

**SUPPORTING STATEMENT FOR
Application for Removal
OMB Control No.: 1615-0019
COLLECTION INSTRUMENT(S): Form I-243**

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.*

Section 250 of the Immigration and Nationality Act (Act) provides that the Secretary of Homeland Security may remove from the United States any alien who falls into distress or who needs public aid from causes arising subsequent to entry into the United States and who desires to be removed from the United States at the expense of the U.S. Government. Form I-243 is provided as an application for that purpose.

Authority: The authority for collecting the information requested on this form is contained in 8 U.S.C. 1260. Submission of the information by an alien applying for removal from the United States at U.S. Government expense is voluntary.

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.*

Individuals seeking removal from the United States can complete this form to request removal. The information provided on this form allows the Department of Homeland Security (DHS) to determine an applicant's eligibility for removal from the United States under the provisions of section 250 of the Act [8 U.S.C. 1260].

If the individual is able to establish eligibility to be removed from the United States at the government expense, he or she will be removed. Once removed, that individual will be ineligible to apply for or receive a visa or other documentation for readmission, or to apply for admission to the United States except with the prior approval granted by the government.

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 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 and filed electronically by accessing the following link <http://www.uscis.gov/i-243>. This form can be completed but not submitted electronically to USCIS.

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 efforts. There is no similar information currently available that can be used for this purpose. USCIS has also investigated the information that may be obtained from other Federal programs and agencies and has determined that the information necessary to determine if the alien is eligible to work in the United States is not available through other Federal sources.

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.*

This form is necessary to provide individuals in distress or in need of public aid arising from causes after their entry to the United States, an avenue by which to prove eligibility to be removed from the United States at the government expense. There is no other information collection that would satisfy this specific need. Without this form the government will not be able to assess these requests for removal and individuals in distress will not be able to establish eligibility for removal under these circumstances.

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.*

There are no special circumstances applicable to this information collection. 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.*

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On August 17, 2012, USCIS published a 60-day information collection notice in the Federal Register at 77 FR 49822. USCIS received a comment from a member of the public but it was not germane to the subject matter of the form and notice; therefore, USCIS has not made any changes to the form as a result of that comment. On November

8, 2012, USCIS published a 30-day information collection notice in the Federal Register at 77 FR 67019. No comments in response to that publication have been received to date.

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

USCIS does not provide payments or gifts to respondents related to this information collection.

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. This information collection is covered under the Enforcement Integrated Database (EID), dated January 14, 2010 and the Central Index System, September 5, 2008, privacy impact analysis. In addition, this information collection is covered under the following system of record notices: Alien File, Index, and National File Tracking System of Records June 13, 2011, 76 FR 34233; Benefits Information System September 29, 2008, 73 FR 56596; and Immigration Enforcement Operational Records System (ENFORCE), 75 FR 23274 .

The information may also as a matter of routine use be disclosed to other federal, state, local, and foreign law enforcement and regulatory agencies, the Department of Defense including any component thereof (if the applicant has served or is serving in the Armed Forces of the United States), the U.S. Department of State, Central Intelligence Agency, Interpol, and by individuals and organizations during the course of investigation to elicit further information required by the DHS to carry out its functions.

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 person's from whom the information is requested, and any steps to be taken to obtain their consent.*

There are a couple questions of a sensitive nature. Questions 15 and 16 inquire as to an individual's prior requests for assistance from a public or charitable institution and the financial circumstances that prompted such requests. Requesting removal from the United States is a voluntary action, prompted by the individual's financial distressful situation. In order to seek removal at the government expense, the individual must show that he or she have fallen in such distress.

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
Individuals or Households	Application for Removal, Form I-243	10	1	.50 hours	5	\$30.44	\$152
Total		10			5		\$152

**The above Average Hourly Wage Rate is calculated from the [May 2011 Bureau of Labor Statistics](#) average wage for “All Occupations” of \$21.74 times the wage rate benefit multiplier of 1.4 equaling \$30.44.*

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 is no cost burden to respondents for actually responding to this information collection- start-up, maintenance, and operating costs associated with completing the paperwork. There is no fee associated with this form.

There is also a cost burden to respondents for responding to this information collection associated with completing the paperwork. USCIS is gathering information on the amount of those costs as follows:

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	\$	0
b.	Collection and Processing	\$	200
c.	Total Cost to Government	\$	200

Government Cost

The estimated cost to the Government is \$200. This figure is calculated by multiplying the estimated number of respondents (10) x .50 hours (USCIS time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits).

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

There has been a decrease in the estimated annual burden hours previously reported for this information collection. The burden hours have decreased, by 15 hours, due to a change in USCIS's estimate regarding the number of respondents. USCIS previously reported 20 burden hours while it now reports 5 burden hours. USCIS now estimates 10 respondents. The information collected through this form has not been changed.

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.*

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

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 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.