

**SUPPORTING STATEMENT FOR
Petition for Alien Fianc'e(e)
OMB Control No.: 1615-0001
COLLECTION INSTRUMENT(S): I-129F**

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.**

Title 8, United States Code (U.S.C.), section 1184(d) prohibits the issuance of a nonimmigrant visa under 8 U.S.C., section 1101(a)(15)(K) until the consular officer abroad has received a petition filed in the United States by a U.S. citizen on behalf of his or her spouse or fiancé(e) and approved by the Secretary of Homeland Security. Likewise, Title 8 Code of Federal Regulations (CFR), section 214.2(k) sets forth procedures which must be followed by a citizen of the United States who wishes to bring his or her spouse or fiancé(e) to the United States. This includes the requirement that a completed Form I-129F must be filed with U.S. Citizenship and Immigration Services (USCIS) in order to petition for an alien spouse, fiancé(e), and his or her children. Further, 8 U.S.C., section 1184(d) requires that an I-129F petitioner disclose, on the petition, certain criminal conviction information and permanent restraining order information, and 8 U.S.C., section 1375a(a) requires that USCIS conduct a background check on every I-129F petitioner, so that all criminal background information related to a petitioner may be disclosed to the alien beneficiary before he or she is issued a visa.

- 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 Form I-129F will be used by USCIS to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for the benefit and ensuring that basic information required to assess eligibility is provided by petitioners.

- 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 effective means for collecting and processing the

required data.

The form and the instructions can be downloaded, completed and saved in PDF. Form I-129F is available electronically at www.uscis.gov, keyword search "Form I-129F."

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 automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.

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 this information is not collected and presented to USCIS, there is no mechanism for USCIS to determine whether satisfactory evidence has been submitted by the U.S. citizen to establish that the parties are married, in the case of a citizen seeking to obtain a nonimmigrant visa for his or her spouse. In the case of a citizen seeking to obtain a nonimmigrant visa for his or her fiancé(e), if this information is not collected and presented to USCIS there is no mechanism for USCIS to determine whether satisfactory evidence has been submitted by the U.S. citizen to determine that the citizen and fiancé(e) have previously met in person within 2 years before the date of filing the petition, have a bona fide intention to marry, and are legally able and actually willing to conclude a valid marriage within 90 days after the fiancé(e) arrival 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 August 25, 2021 USCIS published a 60-day notice in the Federal Register at 86 FR 47508. USCIS received one comment after publishing that notice. This comment was out of scope.

On December 15, 2021, USCIS published a 30-day notice in the Federal Register at 86 FR 712778. 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. The system of record notice associated with this information collection are: DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556 and DHS/USCIS-007 Benefits Information System, October 19, 2016 81 FR 72069.

The associated Privacy Impact Assessment is DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems.

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.

USCIS asks questions of a sensitive nature regarding past behavior and activities. These questions are necessary to adjudicate the petition. Sensitive questions are asked to determine: whether an individual might be inadmissible under the Immigration and Nationality Act (INA), section 212 (a)(2)(A)(i)(I) – Conviction or Commission of a Crime Involving Moral Turpitude (CIMT), or INA, section 212(a)(2)(A)(i)(II), (B), or (C) – Controlled Substance Violations, and Multiple Criminal Convictions.

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.

Information Collection Hour Burden Estimate								
		A	B	C = A x B	D	E = C x D	F	G = E x F
Respondent Type	Form Name/ Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response, in hours	Total Annual Burden, in hours	Avg. Hourly Wage Rate, in dollars	Total Annual Respondent Cost, in dollars
Individuals or households	Petition for Alien Fiance(e), I-129F	47,700	1	47,700	3.25	155,025	39.51	6,125,614
Individuals or households	Biometric Processing	47,700	1	47,700	1.17	55,809	39.51	2,205,221
Total				95,400		210,834		8,330,835

See NOTES Section for Citations

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.

Instrument	Fees, in dollars
I-129F	535
I-129F Biometrics	85

Out-of-pocket Cost to Respondent			
	A	B	D = A x B x C
Instrument	Respondents	Per Respondent Cost, in dollars	Total Out-of-Pocket Cost, in dollars
I-129F	47,700	113	5,412,004
Total Est. Cost		113	5,412,004

See NOTES Section for Citations

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.

Cost to Government						
	A	B	C	D	E	F = A (B + C x D + E)
Instrument	Respondents	USCIS Fee, in dollars	Adjudication Hours	Avg. Hourly Rate, in dollars	Other Government Costs	Total, in dollars
I-129F	47,700	535	0	-	-	25,519,500
I-129F Biometrics	47,700	85	0	-	-	4,054,500
Total Est. Cost						29,574,000

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

Estimated Respondent Annual Hourly Burden Change, in hours				
	A		B	C = B - A
Instrument	Hours Approved on Aug 30, 2020	Adjustment Type	New Hours Requested	Difference
I-129F	157,300	Agency Estimate	155,025	(2,275)
I-129F Biometrics	56,628	Agency Estimate	55,809	(819)
Total			210,834	(3,094)
Total Attributed to Program Change			-	-
Total Attributed to Agency Estimate			210,834	(3,094)

With this Extension action, there was a decrease in the total estimated annual hour burden. This result stems from a decrease in hours due to a change in the Agency Estimate and no change in hours due to Program Change reported in the above table. There are no program changes.

Estimated Respondent Annual Out-of-Pocket Cost Burden Change, in dollars				
	A		B	C = B - A
Instrument	Out-of-Pocket Cost Approved on Aug 30, 2020	Adjustment Type	New Out-of-Pocket Cost Requested	Difference
I-129F	8,300,600	Agency Estimate	5,412,004	(2,888,596)
Total			5,412,004	(2,888,596)
Total Attributed to Program Change			-	-
Total Attributed to Agency Estimate			5,412,004	(2,888,596)

With this Extension action, there was a decrease in the total estimated annual out-of-pocket cost burden. This result stems from a decrease in costs due to a change in the Agency Estimate and no change in costs due to Program Change.

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.