

**SUPPORTING STATEMENT FOR
Refugee/Asylee Relative Petition
OMB Control No.: 1615-0037
COLLECTION INSTRUMENT(S): I-730**

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.**

Sections 207(c)(2) and 208(c) of the Immigration and Nationality Act (the “Act”) (8 U.S.C. §§ 1101 et Seq.) provide benefits for the spouse and/or children of aliens who were granted refugee or asylum status. This form will be used by an asylee or refugee to file on behalf of his or her spouse and/or children provided that the relationship to the asylee/refugee existed prior to admission to the United States. In accordance with 8 CFR 207.7, a refugee may request accompanying or following-to-join benefits for his or her spouse and unmarried, minor child(ren), (whether the spouse and children are in or outside the United States, by filing a separate Form I-730 Refugee/Asylee Petition, for each qualifying family member.

- 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 data collected on this form is used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. If derivative asylee/refugee status is granted to the beneficiary, the data collected on and in conjunction with this form, including biometric data (e.g., fingerprints and photographs), will also be used for purposes of conducting background and security checks, such as FBI criminal history record checks. If derivative asylee/refugee status is granted to the beneficiary, the information will also be used to produce a secure Employment Authorization Document (EAD) with biometric identifiers as required by section 309 of the Enhanced Border Security and Visa Reform Act of 2002 (Public Law 107-173). This form serves the purpose of standardizing requests for the benefit and ensuring that applicants provide the basic information required to assess eligibility.

- 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 Form I-730 and the associated instructions are available online at: <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=59cf8875d714d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD>. The form can be completed and saved electronically by the respondent. Currently the form cannot be submitted electronically to USCIS. USCIS is working to move its forms into a fully electronic environment via its Transformation initiative. USCIS is also working to build out the system that will eventually allow for electronic filing of forms and as process requirements are completed, applicable forms will be added. Based upon the partial Government Paperwork Elimination Act compliance of the I-730, USCIS respectfully requests a two-year approval 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.**

The information collected by the form is not available from any other collection activity conducted. The information collected is specific for use by USCIS by persons admitted as a refugee or granted status in the United States as an asylee to request follow-to-join benefits for their spouse and or unmarried children under 21 years of age.

- 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 impact small business 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 the information is not collected, USCIS will have no mechanism for qualifying family members to be reunited with their family who have settled in the United States.

- 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.**

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 October 9, 2014 USCIS published a 60-day notice in the Federal Register at 79 FR

61090. USCIS did receive comments after publishing that notice. One comment was a general statement regarding immigration and USCIS appreciates the comment received, however the comment has no direct request for action on the collection as established and this information collection is conducted as required by statute. A second comment supported the continued collection of forms via mail; USCIS accepts forms via mail and is moving towards also accepting forms via electronic submission concurrently with the paper versions. A third comment was received that also supported the continuation of accepting forms via mail with the explanation that certain groups may not have access to computers. USCIS will continue to accept paper forms.

On December 18, 2014, USCIS published a 30-day notice in the Federal Register at 79 FR 75577. USCIS did not receive comments.

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 provided to respondents for the information collected by Form I-730. The information collected is covered by the Privacy Impact Analysis USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum (Claims 3) dated September 5, 2008.

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 collected.

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 | I-760 / Refugee/Asylee Relative Petition | 86,400 | 1 | .667 (40 minutes) | 57,600 | \$31.62 | \$1,821,312 |
| Total | | 86,400 | | | 57,600 | | |

* The above Average Hourly Wage Rate is the May 2013 Bureau of Labor Statistics average wage for “Akk Occupations”) of \$22.233 times the wage rate benefit multiplier of 1.4 (to account for benefits provided) equaling \$31.62. When “All Occupations” is selected, include the following language: “The selection of “All Occupations” was chosen as the expected respondents for this collection could be expected to be from any occupation.”

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.

USCIS Estimates that approximately 25% of the responding public will incur expenses such as postage, paying attorney fees, and acquiring copies of documents with this collection of information. The total cost for this collection of information is calculated as 86,400 respondents x \$490 x .25 = 10,584,000. The overall estimated cost per respondent is \$10,584,000 / 86,400 = \$122.50.

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 | \$ 38,880 |
| b. Collection and Processing | \$ 3,456,000 |
| c. Total Cost to Program | \$ 3,494,880 |

The collection and processing costs reflect the estimated number of forms received (86,400) times 1 hour of processing per form, times the estimated cost of \$40.00 for clerical, officer, and supervisory personnel time with benefits for a total of \$3,456,000, and adding the printing cost to this generates a total cost to the Federal Government of \$3,494,880.

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

There are no changes to the hour burden or to the information collection. The cost burden to the respondent has been updated to reflect a value.

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.