


PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/subagency Department of Homeland Security, U.S. Citizenship and Immigration Services		OMB Control Number 1615 - 0032	
<i>Enter only items that change</i>			
		Current record	New record
Agency form number (s) I-690			
Annual reporting and recordkeeping hour burden			
Number of respondents			
Total annual responses			
Percent of these responses collected electronically	0 %		0 %
Total annual hours			
Difference			
Explanation of difference			
Program change			
Adjustment			
Annual reporting and recordkeeping cost burden (in thousands of dollars)			
Total annualized Capital/Startup costs			
Total annual costs (O&M)			
Total annualized cost requested			
Difference			
Explanation of difference			
Program change			
Adjustment			
Other changes** See Attached			
Signature of Senior Official or designee:  Stephen Tarragon	Date: 12/24/2009	For OIRA Use _____ _____	

** This form cannot be used to extend an expiration date.

Table of Changes
Forms I-690
12/08/2009
OMB Control No. 1615-0032

Form

Location	Old Version	New Version
Page 2, Title	Supplement for Applicants With Human Immunodeficiency Virus (HIV) Infection or Tuberculosis (TB)	Supplement for Applicants With Tuberculosis (TB)
Page 2, Part C, #1	I agree to supply counseling and any treatment or observation necessary for the proper management of the applicant's condition. [Check Box] HIV Infection [Check Box] Tuberculosis	I agree to supply counseling and any treatment or observation necessary for the proper management of the applicant's condition.
Page 2, Part D, 1 st Paragraph	Endorsement signifies recognition of the physician or facility for the purpose of providing care for HIV infection or tuberculosis. If the facility physician who signed in Part C is not in your health jurisdiction or is not familiar to you, you may wish to contact the health officer responsible for the jurisdiction, and/or the physician, before you sign this endorsement.	Endorsement signifies recognition of the physician or facility for the purpose of providing care for tuberculosis. If the facility physician who signed in Part C is not in your health jurisdiction or is not familiar to you, you may wish to contact the health officer responsible for the jurisdiction, and/or the physician, before you sign this endorsement.

Instructions

Location	Old Version	New Version
Page 1, Who May File This Form I-690?	1. Applicants Who Require a Waiver for Human Immunodeficiency Virus (HIV) or Tuberculosis (TB). The physician or medical facility that will provide the required treatment to you	1. Applicants Who Require a Waiver for Tuberculosis (TB) The physician or medical facility that will provide the required treatment to you

	<p>must fill out Part C of the accompanying TB/HIV supplement. If that physician or health care facility is not part of the state or local health department, the local health department in the jurisdiction where you will reside must also complete and sign Part D. If you are outside of the United States, a relative in the United States must complete this process for you.</p> <p>After the TB/HIV supplement is completed, attach the supporting documents and file your waiver application. If you are inadmissible because of HIV and/or TB and your waiver application does not include a properly completed HIV/TB supplement, your waiver application will be returned to you.</p>	<p>must fill out Part C of the accompanying TB supplement. If that physician or health care facility is not part of the state or local health department, the local health department in the jurisdiction where you will reside must also complete and sign Part D. If you are outside of the United States, a relative in the United States must complete this process for you.</p> <p>After the TB supplement is completed, attach the supporting documents and file your waiver application. If you are inadmissible because of TB and your waiver application does not include a properly completed TB supplement, your waiver application will be returned to you.</p>
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Justification for these changes:

a. Background

An alien seeking to enter the United States is inadmissible to the United States and ineligible to receive a visa to the United States if he or she has any medical conditions listed in Section 212(a)(1)(A) of the Act. Specifically, the Act provides that any alien is inadmissible:

- who is determined (in accordance with the regulations prescribed by the Secretary of Health and Human Services) to have a communicable disease of public health significance. Section 212(a)(1)(A)(i) of the Act.

The division responsible for immigrant health at the Department of Health and Human Services (HHS) is the Centers for Disease Control and Prevention (CDC). The ACIP is an advisory committee to the Department of HHS/CDC that makes the recommendations

on immunizations. Based on the authority granted in section 212(a)(1) and section 232 of the Act, and according to its regulations at 42 CFR 34, CDC sets the parameters of the medical examination of aliens. The result of this medical examination, if conducted in the U.S., is captured on Form I-693, Report of Medical Examination and Vaccination Record, and on Form DS-2053, if the medical examination is conducted outside the United States. If an individual is inadmissible on medical grounds, he or she may have a waiver available. The waiver is filed on [Form I-690].

b) Changes by HHS to remove infection with the Human Immunodeficiency Virus (HIV) from the definition of communicable diseases of public-health significance (42 CFR 34.2(b))

On November 2, 2009, HHS/CDC published a final rule amending the regulatory definition of communicable disease of public health significance and removing infection with the Human Immunodeficiency Virus (HIV) as a communicable disease of public health significance. 74 FR 56547 (November 2, 2009). The rule is effective January 4, 2010.

Accordingly, prior to the implementation of the final rule, infection with HIV was a condition that rendered an individual inadmissible to the United States under section 212(a)(1)(A) of the INA. HIV. If eligible, individuals could file [Form I-690] to overcome the inadmissibility based on HIV infection. Beginning January 4, 2010, nobody should be tested for HIV, and infection with HIV no longer makes an individual inadmissible under section 212(a)(1)(A) of the INA, since HHS removed HIV infection from the list of communicable disease of public health significance.

In order to avoid confusion among all stakeholders, USCIS is seeking to incorporate the new law into [Form I-690] as quickly as possible, by removing any reference to HIV. USCIS would like to insure that individuals are not filing waivers for HIV infection on or after January 4, 2010.

Conclusion

To incorporate HHS' legal changes to the immigration medical requirements, USCIS respectfully requests that the changes listed in the table of changes, be approved as quickly as possible so that on January 4, 2010, USCIS is able to post an updated and accurate version of [Form I-690]. This will assist with the implementation of these changes that are in favor of applicants for immigration benefits, and avoid possible confusion among all stakeholders.