

**SUPPORTING STATEMENT FOR:  
Petition to Classify Orphan as an Immediate Relative;  
Application for Advance Processing of Orphan Petition; Supplement 1, Listing of Adult  
Member of the Household.  
OMB Control No.: 1615-0028  
COLLECTION INSTRUMENT(S): Form I-600; I-600A and Supplement 1.**

**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.*

Section 204(a)(1)(A)(i) of the Immigration and Nationality Act (INA) permits a U.S. citizen to file a petition to classify the citizen's "child" as eligible to apply for an immigrant visa as an "immediate relative," under section 201(b) of the INA in order to come to the United States for admission as a permanent resident. One of the ways a foreign national (who is unmarried and under the age of 21) can qualify as the "child" of a citizen is that the foreign national is an "orphan," as defined by section 101(b)(1)(F) of the INA who either has been adopted by the citizen, or is coming to the United States to be adopted by the citizen. U.S. Citizenship and Immigration Services (USCIS) must, under section 204(b) of the INA, investigate every immigrant visa petition to determine whether the beneficiary qualifies for the immigrant visa classification that is sought. For an "orphan" case, USCIS may approve the petition only if USCIS is satisfied that the orphan will receive proper parental care. Section 204(d) of the INA requires the submission of an adoption home study in every orphan petition case.

USCIS has designated Form I-600 as the visa petition that a U.S. citizen files to obtain a formal USCIS adjudication whether a child beneficiary, whom the citizen has adopted or intends to adopt, is an eligible orphan as defined by section 101(b)(1)(F) of the Immigration and Nationality Act (INA) and deemed to be an "immediate relative" under section 201(b) of the INA. The citizen submits with Form I-600 the home study required by section 204(d) of the INA, evidence that the child qualifies as an "orphan," and evidence that the citizen either has adopted the child or will be able to adopt the child in the United States after the child's arrival in the United States. If USCIS approves the Form I-600, the citizen can then apply to a U.S. consulate abroad for issuance of an immigrant visa for the child.

In many cases, the citizen begins the adoption process before a placement agency or other appropriate authority abroad has proposed a specific adoption placement. To facilitate these cases, USCIS designated Form I-600A as an application the citizen can file, with the home study requirement by section 204(d) of the INA, to obtain a formal decision on the "proper parental care" issue even before there is a specific placement. If

the citizen obtains approval of the Form I-600A, then, when the citizen files Form I-600, the “proper care” issue has already been addressed. Thus, absent significant changes in the household, the citizen only needs to present with the Form I-600 evidence that the specific child that has been or will be adopted is an “orphan,” and that a valid adoption either has taken place or will take place in the United States. A citizen is never required to file a Form I-600A. It is always permissible to wait until an adoption placement has been made, and submit all of the evidence together at one time with the Form I-600. But filing the Form I-600A before receiving a specific adoption placement can serve to shorten the time that it can take to adjudicate a Form I-600.

A single filing fee applies, regardless of whether the citizen files just the Form I-600 or files both a Form I-600A and then a Form I-600.

As part of the determination whether an adopted child will receive proper care, 8 C.F.R. 204.3(e) requires a home study to address any adult member of the prospective adoptive family’s household, in addition to the citizen and his or her spouse. Each adult member of the household must be fingerprinted, interviewed by the home study preparer, and evaluated in the home study. Supplement 1 allows for more efficient capture of necessary information about adult household members so that USCIS can more expeditiously identify these individuals as well as schedule the necessary security checks.

As noted, section 204(a)(1)(A)(i) of the INA provides for the filing of visa petitions by citizens for their close relatives who wish to immigrate. Section 103(a)(3) of the INA, in turn, authorizes the Secretary of Homeland Security to prescribe the form of the papers to be filed to obtain immigration benefits. With respect to the Form I-600, Form I-600A and Supplement 1, USCIS exercises this authority on the Secretary’s behalf by virtue of DHS Delegation Memorandum 150.1 (June 5, 2003).

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.*

An U.S. prospective adoptive parent may file Form I-600A in advance of the Form I-600 filing and USCIS will make a determination regarding their eligibility to file Form I-600A and their suitability to properly parent an orphan. USCIS has exclusive jurisdiction over Form I-600A adjudications and collects evidence such as a USCIS compliant home study, civil documents regarding birth and marriage (if any) as well as identity documentation for each prospective adoptive parent and adult member of the household.

An U.S. adoptive parent may file a petition to classify an orphan as an immediate relative through Form I-600 under section 101(b)(1)(F) of the INA. In this adjudication, USCIS will use the information collected about the child to determine if the child is eligible as

an orphan under 101(b)(1)(F).

If a U.S. prospective/adoptive parent has an adult member living within their household, they will include the Supplement 1 when filing both Form I-600A and Form I-600. The Supplement 1 must be completed and signed by the adult member of the household. As stated above, Supplement 1 allows for more efficient capture of necessary information about adult household members so that USCIS can expeditiously identify these individuals as well as schedule the necessary security checks.

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.*

The use of Forms I-600, I-600A and Supplement 1 provides the most efficient means for collecting and processing the data required for adjudicating these requests. These forms, and their instructions, reside on the USCIS Web site at <http://www.uscis.gov/i-600> and <http://www.uscis.gov/i-600a>. Once approved for use, Supplement 1 will also be made electronically available. These forms can be downloaded, completed and saved electronically. The forms, along with the required supporting documentation, must be mailed to the USCIS office that has jurisdiction over the respondent. USCIS has designated these forms for e-filing under the Business Transformation Project. Due to partial GPEA compliance of allowing for accessing, completing and saving the form electronically, USCIS respectfully requests at least 2-year approval as it continues to move towards full GPEA compliance for all forms.

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.*

USCIS has investigated its internal processes, files and data as well as those of other Federal agencies that may service the same population. USCIS was not able to find any other means by which the information necessary for this process could be obtained except for the use of the forms submitted for approval in this request. USCIS will continue to examine ways in which information may be obtained from other sources and any identified duplications can be minimized or removed.

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.*

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

entities.

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.*

The collection of this information is required to determine eligibility and suitability of U.S. adopting parents and the eligibility of the orphan(s) they plan to adopt (or have already adopted). Without this information, USCIS would not be able to determine whether a child whom a citizen had adopted or intended to adopt was eligible to immigrate to the United States as an orphan under INA 101(b)(1)(F). Additionally, without these forms the processing of orphan petitions would be protracted.

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.*

There are no special circumstances applicable to this information collection. This information collection is conducted in a manner consistent with the guidelines 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 October 30, 2012, USCIS published a 60-day information collection notice in the Federal Register at 77 FR 65709. USCIS received two comments in connection with the information with that publication.

A commenter indicated that American taxpayers/citizens do not want to bring orphan children into the United States, as it is not necessary and the entire program [that facilitates this process] should be shut down and defunded, and as this collection is not necessary, it should not be enhanced. The commenter further stated that the agency always underestimates the cost of programs and American taxpayers bear the cost of this program.

The United States supports the Hague Adoption Convention Preamble, which states: "The child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding...Intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin."

To this end, USCIS relies on *Form I-600A/Form I-600, Supplement 1, Listing of Adult Household Member Supplement* to ensure that, in furtherance of the best interests of the child, orphan adoptees (as defined in INA section 101(b)(F)), her or she enters safe U.S.

households. *Supplement 1* is to be completed by every adult member (age 18 and older), who lives in the home of the prospective adoptive parent(s), except for the spouse of the applicant/petitioner.

The information collected through these forms will enable the U.S. Government to work to ensure that all adult household members of an adoptive parent or adoptive parents have suitable backgrounds to live in the same household an orphan adoptee.

This determination on adult household members will enable USCIS, pursuant to 8 C.F.R. 204.3, to adjudicate the suitability and eligibility of prospective adoptive U.S. parents to adopt certain foreign children as orphan adoptees, as defined in INA section 101(b)(F). *Supplement 1* is therefore necessary for the proper performance of the functions of the agency and will have practical utility.

Another commenter indicated that “[t]he proposed revisions do provide additional information and clarity that should enable the person to better understand what is needed, thus allowing the person to complete the form more quickly and accurately.” USCIS is also pleased that AILA believes that “the Service has done an admirable job in its effort to attain this goal.” The commenter further stated that “the Service has done an admirable job in its effort to attain this goal.” The same commenter considers that “[t]he furnishing of biometrics for household members is a worthwhile requirement considering the importance of the future safety and well-being of the adopted child” and finds that “[r]equiring the biometrics of all adults living in the household greatly enhances the ability to protect the child. Thus, the added form is a helpful tool in collecting information about such individuals.

USCIS is pleased that the commenter finds that “[t]he proposed revisions do provide additional information and clarity that should enable the person to better understand what is needed, thus allowing the person to complete the form more quickly and accurately.” USCIS is also pleased that the commenter believes that “the Service has done an admirable job in its effort to attain this goal.” Moreover, USCIS is pleased that the commenter considers that “[t]he furnishing of biometrics for household members is a worthwhile requirement considering the importance of the future safety and well-being of the adopted child.” USCIS is also pleased that AILA finds that “[r]equiring the biometrics of all adults living in the household greatly enhances the ability to protect the child. Thus, the added form is a helpful tool in collecting information about such individuals.

On January 28, 2013, USCIS published a 30-day information collection notice in the Federal Register at 78 FR 5828. No comments have been received in connection with that publication 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 payments or gifts to respondents in exchange for a 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 records notices associated with this information collection are DHS/USCIS-005 - Inter-Country Adoptions Security System of Records Notice, published on June 5, 2007, at 72 FR 31086 and DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System of Records, published on June 13, 2011, 76 FR 34233. Form I-600 will be covered by the forthcoming ACMS PIA. .

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 person's from whom the information is requested, and any steps to be taken to obtain their consent.*

There are questions of a sensitive nature.

Form I-600:

Q16. *The beneficiary is an orphan because (check one):*

*He or she has no parents*

*He or she has only one parent who is the sole or surviving parent*

STATEMENT OF NEED: This question is relevant to assess a child's eligibility as an orphan under INA 101(b)(1)(F).

Q17. *If the orphan has only one parent, answer the following:*

a. *State what has become of the other parent:*

b. *Is the remaining parent capable of providing for the orphan's support? No or Yes*

c. *Has the remaining parent in writing irrevocably released the orphan for emigration and adoption? No or Yes*

STATEMENT OF NEED: This question is relevant to assess a child's eligibility as an orphan under INA 101(b)(1)(F).

Q20. *To petitioner's knowledge, does the orphan have any physical or mental affliction? No or Yes.*

*If “Yes,” name the affliction*

STATEMENT OF NEED: Under INA 204(d), USCIS must be satisfied that the orphan will receive proper parental care. Further, under 8 CFR 204.3(e)(4)&(6), the home study must contain a discussion of the prospective adoptive parent(s) preparation, willingness, and ability to provide proper care for a child with special needs.

Q21. Who has legal custody of the child?

STATEMENT OF NEED: This question is necessary in order for USCIS to assess a child’s eligibility as an orphan under INA 101(b)(1)(F).

Form I-600A (Q19) and Form I-600 (Q30)

These questions are necessary under Section 504 of the Rehabilitation Act, 29 USC 794(a) - USCIS ask these questions on disability to gather the necessary information to fully comply with section 504 of the Rehabilitation Act, 29 USC 794(a).

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	Petition to classify orphan as immediate relative, Form I-600	3,277	1	.50 hours (30 min)	1,638.5	\$30.44	\$49,876
Individuals or Households	Application for advance processing of orphan petition, Form I-600A	4,699	1	.50 hours (30 min)	2,349.5	\$30.44	\$71,519
Individuals or Households	Supplement 1, Listing of Adult Member of the Household	2,500	1	.25 hours (15 min)	625	\$30.44	\$19,025
Individuals or Households	Biometrics	20,000**	1	1.17 hours	23,400	\$30.44	\$712,296
Total					28,013		<b>\$852,716</b>

*\*The above Average Hourly Wage Rate is calculated from the [May 2011 Bureau of Labor Statistics](#) average wage for “All Occupations” of \$21.74 times the wage rate benefit multiplier of 1.4 equaling \$30.44.*

*\*\* Form I-600 and Supplement 1 respondents must provide biometrics. At this point, USCIS estimates that 20,000 individuals will be fingerprinted in connection with this collection.*

#### **NOTES ON BURDEN:**

1. Affidavits. This information collection also provides that in lieu of primary evidence of eligibility, a petitioner can provide a sworn to affidavit or one affirmed by two persons, in lieu of a birth certificate. An affidavit may require research and preparation by a third party as well as payment for the third party’s effort. At this point, USCIS is developing an estimate of the number of affidavits that may be prepared and submitted

and the time required to prepare and submit such affidavits. USCIS will ask for public input in its request for public comment on this subject and will include an estimate of the information collection burden for affidavits in its regular submission to follow this request.

2. Translations. Respondents might incur burden for translations of documents in foreign languages. USCIS is currently evaluating the estimated burden associated with this activity. USCIS will seek comments on how long this requires and provide estimates in its next submission to OMB based on the results of public comments it receives and information that can be found from other resources.

3. Preparers. Many respondents may hire third parties for form completion so there may be a burden for a preparer to assist in the form completion process. USCIS will request public comment on burden required for preparers on the preparation and submission of this form. USCIS will include the results of the public comments and its own analysis in the next submission following this request.

4. Home Study. Respondents must submit a home study under 8 CFR 204.3(e), conducted and prepared by a person who is authorized under 8 CFR 204.3(b) to prepare such study. This study must be submitted with form I-600A, but in any event, no more than 1 year after the form I-600A is filed. USCIS will request public comments on the burden associated with these studies, in connection with the preparation and submission of form I-600A. USCIS will include the results of the public comments and its own analysis in the next submission following this request.

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.*

For informational purposes only, there is a \$720 fee associated with request filed through form I-600, as well as \$720 fee associated with a request filed through form I-600A. There is also an \$85 biometrics services fee.

There is also a cost burden to respondents for responding to this information collection associated with completing the paperwork. USCIS is gathering information on the amount of those costs as follows:

1. Translations. Respondents might incur burden for translations of documents in foreign languages. USCIS is currently evaluating the estimated burden associated with this activity. USCIS will seek comments on how long this requires and provide estimates in its next submission to OMB based on the results of public comments it receives and information that can be found from other resources.

2. Preparers. Many respondents may hire third parties for form completion so there may be a burden for a preparer to assist in the form completion process. USCIS will request public comment on burden required for preparers on the preparation and submission of this form. USCIS will include the results of the public comments and its own analysis in the next submission following this request.

3. Home Study. Respondents must submit a home study under 8 CFR 204.3(e), conducted and prepared by a person who is authorized under 8 CFR 204.3(b) to prepare such study.

The cost for a home study varies by state and by home study provider. The Department of State website instructs readers to find more information at the Child Welfare Information Gateway website, which contains a report that states: “a private agency adoption facilitator may charge \$1,000 to \$3,000 for the home study. In some cases, the fee for the home study may be included in the overall private attorney or private agency fee.” USCIS will request public comments on the burden associated with these studies, in connection with the preparation and submission of form I-600A. USCIS will include the

results of the public comments and its own analysis in the next submission following this request.

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: \$7,508.06
- b. Collection and Processing Cost: \$7,442,720
- c. Total Cost to Government (funded by USCIS user fee collections):  
\$7,450,228

**Government Cost**

The estimated cost to the government is \$7,450,228, which is funded by USCIS user fee collections, is calculated by multiplying the estimated number of respondents x the fee charge for a collection, in addition to the number of respondents from whom USCIS collects biometrics x \$85 biometric fee. The total cost includes the suggested hourly rate for clerical, officer and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking and distributing and processing of this form. The costs are derived as follows:

- Form I-600 respondents (3,277) x fee charge (\$720); plus
- Form I-600A respondents (4,699) x fee charge (\$720); plus
- Biometrics Respondents (20,000) x fee charge (\$85); plus
- Printing cost (\$7,508.06).

USCIS is analyzing a more detailed breakdown of the costs to USCIS of this information collection and will provide more cost data in our next submission to OMB following this request.

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

The current hour inventory approved for this form is 12,600 hours, and the requested new total hour burden is 28,013, which is an increase of 15,413 burden hours. This increase results from the respondents who will be submitting Supplement 1 and providing a breakdown on the figures for the number of I-600 and I-600A respondents.

USCIS is also including the time burden associated with the collection of biometrics from I-600 petitioners, and the burden associated with the new Supplement 1. See the summary table in question 12. USCIS will provide a more detailed accounting of the effects on the total burden of this information collection resulting from each of these changes in its next information collection request to OMB. In addition to creating Supplement 1, USCIS has made changes to forms I-600 and I-600A for consistency, accuracy and to reflect updated filing instructions.

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.*

USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.

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.*

USIS will display the expiration date of 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.