 FR 34233, DHS-USCIS-007 - Benefits Information System, September 29, 2008, 73 FR 56596, and DHS/USCIS-015 - Electronic Immigration System-2 Account and Case Management System of Records, November 15, 2011, 76 FR 70739.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

There are several statutory provisions where USCIS is specifically authorized to collect social security numbers (SSN). Section 264(f) of the Immigration and Nationality Act (INA)(8 U.S.C. 1304(f)) authorizes the Attorney General (now Secretary of Homeland Security) to require noncitizens to provide social security numbers (SSN) for purposes of inclusion in any record maintained by the DHS or legacy INS. Section 213A(i) specifically authorizes the collection of SSNs from individuals who are sponsoring an individual in the United States and agreeing, through the Affidavit of Support (Form I-864), that they have sufficient resources to support the individual.

The Secretary of Homeland Security also has general authority under section 103 of the INA to promulgate rules and procedures to implement and enforce the immigration laws, which includes creating processes for verifying an applicant's identity and conducting background and security checks to make sure that an applicant is eligible for the requested immigration benefit. The SSN is an important identity tool especially in cases where there is fraud or identity theft (e.g., where multiple photos of different aliens appear on facially valid Permanent Resident Cards), or potential misuse of an employment authorization or identity document (e.g. where you may have multiple people using the same A-number). We use an applicant's name, date of birth and A-number to search USCIS systems, but the SSN allows us to obtain information from other government agencies that we would not otherwise be able to access and which has revealed information that had a direct effect on an applicant's eligibility for an immigration benefit e.g., 3rd agency information obtained through use of SSN and other data elements which reveals a person who is potential national security or public safety risk.

USCIS also collects SSNs in certain forms and enters that information DHS/USCIS

systems in conjunction with other information to verify an applicant identity, determine the applicant's eligibility for certain benefits, and in order to facilitate computer matching activities with the Social Security Administration (SSA). For certain applications that involve requests for employment, the SSN is used to verify that the applicant is, in fact, the same person reflected in the employer's records. USCIS shares DHS/USCIS system information with the SSA pursuant to a Computer Matching Agreement, which allows SSA to determine claim and benefit status under both Title II and Title XVI of the Social Security Act (governing Social Security Retirement, Survivors and Disability Insurance Benefits, and Supplemental Security Income). See 77 FR 32709. SSA matches the DHS/USCIS data, which includes the alien's name, SSN, date of birth (DOB), and A-Number, with the names, DOB, and SSNs contained in SSA Numident and Alpha-Index files. SSA uses the information to determine whether individuals are currently in or planning to be absent from the United States for more than 30 days because certain persons who are outside the United States or similarly lack appropriate statutorily specified residency and citizenship/alienage status are denied Social Security benefits. The matching operation is carried out under the authority of Sections 202(n), 1611(f), and 1614(a)(1) of the Social Security Act (42 U.S.C 402(n), 1382(f) and 1382c(a)(1)) and 8 U.S.C. 1611 and 1612 (Aliens and Nationality). Section 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 1383(e)(1)(B)) also requires SSA to verify declarations of applicants for and recipients of SSI payments before making a determination of eligibility or payment amount. Section 1631(f) of the Act (42 U.S.C. 1383(f)) requires Federal agencies to provide SSA with information necessary to verify Supplemental Security Income (SSI) eligibility or benefit amounts or to verify other information related to these determinations. In addition, Section 202(n)(2) of the Act specifies that the "Secretary of [the Department of] Homeland Security" notify the Commissioner of Social Security when individuals are deported under specified provisions of Section 237(a) of the Immigration and Nationality Act.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of**

OMB Form 83-I.

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Individual or households	Application to Replace Permanent Resident Card / I-90 (paper form, both programmatic and biographical data)	464,283	1	1.75	812,495	\$31.69	\$25,747,974
Individual or households	Application to Replace Permanent Resident Card / I-90 (Programmatic portion for ELIS filers)	315,440	1	1.42	447,925	\$31.69	\$14,194,737
Individuals of households	Biometric Processing	779,723	1	1.17	912,276	\$31.69	\$28,910,023
Total		779,723			2,172,695		\$68,852,734

The above Average Hourly Wage Rate is calculated from the May 2012 Bureau of Labor Statistics average wage for “All Occupations” of \$22.01 times the wage rate benefit multiplier of 1.4 equaling \$31.69. The occupation “All Occupations” has been chosen as there is no single occupation of worker targeted by this collection of information; a respondent can be of any occupation.

NOTES ON BURDEN:

The above estimated burden per response for the paper version of the I-90 includes the time necessary to read all instructions for the form, gather all documents required to complete the collection of information, obtain translated documents if necessary, obtain the services of a preparer if necessary, and complete the form.

The above estimated burden per response for the ELIS electronic version of the I-90 includes the time necessary to read all instructions for the form, gather all documents required to complete the collection of information, obtain translated documents if necessary, obtain the services of a preparer if necessary, and complete, in the electronic version of the form, only those questions related to the program functionality of the information collection and not the biographical questions such as name, address, etc. The burden per response for the biographical questions answered via the ELIS electronic submission process is reported in OMB Control Number 1615-0122.

13. **Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**
- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
 - **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
 - **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory**

compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.

There are no capital or start-up costs, nor are there any operational or maintenance costs associated with this collection.

For informational purposes, there is an estimated annual fee of \$365 per respondent required to be submitted with the form, a Biometric fee of \$85 per respondent, and an estimated \$154 cost for consulting a third party for professional immigration assistance. The total cost will be \$154 multiplied by 779,723, totaling 120,077,342.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Annualized Cost Analysis:

a.	Printing Cost	\$	21,000
b.	Collection and Processing Cost	\$	350,875, 350
c.	Total Cost to Government	\$	350,896,350

The collection and processing cost to the Federal Government is calculated by multiplying the total number of respondents filing Form I-90 (779,723) times the \$365 fee required, equaling \$284,598,895 and adding in the total of the filers times the \$85 biometric fee, equaling \$66,276,455; the total cost to the government is \$350,875,350 plus the printing cost of \$21,000 for a total of \$350,896,350.

- 15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference

I-90 (paper)				494,640	812,495	317,855
I-90 (ELIS Program Questions)				0	447,925	447,925
Biometric Processing				0	912,276	912,276
Total(s)				494,640	2,172,696	1,678,056

There has been a change in the total annual hour burden for this collection, including the following explained portion and due to an increase in the number of estimated annual respondents based upon revised forecasts. For the I-90 information collection, the estimated hour burden per response has been increased to 1.75 hours based upon a better estimation of the activity required to gather all documentation, read the instructions, and for the paper filing, completing the paper form which has increased the total annual hour burden for the paper filing of the form. The 447,925 hours reported for the ELIS filing of the program questions is part of the overall complete time that a respondent using ELIS will incur to complete the electronic version; the remaining burden will be reported in the ELIS Paperwork Reduction Act submission to OMB via OMB Control Number 1615-0122. The increase in the Biometrics burden is the result of USCIS including this time burden for the activities required to authenticate a respondent's identity when presenting at a USCIS office for an interview. Also, there is a change in the ability to the filing of the Form I-90 electronically. The e-file option available previously for the I-90 is no longer an option as the ability to file via ELIS has rendered the e-file option obsolete.

Data collection Activity/Instrument	Current Program Change (cost)	Program Change (New)	Difference	Adjustment Current (cost)	Adjustment (New)	Difference
I-90 (All filers)				0	120,077,342	120,077,342
Total(s)				0	120,077,342	120,077,342

16. **For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication**

dates, and other actions.

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USCIS will display the expiration date for OMB approval of this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB 83-I.**

USCIS does not request an exception to the certification of this information collection.

- B. Collections of Information Employing Statistical Methods.**

There is no statistical methodology involved with this collection.