SUPPORTING STATEMENT FOR
Petition to Remove the Conditions on Residence
OMB Control No.: 1615-0038
COLLECTION INSTRUMENT(S): I-751

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.

As provided for in 8 CFR part 216, and section 216 of the Immigration and Nationality Act (INA), aliens granted conditional permanent resident status through marriage to a U.S. citizen or lawful permanent resident use Form I-751 to petition for removal of those conditions.

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 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.

The Immigration Marriage Fraud Amendments of 1986 (IMFA) were enacted to deter individuals from entering into a marriage simply to obtain an immigration benefit. In addition, 8 CFR 216.4(a)(5) and 8 CFR 216.5(e)(2) requires the alien requesting to remove of conditions on his or her lawful permanent resident status to provide documentation that the marriage upon which his or her lawful permanent status was obtained was not entered into solely to obtain immigration benefits or for the purpose of evading immigration laws. Form I-751 petitioners may have already submitted evidence of their relationship to USCIS in order to receive their conditional permanent resident status. However, because the marriage was less than two years old at the time the qualifying spouse obtained status, Form I-751 requests additional evidence of the relationship to ensure that the marriage was not entered into solely to obtain immigration benefits or for the purpose of evading immigration laws.

Furthermore, INA 216(d)(1)(B) requires the petition to include residence and employment information for both the conditional permanent resident and U.S. citizen or lawful permanent resident spouse or stepparent since the conditional permanent resident obtained status.

Finally, 8 CFR 216.5(e)(1) and 8 CFR 216.5(e)(3)(iii) require an alien requesting a waiver of the requirement to jointly file Form I-751 with the petitioning U.S. citizen or

lawful permanent resident spouse or stepparent to provide evidence of eligibility for such a waiver.

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 information collected on Form I-751 is used by U.S. Citizenship and Immigration Services (USCIS) to verify the alien's status and determine whether he or she is eligible to have the conditions on his or her status removed. Form I-751 serves the purpose of standardizing requests for benefits and ensuring that basic information required to assess eligibility is provided by petitioners.

USCIS also collects biometric information from the alien to verify their identity and check or update their background information.

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.

Form I-751 is available online at **www.uscis.gov/i-751**. The paper form can be downloaded, filled out, saved electronically, and then printed signed, and submitted to USCIS via mail.

Form I-751 can also be downloaded, filled out, and saved electronically, and submitted using PDF Intake Process (PDFi) through a USCIS online account at **https://myaccount.uscis.gov**. The applicant would upload the completed Form I-751 and any supporting documentation, pay any required fee, and file their application as a .pdf online. The burden for setting up a USCIS online account is covered under the USCIS Online Account Access information collection (OMB control number 1615-0122).

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.

Form I-751 collects information that USCIS requires in determining whether a petitioner is eligible to have the conditions on their permanent resident status removed. Some of the information collected may have been previously provided by the respondent on the forms filed to apply for conditional permanent resident status. USCIS requires this duplicative information for operational and adjudication purposes, such as matching the Form I-751 with the correct A-file, or validating or updating information that was previously provided by the respondent.

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.

There is no impact to small businesses or other small entities; the petitioners are individuals.

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 collected on Form I-751 were not available, USCIS would not be able to determine whether or not the alien is eligible for removal of the conditions on his or her permanent resident status. USCIS would not be able to meet the requirements set forth in statute to allow removal of such conditions.

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 May 29, 2026, USCIS published a 60-day notice in the Federal Register at 91 FR 32068. USCIS received three comments after publishing that notice. USCIS's responses to the public comments can be found in the following attachment shown in the Supplementary Documents: ***60-Day Public Comment Response Matrix***.

On September 14, 2026, USCIS published a 30-day notice in the Federal Register at 91 FR 58160. USCIS did not receive comments after publishing that notice.

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.

This collection is covered under the following Privacy Impact Assessment:

- DHS/USCIS/PIA-003 Integrated Digitization Document Management Program, February 28, 2017;
- DHS/USCIS/PIA-016(d) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems, March 25, 2016; and
- DHS/USCIS/PIA-056 USCIS Electronic Immigration System (ELIS), September

30, 2024.

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.

INA 216(c)(4) and 8 CFR 216.5 allow certain conditional permanent residents to request a waiver that permits them to file Form I-751 without the U.S. citizen or lawful permanent resident spouse or stepparent. Conditional permanent residents who can request a waiver for joint filing of Form I-751 include those who have been battered or subjected to extreme cruelty. Specifically, under 8 CFR 216.5(a)(1)(iii), "[a] conditional resident alien who is unable to meet the requirements under section 216 of the Act for a joint petition for removal of the conditional basis of his or her permanent resident status may file Form I-751, Petition to Remove the Conditions on Residence, if the alien requests a waiver, was not at fault in failing to meet the filing requirement, and the conditional resident alien is able to establish that…the qualifying marriage was entered into in good faith by the conditional resident but during the marriage the alien spouse or child was battered by or subjected to extreme cruelty committed by the citizen or permanent resident spouse or parent." Note also that 8 CFR 216.5(e)(3)(iii)-(viii) enumerate some evidence necessary to prove physical abuse and/or extreme mental cruelty. Without asking these questions and requesting this evidence, USCIS cannot make a determination on the petitioner's request to remove conditions on his or her lawful permanent residence status.

The Form I-751 also requires the conditional permanent resident to provide information regarding whether he or she has been arrested, detained, indicted, fined, or imprisoned. INA 237(a)(2) provides that an alien who is in and been admitted to the United States (including conditional permanent residents) is deportable if he or she has been convicted of certain criminal offenses. As such, questions about arrests are necessary on the Form I-751 to determine that the conditional permanent resident is not deportable.

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 (=CxD)	F	(=ExF)
Type of Respondent	Form Name / Form Number	#. of Respondents	#. of Responses per Respondent	# of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals or households	I-751 / Petition to Remove Conditions on Residence (paper)	3,060	1	3,060	4.387	13,424	$48.97	$657,384
Individuals or households	I-751 / Petition to Remove Conditions on Residence (PDFi)	149,940	1	149,940	4.387	657,787	$48.97	$32,211,819
Individuals or households	Biometric processing	306,000**	1	306,000	1.17	358,020	$48.97	$17,532,239
Total				**459,000**		**1,029,231**		**$50,401,442**

** The above Average Hourly Wage Rate is the May 2025 Bureau of Labor Statistics average wage for All Occupations $33.54 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling $48.97. The selection of "All Occupations" was chosen because respondents to this collection could be expected from any occupation.*

*** Multiple individuals associated with the same I-751 may require biometric processing if a conditional*

permanent resident spouse is including his or her eligible dependent children in the same filing.

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.

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 $128.75. The estimated out of pocket cost to respondents is 153,000 annual respondents multiplied by the average cost per response of $128.75, which equals **$19,698,750.**

For informational purposes, the filing fee for Form I-751 can be found in the G-1055, Fee

Schedule, at **www.uscis.gov/g-1055.**

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.

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits) and immigration benefits provided for free. USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS, since these fees are based on resource expenditures related to the benefit in question. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form.

The total estimated cost to the Federal government is **$114,750,000**. This figure is calculated by multiplying the form's estimated number of annual respondents (153,000) by the form's filing fee ($750).

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

USCIS is reporting no change to the estimated annual hour burden and annual cost burden to respondents for this collection of information as a result of this action. USCIS has provided a synopsis of the edits associated with the changes to the information collection within the paper filing instrument Table of Changes (TOC) and the PDFi filing instrument Copy Deck TOC for the Form I-751.

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.