

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. The form and its instructions are being revised to clarify the use of the form. See the revised table of changes.
3. The use of this form currently provides the most efficient means for collecting and processing the required data. In this case, USCIS does not employ the use of information

technology in collecting and processing information. Currently, USCIS does not have the automated capability in place to accept electronic submission of this application. 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. USCIS published a 60-day notice in the Federal Register on September 3, 2008, at 73 FR 51502. USCIS did not receive any comments for this information collection.
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
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	17,500
b.	Number of Responses per each request	1
c.	Total Annual Responses	17,500
d.	Hours per Response	1.5 hrs. (90 minutes)
e.	Total Annual Reporting Burden	26,250

Annual Reporting Burden

Total annual reporting burden is 26,250. This figure was derived by multiplying the number of respondents (17,500) x frequency of response (1) x 90 minutes (1.5 hour) 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 \$545 associated with the filing of this information collection.

14. Annualized Cost Analysis:

Printing Cost	\$	5,000
Collecting and Processing	\$	9,532,500
Total Cost to Program	\$	9,537,500
Fee Charge	\$	9,537,500
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 17,500 multiplied (x) by the suggested fee charge of

\$545 (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits). In addition, this figure includes the estimated overhead cost \$ 5,000 for printing, stocking, distributing and processing of this form.

Annual Public Cost

The estimated annual public cost is \$ 9,800,000. This estimate is based on the number of respondents (17,500) x frequency of response (1) x 90 minutes (1.5) hour per response x \$10 (average hourly rate), plus the number of respondents (17,500) x \$545 fee charge.

- 15. There has been no increase or decrease in the burden hours associated with the collection of this information.
- 16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
- 17. USCIS is not seeking a waiver to display the expiration date for OMB approval of this information collection.
- 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 Management Division,

U.S. Citizenship and Immigration Services,

Department of Homeland Security.