

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Petition to Classify Special Immigrant Under INA 203(b)(4) as
Employee or Former Employee of the U.S. Government Abroad

OMB Number 1405-0082

DS-1884

A. JUSTIFICATION

1. An alien who qualifies as a special immigrant described in section 101(a)(27)(D) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1101(a)(27)(D), meets the requirements for employment-based immigrant visa preference under INA section 203(b)(4), 8 U.S.C. § 1153(b)(4). Pursuant to section 101(a)(27)(D), 8 U.S.C. § 1101(a)(27)(D), an alien employee or honorably retired former employee of the United States government abroad, or of the American Institute in Taiwan, who has performed faithful service for a total of fifteen years or more may qualify as a special immigrant if the principal officer of a Foreign Service establishment, or the Director of the American Institute in Taiwan, recommends the granting of such status to such alien in exceptional circumstances and the Secretary of State approves such recommendation and finds it to be in the national interest to grant such status. Pursuant to INA section 204(a)(1)(G)(ii), 8 U.S.C. § 1154(a)(1)(G)(ii), an alien claiming special immigrant status may file a petition only with the Secretary of State and only after notification by the Secretary that such status has been recommended and approved. Once the Secretary has approved the recommendation, the alien has one year in which to file a petition for special immigrant status.
2. Department of State consular officers use Form DS-1884 (Petition to Classify Special Immigrant Under INA section 203(b)(4) as an Employee or Former Employee of the U.S. Government Abroad) to fulfill the legal requirements specified in paragraph 1. The information requested on the form is limited to that which is necessary for consular officers to process the petitioner's application for a special immigrant visa.
3. This form can be obtained from posts abroad in person or through the Department's website. The form available through the Department's website allows the respondents to complete the form online. Submission requirements may vary by post but all respondents have access to choosing between electronic or paper submission of the form.
4. The information collected on this form is not otherwise available to consular officers and is necessary to process the alien's petition.
5. This information collection does not impact small businesses or other small entities.
6. Consular officers would be unable to process petitions for special immigrant status without the information collected on this form.
7. No special circumstances exist.

8. The Department of State (Visa Office, Bureau of Consular Affairs) published a notice in the Federal Register on June 26, 2018 (83 FR 29863) soliciting public comments. One comment was responsive, which supports the Special Immigrant Visa program under INA 203(b)(4) for employees or former employees of the U.S. government abroad and the expedited processing of such petitions. The Department is continuously working to improve and strengthen visa processes. The second comment received was non-responsive.
9. No payment or gift is provided to respondents.
10. In accordance with INA section 222(f), 8 U.S.C. § 1202(f), information obtained from respondents in the nonimmigrant visa application process is considered confidential and is to be used only for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States, except that, in the discretion of the Secretary of State, it may be made available to a court or provided to a foreign government if the relevant requirements stated in INA section 222(f), 8 U.S.C. § 1202(f) are satisfied.
11. The form does not seek personal information of a sensitive nature.
12. Department expects that approximately 75 respondents will complete the DS-1884 during fiscal year 2018. It is estimated that a respondent will spend approximately ten minutes filling out the application. Therefore the annual hour burden to respondents is estimated to be 12.5 hours (75 applications x ten minutes). Based on an average hourly wage of \$24.34¹, the weighted wage hour cost burden for this collection is \$417.55. This is based on the calculation of \$24.34 (average hourly wage) x 1.4 (weighted wage multiplier) x 12.5 hours = \$425.95.
13. There is no cost to respondents. Most often respondents submit the form while still employed at post. In these cases, the cost for travel to the post is the regular cost of the respondent's commute and is not a separate cost incurred by the respondent as a part of this information collection. In cases where the respondent no longer works at post, they have the opportunity to submit electronically.
14. The Department estimates that this information collection costs the Federal Government \$1687.50 annually. It takes approximately 10 minutes to process the form. Therefore, approximately 12.5 hours annually will be dedicated to processing the form. According to budget data submitted by foreign posts, the average hourly wage for consular time is \$135.² Therefore, we estimate the annual cost to process the form is \$1687.50 per year.
15. The number of respondents was adjusted since the last submission. The vast majority of the people who complete this form are current federal employees, who are not considered individuals under the Paperwork Reduction Act. Therefore, the burden was reduced to account for only those that are not current federal employees seeking special immigration visas pursuant to INA section 101(a)(27)(D), 8 U.S.C. 1101(a)(27)(D).
16. The data from this collection will not be published; however, a quantitative summary of all Department of State visa activities is published in the annual Report of the Visa Office. The

¹ Source: Data from the U.S. Bureau of Labor Statistics May 2016 National Occupational Employment and Wage Estimates for all occupations (<http://www.bls.gov/oes>). Retrieved February 26, 2018.

² Source: 22 CFR §22.1, Schedule of Fees for Consular Services, Item No. 75.

Report of the Visa Office is an annual report providing statistical information on immigrant and non-immigrant visa issuances by consular offices, as well as information on the use of visa numbers in numerically limited categories. The Visa Office currently has annual reports available from 2000 to 2017. The link to the site is:

<https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics.html>.

17. The Department will display the expiration date for OMB approval of the information collection.
18. No exceptions are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.