

**SUPPORTING STATEMENT FOR  
FREEDOM OF INFORMATION/PRIVACY ACT REQUEST  
OMB Control No.: 1615-0102  
COLLECTION INSTRUMENT(S): G-639**

**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 5 U.S.C. 552 allows requestors to have access to U.S. Citizenship and Immigration Service (USCIS) records under the Freedom of Information Act (FOIA), except those that have been exempted by FOIA. Title 5 U.S.C. 552a, with certain exceptions, allows individuals to gain access to information pertaining to themselves in USCIS records. 8 CFR 103.10 provides procedures for accessing USCIS records.

- 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.**

FOIA requests may be submitted in any written form. However, Form G-639 is a convenient tool for individuals to provide the data necessary for identification of a particular record requested under FOIA and ensures expeditious handling of this type of request.

- 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 efficient means for collecting and processing the required data. This form resides on the USCIS Web site and can be mailed or submitted electronically, via email, to the National Records Center (NRC). The address and e-mail address for the NRC are available in the form instructions. However, this form cannot be e-filed.

- 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 Forms Inventory Report revealed no duplication of efforts. There

is no similar information currently available that can be used for this purpose.

**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 may have an impact on small businesses or other small entities. However, the information collected is the minimum amount necessary to allow USCIS to respond to the request.

**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.**

This form was created to facilitate an accurate and timely response to an information request under FOIA. USCIS must respond to a FOIA request within 20 business days. If the information is not adequately collected, a response to a FOIA request may be unduly delayed.

**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 September 9, 2016 USCIS published a 60-day notice in the Federal Register at 81 FR 62521. USCIS did receive two comments after publishing that notice. Comments and USCIS responses are available for review in *Supporting Statement Appendix A: Comment Summary*.

On XXX XX, 2016, USCIS published a 30-day notice in the Federal Register at XX FR XXXX. USCIS has not received comments to date.

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 in exchange for the 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 is DHS/ALL-001 Department of Homeland Security (DHS) Freedom of Information Act (FOIA) and Privacy Act (PA) Record System, February 4, 2014, 79 FR 6609.

The PIA associated with this information collection is DHS/USCIS/PIA-038(a) FOIA/PA Information Processing System, December 17, 2012.

- 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.

- 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
Individuals or	G-639	163,000	1	.25 hours	40,750	\$32.52	\$1,325,190

Households (submitted by mail)							
Total		<b>163,000</b>			<b>40,750</b>		<b>\$1,325,190</b>

*\*The above Average Hourly Wage Rate is derived from the May 2015 Bureau of Labor Statistics Mean Hourly Wage for “All Occupations”. The wage rate of \$32.52 is calculated from the base average wage rate of \$23.23 times the wage rate benefit multiplier of 1.4. The selection of “All Occupations” represents the possibility that a respondent can be employed in any type of work; the collection is not targeting any specific category of employment.*

**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 on average, the total cost to respondents for fees associated with this request is \$3700. Respondents may also incur a cost for notary services of \$1.50. (163,000 x \$1.50 = \$244,500) All respondents are required to submit their forms by mail at an average cost of \$3.75 per submission. (163,000 x \$3.75 = \$611,250)

The estimated total cost to G-639 applicants: \$859,450.

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 Federal Cost Analysis:

a.	Printing Cost	\$	20,662
b.	Collection and Processing Cost	\$	6,520,000
c.	Total Cost to Program	\$	6,540,662

**Government Cost**

The estimated annual cost to the Government is \$5,680,000. This figure is calculated by multiplying the estimated number of respondents 163,000 x 1 hour (Time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits). In addition, this figure includes the estimated overhead cost for printing, stocking, and distributing the form, which is \$20,662.

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

Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
G-639				35,500	40,750	5,250
<b>Total(s)</b>				<b>35,500</b>	<b>40,750</b>	<b>5,250</b>

There has been an increase in the estimated total burden hours due to a change in estimates for the total number of respondents. The number of respondents has increased from 142,000 to approximately 163,000 respondents resulting in an increase of 5,250 total burden hours.

Data collection	Program Change (cost	Program	Difference	Adjustment (cost currently	Adjustment	Difference
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There has been an increase in the estimated out-of-pocket expenses due to better estimates of out of pocket expenses and an increase in estimates for the total number of respondents. The number of respondents has increased from 142,000 to approximately 163,000 respondents resulting in an increase of \$82,418 total annual cost burden. USCIS has also updated calculations for the estimated total cost to respondents.

USCIS has also made some non-substantive changes to the collection to improve and clarify some of the language currently used in the form and instructions.

- 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.