

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
Immigrant Health Insurance Coverage
OMB Number 1405-XXXX**

A. JUSTIFICATION

1. *Why is this collection necessary and what are the legal statutes that allow this?*

Pursuant to sections 212(f) and 215(a) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1182(f) and § 1185(a), and 3 U.S.C. § 301, *The Presidential Proclamation on the Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System* (“PP 9945”) requires immigrant visa applicants to establish, to the satisfaction of a consular officer, that the applicant will be covered by an approved health insurance plan within 30 days of entry into the United States, unless the applicant possesses sufficient financial resources to cover reasonably foreseeable medical costs. Proclamation No. 9945, 84 FR 53991 (Oct. 4, 2019). Section 3 of the Proclamation authorizes the Secretary of State to establish standards and procedures for governing such determinations. *Id.* Emergency review and approval of this information collection is necessary for the Department to implement PP 9945 when it goes into effect on November 3, 2019. PP 9945 was signed on October 4, 2019, and the Department cannot comply with the normal procedures, if it is to implement the Presidential Proclamation on the date it takes effect.

2. *What business purpose is the information gathered going to be used for?*

Consular officers will use the information provided to determine whether an immigrant visa applicant will be covered by an approved health insurance plan within 30 days of entry to the United States, unless the applicant possesses sufficient financial resources to cover reasonably foreseeable medical costs, as required by Presidential Proclamation 9945.

3. *Is this collection able to be completed electronically (e.g. through a website or application)?*

No, consular officers will ask applicants questions regarding health insurance coverage in the United States verbally at the time of interview.

4. *Does this collection duplicate any other collection of information?*

This collection is not duplicative of another existing collection. However, the Department is seeking approval of a separate proposed information collection (DS 5540, Public Charge Questionnaire) through standard procedures that will incorporate this question into a form asking for other financial information from applicants.

5. *Describe any impacts on small business*

This information collection does not directly impact small businesses or other small entities.

6. *What are consequences if this collection is not done?*

This information collection is essential for determining whether certain applicants will be covered by an approved health insurance plan within 30 days of entry to the United States, unless the applicant possesses sufficient financial resources to cover reasonably foreseeable medical costs.

7. ***Are there any special collection circumstances (e.g. responding in less than 30 days, excessive record retention, or requiring submission of proprietary trade secrets)?***

Other than the November 3, 2019, effective date of Presidential Proclamation 9945, no special circumstances exist.

8. ***Document publication (or intent to publish) a request for public comments in the Federal Register***

The Department of State (Visa Office, Bureau of Consular Affairs) will solicit public comments on this collection via a Public Notice in the Federal Register.

9. ***Are any payments or gifts given to the respondents?***

No payment or gift is provided to respondents.

10. ***Describe assurances of privacy/confidentiality***

In accordance with INA section 222(f), 8 U.S.C. § 1202(f), information obtained from applicants in the nonimmigrant or immigrant visa application process is considered confidential and is to be used only for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States, except that, in the discretion of the Secretary of State, it may be made available to a court or provided to a foreign government if the relevant requirements stated in INA section 222(f), 8 U.S.C. § 1202(f), are satisfied.

11. ***Are any questions of a sensitive nature asked?***

The questions in the collection are designed to solicit the information necessary to determine whether an applicant will be covered by an approved health insurance plan within 30 days of entry to the United States, unless the applicant possesses sufficient financial resources to cover reasonably foreseeable medical costs.

The proposed questions are similar in nature to questions currently on the immigrant visa application forms and thus do not, for the most part, present new or unusual sensitivities. The Department recognizes that medical conditions can be inherently sensitive information, however, this information collection does not solicit any additional questions about medical conditions. The Department has separate medical forms, Forms DS-3030, DS-2054, DS-3025, and DS-3026, which specifically collect information on medical conditions. These questions simply request information necessary to determine whether the applicant will be covered by an approved health insurance plan within 30 days of entry to the United States, unless the applicant possesses sufficient financial resources to cover reasonably foreseeable medical costs.

12. ***Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection***

The Department estimates that 450,500 individuals per year will be asked to answer these questions. The average burden per response is estimated to be 10 minutes.

Therefore, the Department estimates that the annual hour burden to visa applicants posed by the additional healthcare insurance coverage question is 75,083 hours (450,500 applicants x 10 minutes). The weighted wage hour cost burden for this collection is \$1,875,573 based on the calculation of \$24.98¹ (average hourly wage) x 75,083 hours = \$1,875,573.

13. Describe any monetary burden on the respondent needed to complete this collection

There are no anticipated monetary burdens associated with the additional questions posed as part of this information collection. While Presidential Proclamation 9945 may add monetary burdens to certain immigrant applicants by requiring health insurance coverage, this information collection is not imposing a burden and is only necessary to implement PP 9945.

14. Describe the cost to the Federal Government to complete this collection

There are no additional costs to the federal government as a result of the additional questions.

15. Explain any changes/adjustments to this collection since the previous submission

This is a new information collection.

16. Specify if the data gathered by this collection will be published

The information gathered by this collection will not be published.

17. Explain the reasons for seeking approval to not display the OMB expiration date

The OMB expiration date cannot be displayed because the Department will not be using a form for this information collection. Rather, consular officers will verbally ask applicants at the time of the visa interview. However, the Department is seeking approval of a separate proposed information collection (DS-5540, Public Charge Questionnaire) through standard procedures that will incorporate this question into a form asking for other financial information from applicants.

18. Explain any exceptions to the OMB certification statement

The Department is not requesting any exceptions to the certification statement requirements.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

¹ Source: Data from the U.S. Bureau of Labor Statistics' May 2018 National Occupational Employment and Wage Estimates for all occupations (https://www.bls.gov/oes/current/oes_nat.htm#00-0000). Retrieved September 23, 2019.