

## **SUPPORTING STATEMENT**

### **Petition for Amerasian, Widow(er), or Special Immigrant**

#### **Form I-360**

**(OMB No. 1615-0020)**

#### **A. Justification.**

1. As provided in section 204 of the Immigration and Nationality Act certain aliens seeking to immigrate to the United States may be classified under specific categories. These categories are as follows: an Amerasian; a widow or widower; a battered spouse or child of a U.S. citizen or lawful permanent resident; and a special immigrant (religious worker, Panama Canal Company employee, Canal Zone government employee, U.S. government employee in the Canal Zone, physician, international organization employee or family member, juvenile court dependent or armed forces member). Form I-360 is used by these aliens who seek to be classified as eligible for the benefit.
2. The Form I-360 may be used by several prospective classes of aliens who intend to establish their eligibility to immigrate to the United States. The data collected on this form is reviewed by U.S. Citizenship and Immigration Services (USCIS) to determine if the petitioner may be qualified to obtain the benefit. USCIS will be submitting an OMB 83-C (Correction Worksheet) to OMB to add the requirement for special immigrant classification for certain Afghan nationals covered under Public Law 111-8.
3. The use of this form currently provides the most efficient means for collecting and processing the required data. This form can be completed electronically but cannot be submitted electronically. However, this form has been designated for e-filing under the Business Transformation Project.

4. A search of USCIS' automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. This collection of information does not have a significant impact on small businesses or other small entities.
6. The collection of information is required to determine whether the petitioner may be classified as eligible for the immigration benefit. Without this specific form, these aliens would need to spend numerous hours studying the appropriate law and regulations to document their particular status in a detailed narrative or by other means.
7. There are no special circumstances applicable to this information collection.
8. On June 30, 2010, USCIS published a 60-day notice in the Federal Register at 75 FR 37820. On October 25, 2010, USCIS published a 30-day notice in the Federal Register at 75 FR 65500. USCIS did not receive any comments
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. The category of self-petitioning spouse or child of an abusive U.S. Citizen or Lawful Permanent Resident must provide evidence of abuse suffered, which is considered sensitive information. These aliens must provide this information so that USCIS may decide their eligibility for this classification.

12.	<b><u>Annual Reporting Burden:</u></b>	Non-Iraqi and Afghan	Iraqi and Afghan	Religious Workers
a.	Number of Respondents	7,969	6,500	4,700
b.	Number of Responses per Respondent	1	1	1

c.	Total Annual Responses	7,969	6,500	4,700
d.	Hours per Response	2	3	2.25
e.	Total Annual Reporting Burden	15,938	19,500	10,575

**Annual Burden Hours**

**Total annual reporting burden hours is 46,013.** This is calculated by multiplying the number of respondents (7,969) x (1) number of responses x (2) hours per response; plus the number of Iraqi and Afghan respondents (6,500) x (1) number of responses x (3) hours per response; plus number of respondents for Religious Workers) (4,700) x (1) number of responses x (2.25) (2 hours and 15 minutes) per response.

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 is a \$405 fee charge associated with the collection of this information and a \$85 charge for biometrics. However there is no fee charge or biometrics charge for Iraqi translators and certain Afghans covered under Public Law 111-8.

14. **Annualized Cost Analysis:**

a.	Printing Cost	\$ 11,084
b.	Collection and Processing Cost	\$ 9,381,726
c.	Total Cost to Program	\$ 9,392,810
d.	Fee Charge	\$ 6,207,810
e.	Total Cost to Government	\$ 3,185,000

**Government Cost**

**The estimated cost of the program to the Government is \$3,185,000.** This estimate is calculated by multiplying the estimated total number of respondents (19,169) multiplied

(x) by the \$405 fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form); plus the number of respondents (19,169) multiplied by the (\$85) biometrics fee. Since there is no fee or biometric charge for Iraqi Translators and certain Afghan nationals covered under Public Law 111-8, USCIS is losing the revenue that would be generated by processing these requests equating to \$3,185,000 (6,500 respondents x \$490 (\$405 fee charge and \$85 biometric fee)).

### **Public Cost**

**The estimated annual public burden cost is \$1,375,285.** This estimate is based on the number of respondents (7,969) x (2) hours per response; plus (4,700) Religious Workers x (2.25) (2 hours and 15 minutes) per response; plus (6,500) Iraqi Translators and certain Afghans covered under Public Law 111-8 x (3) hours per response x \$29.89 (average hourly rate).

**The estimated annual fee cost is \$6,207,810.** This estimate is based on the number of respondents paying the fee (12,669) x (\$405) fee; plus the number of respondents paying the biometric fee (12,669) x (\$85) fee.

15. There is an increase of 387 in the annual burden hours previously reported for this information collection. Upon further review by USCIS, it was determined that we mistakenly calculated the total burden hours in the OMB 83-C Correction Worksheet as 45,626 when it should have been 46,013. There has been no change to the information being collected.

- 16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
- 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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**Sunday Aigbe,**  
Chief,  
Regulatory Products Division,  
U.S. Citizenship and Immigration Services,  
Department of Homeland Security.

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**Date**