

Responses to 60-day FRN Public Comments
Form I-602 Revision

Comment #	Public Comments	USCIS Response
Comment 1.	Commenter: Betsy Fisher, The International Refugee Assistance Project	
Issue 1	<p>First, the I-602 form imposes an unnecessary burden on refugees filling out the form by requiring the refugee to answer the question “I am inadmissible because:”. This question should be removed from the I-602 form. The Notice of Ineligibility (NOI) lists the specific legal grounds that apply to a refugee, which would allow a refugee to answer the first question of Part 2 of Form I-602. However, the next question asks a refugee to provide specific reasons why they are inadmissible. The NOI does not provide this information; refugees have not been told and often will not know the factual basis used to deem them inadmissible. For instance, refugees may have been rejected on criminal inadmissibility grounds, but may have only false, persecutory arrests and no conviction.</p> <p>Further, USCIS, as the adjudicator who issued the rejection notice, will have far more detail available about the inadmissibility grounds that it has determined to apply to a refugee than the refugee, who is given only a basic form with checkboxes.</p> <p>Refugee should be given specific reasons and factual findings for the inadmissibility grounds in the NOI. Failing that, refugees should not be left to guess as to what facts were used to support a finding of inadmissibility. Until detailed reasons for inadmissibility are listed on the NOI, refugees should not be asked to explain—and often guess at—the basis for inadmissibility— especially since this</p>	<p>Response: USCIS believes this comment is referring to the currently published version of Form I-602, rather than the revised version posted for public comment.</p> <p>USCIS believes that the revised version of Form I-602 addresses the commenters concern. In Part 2. Reasons for Inadmissibility, the proposed text for the revised form states the following:</p> <p><i>“Select all of the following grounds that you believe apply to you, according to what you were told or to the best of your knowledge. [emphasis added]</i></p> <p>...</p> <p><i>I believe or I was told [emphasis added] that I am inadmissible because (select all grounds that you believe apply to you):”</i></p> <p>Therefore, we believe that the revised text makes it clear this applies where a finding of inadmissibility has been made by USCIS, and is meant to reflect USCIS’ understanding that the refugee applicant does not necessarily agree with the finding of inadmissibility, or fully understand why the finding was made. This question is also designed to allow applicants, whether they are applicants seeking admission as refugees, or refugees or asylees in the United States seeking to adjust status to that of a legal permanent resident, the opportunity to obtain a waiver for inadmissibility that has not been previously identified by USCIS. Finally, if a refugee applicant does not believe he or she is inadmissible, the applicant may still provide evidence to refute the finding. For example, if a refugee applicant has been found</p>

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	information is readily available to USCIS RAIO officers already.	inadmissible based on a criminal conviction which was a purely political offense, then the refugee applicant may provide evidence to show this, or evidence that a conviction did not take place.
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Issue 2	Second, USCIS significantly underestimates the time required to complete the I-602 form. USCIS estimates that respondents will require one hour to complete form I-602. In fact, a meaningful response to an I-602 will often require compiling documents, country of origin evidence, and writing a personal statement. Legal representatives and their refugee clients would expect to spend at least 8 hours, and possibly much more, completing the I-602 form and compiling supporting documents. Refugees proceeding pro se also will require much longer than one hour, including researching the reason for inadmissibility listed on the NOI, which is generally listed only by reference to the statutory citation.	Response : In response to the commenter’s observations, USCIS is changing the estimated hour burden per response for this information collection from one hour to eight hours. USCIS will seek additional comment from the public regarding the hour burden in future 60-day notices.