

SUPPORTING STATEMENT

Application for Waiver of Grounds of Inadmissibility

(Form I-601)

OMB No. 1615-0029

A. Justification.

1. Section 212(a) of the Immigration and Nationality Act (the Act) provides for the inadmissibility of certain classes of aliens from the United States. Grounds of inadmissibility include health-related, criminal, security, and miscellaneous grounds (such as unlawful voting or child abduction); grounds relating to public charge, ineligibility for U.S. citizenship, Labor Certification, and documentary requirements; and grounds relating to unlawful presence and previous deportation or removal. There are also several waiver provisions incorporated into section 212 of the Act, which allows the Secretary of Homeland Security to exercise discretion in waiving certain grounds of inadmissibility on a case by case basis. This collection of information is necessary to assess a waiver of inadmissibility.
2. The information collected on this form is used by U.S Citizenship and Immigration Services (USCIS) to determine whether the applicant is eligible for a waiver of inadmissibility under section 212 of the Act. This form is being revised (see table of changes).
3. The use of this form currently provides the most efficient means for collecting and processing the required data. This form resides on the USCIS Web site and can be completed electronically but cannot be e-filed. However, this form has been designated for e-filing under the Business Transformation Project.

4. A search of USCIS' automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. This collection of information does not have an impact on small businesses or other small entities.
6. If this information is not collected, USCIS would not be able to properly assess the alien's eligibility for the requested waiver.
7. There are no special circumstances applicable to this information collection.
8. On 28 February, 2012, USCIS published a 60-day Federal Register notice at 77 FR 12071 to allow the public to review and comment on the information collection. USCIS will address any comment it receives in connection with that publication when it publishes the 30-day notice.
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality. The system of record notice associated with this information collection is United States Citizenship and Immigration Services Benefits Information System, which was published in the Federal Register on September 29, 2008 at 73 FR 56596. The privacy impact assessment associated with this information collection is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum.
11. There are questions of a sensitive nature relating to an applicant's mental or physical condition. The Form I-601 is used to waive the medical grounds of inadmissibility under section 212(a) of the Act. It includes information concerning communicable diseases, drug abuse addiction, and mental disorders. This information is necessary to determine whether

the grounds of inadmissibility, as set by Congress in section 212(a) of the Act, can be waived and Form I-601 approved.

12. Annual Reporting Burden:

a.	Number of Respondents	20,000
b.	Number of Responses per each request	1
c.	Total Annual Responses	20,000
d.	Hours per Response	1.5 hrs. (90 minutes)
e.	Total Annual Reporting Burden	30,000

Annual Reporting Burden

Total annual reporting burden is 30,000. This figure was derived by multiplying the number of respondents (20,000) x (1) frequency of response x 1.5 hours (90 minutes) per response.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in item 14. There is a fee charge of \$585 associated with the filing of this information collection.

14. Annualized Cost Analysis:

Printing Cost	\$ 7,593
Collecting and Processing	\$ 11,692,407
Total Cost to Program	\$ 11,700,000
Fee Charge	\$ 11,700,000
Total Annual Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents 20,000 (x) \$585 the suggested fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits). In addition, this figure includes the estimated overhead cost of \$ 7,593 for printing, stocking, distributing and processing of this form.

Annual Public Cost

The estimated annual burden cost is \$922,200. This estimate is based on the number of respondents (20,000) x (1) frequency of response x 1.5 hours (90 minutes) hour per response x \$30.74 (average hourly rate)

The estimated annual public cost (fee) is \$11,700,000. This estimate is based on the number of respondents (20,000) x \$585 fee charge.

15. There has been no increase or decrease in the burden hours associated with this collection of information. There have been minor changes to the information being collected. However, the change will not increase the amount of time it will take to complete this information collection. USCIS has revised the overall format of the instructions and form. This has been done to simplify filing and input. The revised format of the form will also allow for a lower rejection rate and more accurate data collection to assist the agency and their customers when filling out the form. The 2D barcode technology has been also added to the form to help with data processing. Additionally, USCIS incorporated changes for filing clarity and improve customer service.

16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. USCIS will display the expiration date for this information collection in accordance with OMB regulations.
18. USCIS does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Sunday Aigbe,

Date

Chief,

Regulatory Products Division,

Office of the Executive Secretariat,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.