

**SUPPORTING STATEMENT FOR
APPLICATION FOR WAIVER OF GROUNDS OF INADMISSIBILITY
OMB Control No.: 1615-0032
COLLECTION INSTRUMENT(S): I-690.**

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.**

An individual seeking to adjust status to that of U.S. Permanent Resident under Sections 210 and 245A of the Immigration and Nationality Act (INA or the Act) may request a waiver of a ground of inadmissibility of one or more of the medical grounds stated under Section 212(a) of the Act, by completing and submitting an Application for Waiver of Grounds of Inadmissibility (Form I-690). The information provided through this form allows U.S. Citizenship and Immigration Services (USCIS) to determine an applicant's eligibility for a waiver of health-related ground of inadmissibility.

- 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.**

Respondents that would provide information through Form I-690 to seek a waiver of health-related inadmissibility grounds under Section 212 of the Act, include applicants who are otherwise inadmissible or who are deemed inadmissible into the United States as they:

1. Have been diagnosed with Tuberculosis;
2. Are requesting waiving vaccination requirements under INA 212(a)(1)(A)(ii) due to a religious or moral objection;
3. Have a physical or mental disorder associated with harmful behavior; or
4. Have a substance abuse condition or drug addiction.

USCIS uses the information provided through Form I-690 to grant waivers to individuals who would have otherwise not been allowed to enter the United States. Based upon the instructions provided for each occurrence, a respondent can gather and submit the required documentation to USCIS for consideration of a waiver to a finding of "inadmissible" based on one of the four instances mentioned immediately above. Upon receiving the request, USCIS will review all of the information provided to determine if

the specific requirements under Section 212 of the Act have been met. USCIS will also use the information provided to determine that the issue that requires a waiver will be properly addressed by the respondent after admission to the United States to ensure, when applicable, that the condition that required the waiver does not change to the point where the waiver would no longer be deemed valid.

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.**

Form I-690, along with its Supplement and instructions, is available electronically at USCIS's Website at:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=1b22dc89b365d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD>.

The form can be downloaded, completed and saved electronically. The form, along with the required supporting documentation and filing fee must be mailed to the USCIS office that has jurisdiction over the respondent.

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.**

There are no other information collection activities that capture this data either inside or outside of USCIS.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

There is no impact to small businesses or other small entities for the completion of the I-690. This form is completed by individuals seeking a waiver and, while they may engage the services of a doctor or other small business entity, those activities are part of the doctor/small business function and no unnecessary burden is placed upon them as a result of the collection activities associated with this type of request.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Individuals who meet certain criteria under Sections 210 and 245A of the Act, but are otherwise deemed inadmissible to the United States, can petition for a waiver so that they may enter the country. If this information collection activity did not occur, those individuals who otherwise qualify for waivers of health-related inadmissibility grounds would not be able to legally enter the United States.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines stated in 5 CFR 1320.5(d)(2).

- 8. If applicable, provide a copy and identify the data 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.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On September 19, 2014 USCIS published a 60-day notice in the Federal Register at 79 FR 56384. USCIS did receive a comment after publishing that notice.

A general comment was received from a member of public stating that "there should be no waivers given [in the United States]..." USCIS thanks the commenter for this general comment and interest in the collection. USCIS, however, will not be making any changes to the Form I-690 based on this general comment.

On November 24, 2014, USCIS published a 30-day notice in the Federal Register at 79 FR 69873. USCIS has not received comments to the date.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

USCIS does not provide any kind of payment or gifts to respondents submitting information through this form for the benefit sought.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.**

There is no assurance of confidentiality. The system of record notice associated with this information collection is United States Citizenship and Immigration Services Benefits Information System, which was published in the Federal Register on September 29, 2008 at 73 FR 56596. The privacy impact assessment associated with this information

collection is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum dated September 5, 2008.

- 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 questions of a sensitive nature related to the respondent's medical history. USCIS is explicitly authorized to collect this information under 8 U.S.C. 1182.

- 12. Provide estimates of the hour burden of the collection of information. The statement should:**
 - Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
 - Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals or Households	Application for Waiver on Grounds of Inadmissibility/Form I-690	22	1	Approx. 3 hours	66	\$31.26	\$2,063.16
Individuals or Households	Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations)	11**	1	Approx. 2 hours	22	\$31.26	\$687.72
Total		22			88		\$2,750.88

* The above Average Hourly Wage Rate is the [May 2013 Bureau of Labor Statistics](#) average wage for “All Occupations” of \$22.33 times the wage rate benefit multiplier of 1.4 (to account for fringe benefits) equaling \$31.26. The selection of “All Occupations” (for example) was chosen as the expected respondents for this collection could be expected to be from any occupation.

** USCIS currently estimates that 11 respondents, of the total number of respondents that might submit a Form I-690 (22 respondents), might file a Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations).

NOTES ON BURDEN:

Personal statements: This information collection also provides that if the waiver application is based on religious or moral objections to vaccinations, the applicant must submit a personal statement through which the applicant must establish that he or she: objects to vaccinations in any form; and objects to vaccinations because of religious beliefs or moral convictions; and his or her beliefs are sincere. A third party may prepare the statement on behalf of the applicant and it might require a payment for

providing that service. USCIS does not receive a high volume of this type of application. As indicated above, USCIS's most recent estimates anticipate the filing of approximately 22 applications. Not all applicants must provide this type of statement, only applicants requesting a waiver for vaccination requirement will have to submit such statement. USCIS continues to request public comments on the burden associated with the preparation of this type of statement. USCIS estimates that less than half of the applicants that request waivers under Section 212(a)(1) of the INA would submit this specific waiver request for which they must submit a statement.

- 13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**
- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
 - **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
 - **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.**

There is no capital, start-up, operational or maintenance cost associated with this collection of information. For informational purposes only, there is a fee cost to respondents of \$200 per I-690 submission. In addition, USCIS estimates that respondents will incur an estimated out of pocket cost of \$3.75 average postage cost associated with the submission of the completed package to USCIS.

Fee associated with submission (22 respondents x \$200) = \$4,400
(See response to Question 14)

Postage to mail completed package (22 x \$3.75 average postage) = \$ 82.50

This information collection may impose some additional out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Many respondents may incur expenses to obtain, medical, educational, or religious records. For form preparation, legal services, translators, and document search and generation, USCIS estimates the average cost of this information collection may vary widely, from as little as \$20 to \$1000 per respondent. USCIS estimates that the average cost for these activities is \$490 and that an average of 30% of the total respondent population may incur this cost. The total cost to respondents would generate as follows: 22 respondents x 30% of the population = 6.6 (respondents) multiplied by the average cost per response of \$490 = \$3,234.

In addition, USCIS is currently seeking comments on the cost associated with the completion and submission of Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations).

- 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. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Annualized Cost Analysis:

a.	Printing Cost	\$	40
b.	Collection and Processing Cost	\$	4,360
c.	Total Cost to the Federal Government	\$	4,400

Government Cost

The estimated cost of the program to the Government is \$4,400. This figure is derived by multiplying 22, the number of respondents, x \$200 the suggested fee charge (which includes the suggested average hourly rate for clerical, officer, and supervisory time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form). USCIS will provide a more detailed breakdown of the government costs for this program in its subsequent information collection request which will be submitted to OMB and subject to notice and comment.

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
I-690				222	66	156
Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations)				0	22	22
Total(s)				222	88	178

This change can be attributed to a change on the estimate for the number of respondents. USCIS previously reported 74 respondents, while it now reports 22 respondents which causes a decrease on the total burden hour estimate. USCIS is also now disclosing the estimated number of respondents that would file Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations), as well as the burden hours associated with that supplement.

USCIS has made some revisions to this collection during this renewal cycle. The revisions will add clarity to the form, its supplement, and the instructions. USCIS is also incorporating some newly adopted standardized language, commonly used in USCIS forms.

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

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

- 18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB 83-I.**

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

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.