

SUPPORTING STATEMENT
Application for Waiver of Passport and/or Visa
Form I-193
(OMB No. 1651-0107)

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.**

Sections 211.1(b)(3) and 212.1(g) of 8 CFR provide for documentary requirements for immigrant and nonimmigrant visa and passport waivers. An immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad who satisfies the good cause requirement for his failure to present an immigrant visa may be granted a waiver of that requirement. Additionally, upon meeting specific requirements, a waiver may be granted to a nonimmigrant with an unforeseen emergency prior to embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States.

- 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 this form will be used by Customs and Border Protection (CBP) to determine an applicant's eligibility to enter the United States under 8 CFR parts 211.1(b)(3) and 212.1(g). This form will be used by an alien who wishes to waive the documentary requirements for passports and/or visas due to an unforeseen emergency such as an expired passport, or a lost or forgotten passport or residency card.

- 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 form is filled out on a conveyance or at a border location so it would not be feasible to submit this information electronically.

- 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.**

This information is not duplicated in any other place or any other form.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of the OMB Form 83-I), describe any methods used to minimize burden.**

This information collection does not have a significant impact on a substantial number of small businesses.

- 6. Describe consequences 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 is not collected or is collected less frequently, it would hinder CBP's ability to determine an applicant's eligibility for a waiver of documentary requirements under 8 CFR parts 211.1(b)(3) and 212.1(g), which may cause extreme hardship. Failure to approve this means of overcoming documentary deficiencies would demonstrate a lack of efficiency and compassion on the part of CBP by causing unnecessary delay and expense to aliens traveling under emergent circumstances

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

This information is collected in a manner consistent with the guidelines of 5 CFR 1320.6.

- 8. If applicable, provide a copy and identify the date 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.**

Public comments were solicited through two Federal Register notices dated March 25, 2008 (Volume 73, Page 15762) and on June 10, 2008 (Volume 73, Page 32728). As of this submission, no comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no offer of a monetary or material value for this information collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No special assurance of confidentiality is provided with this information collection.

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 associated with this collection.

12. Provide estimates of the hour burden of the collection of information.

FORM	HOURS	RESPONDENTS	TOTAL RESPONSES	TIME PER RESPONSE
I-193	4,150	25,000	25,000	10 minutes (.166)

Public Cost

The estimated annual public cost is \$13,625,000. This is based on the number of respondents (25,000) x \$545 fee charge.

- 13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

There are no capital or start-up costs associated with this information collection. *There is a fee charge of \$545 per application associated with the collection of this information.*

- 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.**

There is not cost to the estimated cost to the Government associated with this information collection because the costs are offset by the \$545 fee charge.

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

There are no changes to this information collection.

- 16. For collection of information whose results will be published, outline plans for tabulation, and publication.**

This information collection will not be published.

- 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.**

The CBP is seeking approval to not display the expiration date for OMB approval of this information collection. Supplies of these forms are stocked at border locations and at airports and display of the expiration date would require CBP to pull and destroy current forms in its inventory at our ports.

- 18. "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions to the certification statements identified in Item 19 on the 83-I, except our request not to display the expiration date on the form.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.