

SUPPORTING STATEMENT

Form I-914 and Supplements A and B

Application for T Nonimmigrant Status;

Application for Immediate Family Member of T-1 Recipient; and

Declaration of Law Enforcement Officer for Victim of Trafficking in Persons

(OMB No. 1615-0099)

A. Justification.

1. This application permits victims of severe forms of trafficking and their immediate family members to demonstrate that they qualify for temporary nonimmigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA), and to receive temporary immigration benefits. This nonimmigrant category was established by Public Law 106-386, sections 107(e) and 1513(c) and is intended to provide temporary immigration benefits to certain victims of crimes while providing a means of assistance for government officials who investigate and prosecute those crimes.
2. The application is divided into three parts. The Form I-914, I-914 Supplement A and I-914 Supplement B. The Principal Applicant will complete the Form I-914 to apply for temporary resident status. The Principal Applicant may complete Form I-914 Supplement A, to petition for derivative status for a qualifying immediate family member. A Federal, State or local Law Enforcement Officer may complete the Form I-914 Supplement B, at the applicant's request, to attest to the applicant's claim of being a victim of a severe form of trafficking in persons. The information on all three parts of the form will be used to determine whether applicants meet the eligibility requirements

for benefits. This application incorporates information pertinent to eligibility under the VTVPA and a request for employment.

3. This form provides the most efficient means for collecting and processing the required data. In this case U.S. Citizenship and Immigration Services (USCIS) does not employ the use of information technology in collecting and processing information.
However, this form has been tentatively scheduled for e-filing under the Business Transformation Initiative. The scheduled timeframe is late 2014 or 2015.
Currently, USCIS does not have the automated capability in place to accept electronic submission of these forms. Form I-914 and Supplements A and B are electronically fillable, but cannot be filed electronically.
4. A review of the USCIS Forms Inventory Report revealed no duplication of efforts, and there is no other similar form 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 form is not approved, there is no other vehicle USCIS may employ that would satisfy the requirements of the program as mandated by Public Law 106-386.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. On January 24, 2014, USCIS published a 60-day notice in the Federal Register at 79 FR 4168. USCIS received one comment on the 60-day notice.
On April 2, 2014, USCIS published a 30-day notice in the Federal Register at 79 FR 18572. USCIS received one comment on the 30-day notice.

Below is a summary of the comments and USCIS response:

USCIS acknowledges the receipt of the comments which raised concerns about USCIS granting temporary immigration benefits for victims of severe forms of trafficking and their family members to demonstrate that they qualify for nonimmigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA). USCIS provides these immigration benefits as stipulated by the applicable immigration laws.

9. 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 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 (PIA) is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum. The PIA is dated September 5, 2008.
11. There are questions of a sensitive nature. However, these questions are necessary in order for USCIS to make a determination on whether the applicant meets the eligibility requirements to receive benefits under the VTVPA. USCIS will take every step to safeguard this information appropriately.

Form I-914 collects sensitive data regarding applicants for T nonimmigrant status. Such data includes, but is not necessarily limited to, personally identifiable information as well as details about personal victimization resulting from severe forms of trafficking in persons. USCIS takes every step to safeguard this information, including the steps

outlined in the Privacy Documents associated with the collection.

Additionally, USCIS conducts a “safe address” review on all I-914 applications and, in handling data collected from Form I-914, stringently follows the confidentiality provisions on the disclosure of information relating to T nonimmigrants found in 8 USC 1367.

12.	<u>Annual Reporting Burden:</u>	<u><i>I-914</i></u>	<u><i>Supp. A</i></u>	<u><i>Supp. B</i></u>
	<u>B</u>			
a.	Number of Respondents	500	500	200
b.	Number of Responses per Respondent	1	1	1
c.	Total Annual Responses	500	500	200
d.	Hours per Response	2.25	1	.5
e.	Total Annual Reporting Burden	1,125	500	100

Annual Reporting Burden

The total annual reporting burden hours is 1,725. This figure is calculated by:

- Multiplying the number of Form I-914 respondents (500) x (1) frequency of response x 2.25 hours per response;
- Multiplying the number of Supplement A respondents (500) x (1) frequency of response x 1 hour per response; and by
- Multiplying the number of Supplement B respondents (200) x (1) frequency of response x hours per response (.50) hours (30 minutes) per response.

The projected hours per response for these collections were derived by breaking down

the process into three components:

	<u>I-914</u>	<u>Supp. A</u>	<u>Supp. B</u>
Learning about Law and the Form Min.	45 Min.	15 Min.	10
Completion of the Form Min.	30 Min.	15 Min.	15
Assembling and Filing the Form	60 Min.	30 Min.	5 Min.
<i>TOTAL Hours per Response</i> <i>Min.</i>	<i>135 Min.</i>	<i>60 Min.</i>	<i>30</i>

The estimated annual public cost is \$ 54,665. This estimate is based on:

- Multiplying the number of Form I-914 respondents (500) x (1) frequency of response x (2.25) hours per response x 31.69 the average hourly rate; plus
- Multiplying the number of Supplement A respondents (500) x (1) frequency of response x (1) hour per response x 31.69 the average hourly rate; plus
- Multiplying the number of Supplement B respondents (200) x (1) frequency of response x (.50) hours per response x 31.69 the average hourly rate.

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 for the I-914. Biometric services may be required at no cost to the applicant.

14. **Annualized Cost Analysis:**

a.	Printing Cost	\$	3,000
b.	Collection and Processing Cost	\$	45,000
c.	Total Cost to Program	\$	48,000
d.	Fee Charge, if any		0
e.	Total Cost to Government	\$	48,000

Government Cost

The estimated cost of the program to the Government is \$48,000. This figure is calculated by multiplying the number of respondents (1,200) x 1 (time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits); plus 3,000 for the estimated overhead cost for printing, stocking, and distributing the form.

15. There has been no increase or decrease in the burden hours previously reported for this information collection. There is no change in the information being collected.
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 on the form.
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.