

## **SUPPORTING STATEMENT**

### **Request to Enforce Affidavit of Financial Support and Intent to Petition for Custody for Public Law 97-359 Amerasian**

**Form I-363**

**OMB No. 1615-0022**

#### **A. JUSTIFICATION:**

1. The use of this information collection is mandated by Public Law 97-359, Preferential Treatment in the Admission of Certain Children of United States Citizens, relating to immigration benefits for certain Amerasian aliens. This form will be used to determine whether an affidavit of financial support and intent to petition for legal custody, Form I-361, requires enforcement.
2. Public Law 97-359 provides that the affidavit of financial support may be enforced with respect to an alien against the alien's sponsor in a civil suit. The information on this form provides the USCIS with information to determine if such enforcement is necessary. USCIS made minor changes to the instructions on this form (see table of changes).
3. The use of this form currently provides the most efficient means for collecting and processing the required data. In this case the U.S. Citizenship and Immigration Services (USCIS) does not employ the use of information technology in collecting and processing information. This form has been designated for e-filing under the Business Transformation Project.

4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available which can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. This information collection is used to ensure the financial support of an Amerasian child of a U.S. citizen. Without the use of this information collection, the USCIS is not able to ensure the child does not become a public charge. This collection is the vehicle by which a beneficiary requires enforcement of the guarantee of financial support and intent to petition for legal custody executed by the beneficiary's sponsor.
7. There are no special circumstances applicable to this information collection.
8. On March 17, 2008, USCIS published a 60-day notice in the Federal Register at 73 FR 14262. USCIS did not receive any comments for this information collection.
9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. There are no questions of a sensitive nature.
12. Annual Reporting Burden:

a.	Number of Respondents	50
b.	Number of Responses per Respondent	1
c.	Total Annual Responses	50
d.	Hours per Response	.50
e.	Total Annual Reporting Burden	25

**Annual Reporting Burden**

**The annual reporting burden is 25.** This figure was derived by multiplying the number of respondents (50) x frequency of response (1) x hours per response 30 minutes (.50).

**Public Cost**

**The estimated annual public cost is \$ 250.** This estimate is based on the number of respondents 50 x (.50) hours per response x \$10 (average hourly rate).

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this information collection are identified in Item 14.

***There are no fee charges associated with the collection of this information.***

14. Annualized Cost Analysis:

a.	Printing Cost	\$	10
b.	Collection and Processing Cost	\$	2,000
c.	Total Cost to Program	\$	2,010
d.	Fee Charge	\$	0
e.	Total Cost to Government	\$	2,010

**Government Cost**

**The estimated cost of the program to the Government is \$2,010.** This figure is calculated by using the estimated number of respondents (50) multiplied (x) by one hour (USCIS time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits). In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form which is \$10.

15. There has been no increase or decrease in the estimated burden hours previously reported for this information collection.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.
17. USCIS will display the expiration date of OMB approval for this information collection.
18. USCIS does not request an exception to the certification of this information collection.

**B. Collection of Information Employing Statistical Methods.**

Not applicable.

**C. Certification and Signature.**

**PAPERWORK CERTIFICATION**

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

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**Stephen R. Tarragon**  
Acting Chief  
Regulatory Management Division  
U.S. Citizenship and Immigration Services.

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Date