

**STATEMENT FOR
APPLICATION FOR PAROLE IN PLACE FOR CERTAIN NONCITIZEN SPOUSES
AND STEPCHILDREN OF U.S. CITIZENS
OMB Control No.: 1615-NEW COLLECTION INSTRUMENT(S): FORM I-131F**

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 212(d)(5) of the Immigration and Nationality Act (INA) (8 U.S.C. 1182(d)(5)) provides the Secretary of Homeland Security with the discretionary authority to parole applicants for admission into the United States “temporarily, under such conditions as the Secretary may prescribe, only on a case-by-case basis for urgent humanitarian reasons or significant public benefit.” INA sec. 212(d)(5)(A), 8 U.S.C. 1182(d)(5)(A); see also 6 U.S.C. 202(4) (charging the Secretary with the responsibility for “[e]stablishing and administering rules...governing...parole”).

On June 18, 2024, President Biden announced that the U.S. Department of Homeland Security (DHS) would implement a parole in place process for certain noncitizen spouses of U.S. citizens (and noncitizen stepchildren of U.S. citizens). Pursuant to the Secretary’s statutory authorities, including sections 103(a) and 212(d)(5)(A) of the INA, 8 U.S.C. 1103(a), 1182(d)(5)(A), the Secretary has the discretionary authority to establish a process by which certain aliens are permitted to apply for parole in place within the United States. Currently, individuals can file Form I-131, Application for Travel Document, to request certain types of parole from U.S. Citizenship and Immigration Services (USCIS). The current version of Form I-131 available for use by filers does not include an ability to specifically request parole in place. A revised version of Form I-131 was recently approved by OMB [June 17, 2024; 1615-0013], and will, for the first time, include an option for applicants to request parole in place. However, as a multi-use form that includes requests for re-entry permits, refugee travel documents, advance parole documents, and initial parole documents for individuals who are outside the United States, the Form I-131 collects limited information related to parole in place filings and does not have the data fields necessary to support the parole in place process being established for certain noncitizen spouses and stepchildren of U.S. citizens. Moreover, the revised Form I-131 is not yet available for online or paper filing.

Due to the volume of estimated respondents and the need to collect specific information and evidence that is not required for other types of parole in place requests, USCIS has created a new information collection specifically for the parole in place process for certain noncitizen spouses of U.S. citizens (and noncitizen stepchildren of U.S. citizens).

Applicants filing a request for parole in place under this process would file online using the Form I-131F, Application for Parole in Place for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens.

Any individual may be required to submit biometric information if the regulations or form instructions require such information or if requested in accordance with 8 CFR 103.2(b)(9). DHS may collect and store for present or future use, or reuse, by electronic or other means, the biometric information submitted by an individual. DHS may use this biometric information to conduct background and security checks, adjudicate immigration and naturalization benefits, and perform other functions related to administering and enforcing the immigration and naturalization laws. See 8 CFR 103.16. Individuals requesting parole in place as the spouse or stepchild of a U.S. citizen must provide biometrics as part of the requirements for establishing eligibility.

Authorities: 8 U.S.C. 1103(a) and 1182(d)(5)(A); 6 U.S.C. 202, 271

This Emergency Revision:

In this emergency request, U.S. Citizenship and Immigration Services (USCIS) seeks approval to collect information for the purpose of considering, on a case-by-case basis, requests for parole in place from certain noncitizens who are married to a U.S. citizen (and from noncitizen stepchildren of U.S. citizens) and are present in the United States without admission or parole.

Form I-131F, Application for Parole in Place for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens., will be used by noncitizens who are present in the United States without admission or parole to request a temporary period of parole in place under the Parole Process for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens, announced on June 18, 2024.

DHS, in its discretion, may grant parole on a case-by-case basis for urgent humanitarian reasons or significant public benefit to any noncitizen who is an applicant for admission. This authority extends to noncitizens present in the United States who have not been lawfully admitted, a practice known as parole in place. If USCIS approves Form I-131F filed by a noncitizen seeking parole in place under this parole process, the noncitizen will receive a Form I-94, Arrival/Departure Record, which is evidence of their parole.

If granted parole in place, the noncitizen would be able to immediately apply for employment authorization as a parolee pursuant to 8 C.F.R. 274a.12(c)(11). If granted parole in place, these parolees may also become eligible to file an application to adjust their status to that of lawful permanent resident based on their relationship to their U.S. citizen spouse or stepparent. USCIS has estimated that approximately 550,000 individuals could apply for parole in place. Upon approval of an I-131F, applicants may apply for other immigration benefits once eligible.

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.

Form I-131F will be used by certain noncitizens to request parole in place on the basis of being a qualified noncitizen spouse or stepchild of a U.S. citizen who is present in the United States without admission or parole under the Parole Process for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens. USCIS will use the information collected on the form to verify the applicant's status and determine their eligibility to obtain parole in place. These requests will be considered on a case-by-case basis.

Noncitizens filing Form I-131F are required to provide biometrics and undergo background and security vetting in connection with the application. As part of the procedures for conducting these security checks, biometrics submission requirements and guidance are contained in the form instructions. USCIS retains its authority to fingerprint individuals, on an as needed, case-by-case basis. Applicants will file Form I-131F online.

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.

This information collection provides the most efficient means for gathering and processing information for an applicant to request parole in place on the basis of being a qualified noncitizen spouse or stepchild of a U.S. citizen. The form also collects biographic information about the beneficiary to be used for biographic security screening and information concerning why the beneficiary warrants a discretionary grant of parole.

Form I-131F will only be available for online filing. The burden for setting up a USCIS online account is covered under the USCIS Online Account Access information collection (OMB control number 1615-0122).

USCIS uses various tools to collect feedback from end users of USCIS information collections. These tools include surveys or focus groups designed to collect general information, as well as public feedback submitted to USCIS either in response to an official solicitation of public comments from Federal Register publications or submitted proactively through USCIS' robust external outreach activities with stakeholders (see, e.g., www.uscis.dhs.gov/outreach). USCIS also performed usability testing on USCIS Forms I-765, N-400, and I-485 (the three forms with the highest-filing volume) with the goal of studying cross-cutting issues that impact the responding public across the entirety of the USCIS collections of information. Form I-131F is a new information collection, designed based off user feedback from USCIS Form I-134A, Online Request to be a

Supporter and Declaration of Financial Support and USCIS Form I-131, Application for Travel Document. USCIS monitored the submission process of these forms, analyzed the feedback that it received from respondents, as well as input from internal assessment of user experience to design Form I-131F.

In addition to feedback from external stakeholders, our analysis considers consultation with internal agency stakeholders regarding such activities including, but not limited to, document submission, evidentiary requirements, and like activities. USCIS extensively engages with various program, policy, and intake teams for feedback on the information collections. USCIS analyzes the results of all these efforts to identify necessary modifications to the collection tools approved for use under the Paperwork Reduction Act. Such modifications could include clarifying edits, potential question removal, and instructional updates, all intended to further support the respondent's experience in complying with a collection of information. The collection of information proposed in this current submission is the cumulative result of analysis and studies conducted. USCIS is creating this information collection to account for populations of noncitizens that will request parole in place as the spouse or stepchild of a U.S. citizen. This information collection is crucial to ensuring that the appropriate information and supporting evidence is provided by the applicant for USCIS to determine eligibility for the benefit being sought.

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.

USCIS programs impose no duplication of efforts because similar information that can be used to determine eligibility for parole in place as the noncitizen spouse or stepchild of a U.S. citizen under Parole Process for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens, online Form I-131F, is not collected through other USCIS collections or programs. USCIS requires applicants under this control number to appear at a USCIS Application Support Center (ASC) to provide an electronic photograph and fingerprints.

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 individual is eligible to request parole in place as the noncitizen spouse or stepchild of a U.S. citizen 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.

The collection of this information is required to verify the status of applicants who are requesting parole in place as a qualified noncitizen spouse or stepchild of a U.S. citizen and to determine whether the applicant is eligible for a discretionary grant of parole in place. The inability of USCIS to collect information for this purpose may result in noncitizens who entered the United States without being inspected and admitted or paroled being unable to potentially adjust their status to that of a lawful permanent resident while in the United States even though they may have a qualifying relationship with a U.S. citizen. Instead, these noncitizens would have to seek an immigrant visa abroad at a U.S. consulate or embassy, and their departure from the United States can cause them to become inadmissible to the United States, requiring them to seek a waiver of that inadmissibility (if available), the process for which may be lengthy.

Alternatively, this group of noncitizens may file Form I-601A, Application for Provisional Unlawful Presence Waiver, prior to departing the United States and if Form I-601A is approved, they would have to depart the United States to seek an immigrant visa from Department of State. Even with an approved Form I-601A, such a departure could result in extended separation due to consular backlogs with significant disruption to families here in the United States, and the Form I-601A approval does not guarantee that a waiver will be granted or that the beneficiary would be able to reenter the United States after departure if other grounds of inadmissibility may apply to their case.

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.

USCIS is seeking emergency approval under 5 CFR 1320.13 and, as such, has not yet published a notice in the Federal Register. Public comments will be solicited, and this information collection request will go through a normal Paperwork Reduction Act (PRA) approval process, including a response to all comments received from the public, no later than six months after the approval of this emergency request.

- 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 are no statutory or regulatory confidentiality provisions that apply to noncitizen spouses or stepchildren of U.S. citizens specifically under this parole in place process. However, DHS applies the protections of the Privacy Act of 1974, 5 U.S.C. 552a, which restricts the disclosure of personally identifiable information maintained by Federal Agencies, to all individuals as a matter of policy. Additionally, if qualifying noncitizen spouses or stepchildren of U.S. citizens apply for other benefit types that provide special protections from disclosure or confidentiality, the statutory and regulatory provisions governing those benefit requests will apply. In particular, noncitizens who apply for asylum are protected by the confidentiality provisions of 8 CFR 208.6 and 1208.6, while applicants who have applied for T nonimmigrant status, for U nonimmigrant status, or a VAWA self-petition will be protected by the confidentiality provisions of 8 U.S.C. 1367.

This collection is covered under the following Privacy Impact Assessments:

- DHS/USCIS/PIA-056 - USCIS Electronic Information System (USCIS ELIS); and,
- DHS/USCIS/PIA-071 - myUSCIS Account Experience.

The collection is covered under the following System of Records Notices:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556;
- DHS/USCIS-007 Benefits Information System, October 10, 2019, 84 FR 54622; and,
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950.,

- 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 will collect the Spouse or Parent's Social Security Number (SSN). The SSN will enable USCIS to expedite the confirmation of the U.S. citizen spouse or stepparent who is identified as the qualifying relative for purposes of the parole in place process for the noncitizen spouse or stepchild. The SSN information is used to establish and corroborate the U.S. citizen's identity, especially since not all U.S. citizens have a U.S. passport or A-number (naturalized citizens).

- 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.

		A	B	C (=AxB)	D	E (=Cx D)	F	(=ExF)
Type of Respondent	Form Name / Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Individuals or Households	Application for Parole in Place for Certain Noncitizen Spouses and Stepchildren of U.S. Citizens, I-131F (Online e-file)	550,000	1	550,000	1.1667	641,685	\$45.96	\$29,491,843
Individuals or Households	Biometrics	550,000	1	550,000	1.17	643,500	\$45.96	\$29,575,260
Total				1,100,000		1,285,185		\$59,067,103

*The above Average Hourly Wage Rate is the [May 2023 Bureau of Labor Statistics](#) average wage for All Occupations of \$31.48 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$45.96.

** USCIS is seeking emergency approval under 5 CFR 1320.13. USCIS has estimated that as many as 550,000 individuals could apply for parole in place during the first 14 months of the process. USCIS expects this to be the totality of submission. To keep the information collection approved, USCIS will be initiate a future PRA action, reviewing the number of received filings to adjust respondents at that time.

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 are no capital, start-up, operational or maintenance costs associated with this collection of information. For informational purposes only, the filing fee for Form I-131F is \$580, and applicants will file the form online.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Costs may include payments for document translation and preparation services, attorney and legal fees, postage, and costs associated with gathering documentation. USCIS estimates that the average cost for these activities is \$515.00. The estimated out of pocket cost to respondents is 550,000 respondents multiplied by the average cost per response of \$515 = **\$283,250,000**.

- 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.

The estimated cost to the government, which is funded by USCIS user fee collections, is calculated by multiplying the estimated number of respondents (550,000) x the filing fee for the collection (\$580). The total cost to the Federal government is **\$319,000,000**.

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 program changes or adjustments as this is a new information collection.

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.