

**Supporting Statement
Application for Waiver of Passport and/or Visa (DHS Form I-193)
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.**

The data collected on DHS Form I-193, Application for Waiver of Passport and/or Visa, allows CBP to determine an applicant's identity, alienage, claim to legal status in the United States, and eligibility to enter the United States under 8 CFR 211.1(b)(3) and 212.1(g). DHS Form I-193 is an application completed via oral interview by a CBP Officer with a nonimmigrant alien seeking admission to the United States requesting a waiver of passport and/or visa requirements due to an unforeseen emergency. It is also an application for an immigration alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence aboard requesting a waiver of documentary requirements for good cause. The waiver of the documentary requirements and the information collected on DHS Form I-193 is authorized by Sections 212(a)(7), 212(d)(4), and 212(k) of the Immigration and Nationality Act, as amended, and 8 CFR 211.1(b)(3) and 212.1(g). This form is accessible at <https://www.uscis.gov/i-193>.

- 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 CBP to determine an applicant's identity, alienage, an alien's claim to legal status in the United States and eligibility to enter the United States under 8 CFR 211.1(b)(3) and 212.1(g) INA.

- 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.**

CBP Officers complete this form at a Port of Entry during the inspection of the applicant for admission and the applicant for admission is applying for the waiver of the documentary requirements. The form is completed with the waiver recipient present. The recipient then signs the form certifying that the information on the form

is true and correct. CBP does not submit this form electronically.

The applicant for admission may also prepare the form from the USCIS.gov website and either present the form in conjunction with an application for admission or an application for adjustment of status by U.S. Citizenship and Immigration Services (USCIS).

Usability Testing:

As part of our agile release cycle process with USEC we perform pre-deployment testing, receive feedback from field users, and review usability prior to implementing form updates and systems workflows. Users agree the form is understandable with no recommendations for changes.

- 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 describe any methods used to minimize burden.**

This information collection does not have an impact on small businesses or other small entities.

- 6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the information was not collected or 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). This would result in causing delays for aliens traveling under emergency circumstances.

- 7. Explain any special circumstances.**

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, including a 60-day FRN published on April 10, 2024 (89 FR 25277) on which no comments were received. As well as, a 30-day notice published on October 01, 2024 (89 FR 79940) on which no comments have been 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.

A SORN for the Immigration Services Benefits Information System was published on October 19, 2016 (Volume 81, Page 72069) and a PIA entitled “USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum” dated September 5, 2008 will be submitted with this ICR. There are no assurances of confidentiality provided to respondents.

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.

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

INFORMATION COLLECTION	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
I-193	4,167	25,000	1	25,000	10 minutes (.166 hours)

Public Cost

The estimated cost to the respondents is \$273,730. This is based on the estimated burden hours (4,167) multiplied by the average hourly wage rate for all-purpose air travelers (\$65.69). CBP updated the U.S. Department of Transportation’s (DOT) recommended hourly values of travel time savings for intercity, all-purpose travel by air modes by following DOT methodology.¹ CBP assumes a growth rate of 7.88% based on the percent change in the

¹ U.S. Department of Transportation, Office of Transportation Policy. *Benefit-Cost Analysis Guidance for Discretionary Grant Programs*, “Table A-2: Recommended Hourly Values of Travel Time Savings for Intercity, All-Purpose Travel by Surface.”

implicit price deflator from 2022 to 2024, published by the Bureau of Economic Analysis.²

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.

The capital cost to the respondents for this collection of information is $\$695 \times 25,000 = \$17,375,000$. The cost to respondents reflects a \$695 fee that must be submitted with this form.³

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 no cost to the Government associated with this information collection because the costs are offset by the fee listed in 8 CFR 103.7(c)/8 CFR 106.2.

15. Explain the reasons for any program changes or adjustments reported in Items 12 or 13.

There is no change to the burden previously reported for 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 for statistical purposes.

December 2022. Available at: <https://www.transportation.gov/sites/dot.gov/files/2023-12/Benefit%20Cost%20Analysis%20Guidance%202024%20Update.pdf>. Original DOT policy is available at <https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf>. Accessed June 17, 2024.

All-purpose trips are calculated using weighted averages, using distributions of travel by trip purpose on various modes. Distribution for local travel by surface modes: 88.2% personal, 11.8% business. Distribution for intercity travel by conventional surface modes: 78.6% personal, 21.4% business. Distribution for intercity travel by air or high-speed rail: 59.4% personal, 40.6% business. This follows methodology from the U.S. Department of Transportation's "Benefit-Cost Analysis Guidance for Discretionary Grant Programs". Available at: <https://www.transportation.gov/sites/dot.gov/files/2023-12/Benefit%20Cost%20Analysis%20Guidance%202024%20Update.pdf>. Accessed: June 18, 2024

2 To adjust to 2024 dollars, multiply by the 2022 Q1 - 2024 Q1 percent change in the Bureau of Economic Analysis's Implicit Price Deflators for Gross Domestic Product (124.203/107.668-1). See "Table 1.1.9. Implicit Price Deflators for Gross Domestic Product," Line 1 Gross Domestic Product, quarterly. Bureau of Economic Analysis. Updated May 30, 2024. Available at <https://apps.bea.gov/iTable/>

reqid=19&step=2&isuri=1&categories=survey&_gl=1*175tbc1*_ga*MTEyNTU1Nzc4Ny4xNzE3NTEyMTUw*_ga_J4698JNNFT*MTcxOTQzMDIwNS4xLjEuMTcxOTQzMDIzMi4zMy4wLjA.#eyJhcHBpZCI6MTksInN0ZXBzIjpbMSwyLDNdLCJkYXRhIjpbWyJjYXRIZ29yaWVzIiwuU3VydmV5Il0sWyJOSVBBX1RhYmxlX0xpc3QiLCIxMyJdXX0= Accessed June 4, 2024.

3 On January 31, 2024, USCIS published a final rule in the Federal Register (89 FR 6194) updating the fee schedule. The new fee for Form I-193, "Application for Waiver of Passport and/or Visa" is \$695. (<https://www.uscis.gov/forms/filing-fees>).

- 17. If seeking approval to not display the expiration date, explain the reasons that displaying the expiration date would be inappropriate.**

CBP will display the expiration date for OMB approval of this information collection.

- 18. “Certification for Paperwork Reduction Act Submissions.”**

CBP does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.