SUPPORTING STATEMENT FOR
Petition for Amerasian, Widow(er), or Special Immigrant
OMB Control No.: 1615-0020
COLLECTION INSTRUMENT(S): Form I-360

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.

Under section 204 of the Immigration and Nationality Act (INA), certain aliens seeking to immigrate to the United States may be classified in the following specific categories: an Amerasian; a widow or widower; a battered or abused spouse or child of a U.S. citizen or lawful permanent resident; a battered or abused parent of a U.S. citizen son or daughter; or 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; armed forces member; Afghanistan or Iraq national who supported the U.S. Armed Forces as a translator; Iraq national who worked for or on behalf of the U.S. Government in Iraq; or Afghanistan national who worked for or on behalf of the U.S. Government or the International Security Assistance Force [ISAF] in Afghanistan). Form I-360 is used by these aliens who seek to be classified as eligible for the benefit, and provide employment authorization incidental to the approval of a petition as a VAWA self-petitioner under section 204(a)(1)(K) of the INA.

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 Form I-360 may be used by an Amerasian; a widow or widower; a battered or abused spouse or child of a U.S. citizen or lawful permanent resident; a battered or abused parent of a U.S. citizen son or daughter; or 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; armed forces member; Afghanistan or Iraq national who supported the U.S. Armed Forces as a translator; Iraq national who worked for the or on behalf of the U.S. Government in Iraq; or Afghan national who worked for or on behalf of the U.S. Government or the International Security Assistance Force [ISAF] in Afghanistan) 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. The data collected on this form will also be used to issue an employment authorization document

upon approval of the petition for battered or abused spouses, children, and parents, if requested.

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-360 is available online at www.uscis.gov/i-360 has partial Government Paperwork Elimination Act (GPEA) compliance as they can be accessed, completed and saved electronically. This form and associated fees cannot currently be submitted electronically.

Form I-360 can also be downloaded, filled out, and saved electronically, and submitted using PDF Intake Process (PDFi) through a USCIS online account at **https://myaccount.uscis.gov**. The applicant would upload the completed Form I-360 and any supporting documentation, pay any required fee, and file their application as a .pdf online. The burden for setting up a USCIS online account is covered under the USCIS Online Account Access information collection (OMB control number 1615-0122).

Only for the Afghanistan or Iraq nationals who supported the U.S. Armed Forces as a translator and are petitioning as special immigrants, there is an electronic submission method. For the purpose of secure communications with the USCIS Service Centers, the traditional mail service in Iraq and Afghanistan is not a secure method of communication and receiving mail from a U.S. address could endanger the life of the petitioner. The electronic process begins with the receiving of a scanned Form I-360, in PDF format, at the designated e-mail mailbox at the Nebraska Service Center (NSC). All other forms of correspondence, inquiries, Notices of Intent to Deny/Revoke, Denials, etc. will be sent through a separate e-mail mailbox. NSC will print and receipt the attached form. Upon receipt, a copy of the Form I-797, Notice of Receipt, will be encrypted and sent to the e-mail address written on the form. If there is no e-mail address submitted with the form, the Form I-797 will be encrypted and sent electronically to the e-mail address from which the petition was submitted. The officer will encrypt and e-mail the conditional approval notification to the petitioner with instructions to bring the signed original Form I-360 to the consular interview.

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 collection of information is unique to USCIS and is not conducted elsewhere. A review of USCIS Forms Inventory Report revealed no duplication of effort, and there is no similar information currently available nor is the information is accessible from other databases which can be used for this purpose.

USCIS added a checkbox for petitioners filing under the Violence Against Women Act (VAWA) to request employment authorization. This eliminated the need for such VAWA petitioners to apply for employment authorization with a separate Form I-765, Application for Employment Authorization. USCIS updated the respondents for Form I-765, Application for Employment Authorization to reflect this change.

USCIS also transferred and incorporated the fact sheet for prospective employment-based fourth preference (EB-4) petitioners approved under a separate OMB Control No. 1615-0064 (Special Immigrant Visas for Fourth Preference Employment-Based Broadcasters) under the instructions of this information collection for consolidation. USCIS increased the time burden to account for the consolidation of this fact sheet in this information collection; and will discontinue the separate fact sheet, OMB Control No. 1615-0064, when the consolidated instructions are approved for use.

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 a significant 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 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. 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 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.

USCIS is submitting a non-substantive change request to a currently approved collection to OMB. Publication of a Federal Register Notices is not required for a non-substantive change request.

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

USCIS does not provide any payment for 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

- DHS-USCIS-007 - Benefits Information System October 10, 2019 at 84 FR 54622,
- DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556; and
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950.

The associated Privacy Impact Assessment is

- DHS/USCIS/PIA-016 - Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum (CLAIMS 3).

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.

The category of self-petitioning spouse or child of an abusive U.S. citizen or lawful permanent resident and self-petitioning parent of an abusive U.S. citizen son or daughter 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. These questions are not posed in an interrogating nature which could cause undue stress to the self-petitioner.

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.**

		A	B	C (=AxB)	D	E (=CxD)	F	(=ExF)
Type of Respondent	Form Name / Form Number	#. of Respondents	#. of Responses per Respondent	# of Response	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); Iraqi & Afghan Petitioner (paper)	38	1	38	2.917	111	$48.97	5,428.13
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); *Religious Worker* (paper)	48	1	48	2.167	104	$48.97	5,093.66
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); *All others* (paper)	287	1	287	1.917	550	$48.97	26,942.27
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); *Iraqi & Afghan Petitioner (*PDFi)	1,878	1	1,878	2.917	5,478	$48.97	268,263.83
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); *Religious Worker (*PDFi)	2,345	1	2,345	2.167	5,082	$48.97	248,846.69
Individuals or Households	Petition for Amerasian, Widower, or Special Immigration (Form I-360); *All others (*PDFi)	14,075	1	14,075	1.917	26,982	$48.97	1,321,297.52
Total		**18,671**				**38,307**		**$1,875,872**

* *The above Average Hourly Wage Rate is the May 2025 Bureau of Labor Statistics average wage for All Occupations of $33.54 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling $48.97. The selection of "All Occupations" was chosen as the expected respondents for this collection could be expected to be from any occupation.*

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 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.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Some respondents may incur expenses to obtain medical, religious or other supporting records. Costs may include payments for document translation and preparation services, attorney and legal fees, postage, and costs associated with gathering documentation. USCIS estimates that the average cost for these activities is $122.49. The estimated out of pocket cost to respondents is calculated as follows: 18,671 annual respondents multiplied by the average cost per response of $122.49, which equals a total annual cost of **$2,287,080**.

For informational purposes, the filing fee associated with this information collection can

be found in the G-1055, Fee Schedule, at **www.uscis.gov/g-1055.**

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	$	18,289
b.	Collecting and Processing	$	9,633,854
c.	**Total Cost to the Government**	**$**	**9,633,854**

Government Cost

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the clerical, officer, and managerial time with benefits) and immigration benefits provided without a fee charge. As a consequence of USCIS immigration fees being based on resource expenditures related to the benefit in question, USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS. USCIS has established the fee for Form I-360 at *$515*. The estimated cost of the program to the USCIS is then calculated by multiplying the estimated number of respondents (18,671) by the fee ($515), which totals to $9,615,565. The total, including the suggested average hourly rate for clerical, officer and supervisory time with benefits, and the estimated annual overhead cost for printing, stocking, and distributing this form ($18,289) is **$9,633,854.**

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/Instru-ment	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
Petition for Amerasian, Widower, or Special Immigration				5,589	111	-5,478

(Form I-360); *Iraqi & Afghan Petitioners* (paper)						
Petition for Amerasian, Widower, or Special Immigration (Form I-360); *Religious Workers* (paper)				5,186	104	-5,082
Petition for Amerasian, Widower, or Special Immigrant (Form I-360); *All others* (paper)				27,532	550	-26,982
Petition for Amerasian, Widower, or Special Immigration (Form I-360); Iraqi & Afghan Petitioner (PDFi)				0	5,478	5,478
Petition for Amerasian, Widower, or Special Immigration (Form I-360); Religious Worker (PDFi)				0	5,082	5,082
Petition for Amerasian, Widower, or Special Immigration (Form I-360); All others (PDFi)				0	26,982	29,682
Total(s)				**38,307**	**38,307**	**0**

USCIS is reporting no change to the estimated annual hour burden and annual cost burden to respondents for this collection of information as a result of this action. This action is to include the electronic filing option of PDFi for Form I-360, which allows the petitioner to upload a completed Form I-360 .pdf of their petition and any supporting documentation, pay any required fee, and file the petition as a .pdf online. This process

reduces the amount of time and money associated with printing, copying and mailing their petition.

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.