Instructions for Form I-363, Request to Enforce Affidavit of Financial Support and Intent to Petition for Custody for Pub. L. 97-359 Amerasian

Department of Homeland Security
U.S. Citizenship and Immigration Services

What is the Purpose of Form I-363?

A guarantee of financial support and intent to petition for legal custody (Form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody for P. L. 97-359 Amerasian), may be enforced with respect to an alien against the alien's sponsor in a civil suit by using Form I-363.

This action may be brought by the Attorney General in the United States district court for the district in which the sponsor resides, except that the sponsor's estate is not liable under the guarantee if the sponsor dies or is determined to be bankrupt under Title 11, United States Code.

If after admission to the United States, the beneficiary of a petition for a P.L. 97-359 Amerasian requires enforcement of the guarantee of financial support and intent to petition for legal custody executed by the beneficiary's sponsor, the beneficiary may file this form with U.S. Citizenship and Immigration Services (USCIS).

If the beneficiary is under 18 years of age, any agency or individual (other than the sponsor) having legal custody of the applicant may file Form I-363.

General Instructions

Step 1. Fill Out Form I-363

1. Type or print legibly in black ink.

2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.

3. Each application must be properly signed and filed. A photocopy of a signed application or a typewritten name in place of a signature is not acceptable.

Translations
Any document containing a foreign language submitted to USCIS shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

Copies
Unless specifically required that an original document be filed with an application or petition, a legible photocopy may be submitted. Original documents submitted may remain a part of the record, and will not be automatically returned to you.

What Is the Filing Fee?

There is no filing fee for Form I-363, Request to Enforce Affidavit of Financial Support and Intent to Petition for Legal Custody for P.L. 97-359 Amerasian.

Where to File?

This form should be filed with the USCIS district office having jurisdiction over the beneficiary's residence in the United States.

Address Changes

If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at **www.uscis.gov/ addresschange** or contact the National Customer Service Center at 1-800-375-5283.

NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the USCIS Lockbox facilities do not process change of address requests.

Processing Information

Any Form I-363 that is not signed will be rejected with a notice that Form I-363 is deficient. You may correct the deficiency and resubmit Form I-363. Form I-363 is not considered properly filed until accepted by USCIS.

Initial processing
Once Form I-363 has been accepted, it will be checked for completeness. Failure to completely fill out the form may result in the denial of the alien's application.

Requests for more information or interview
We may request more information or evidence, or we may request that you appear at a USCIS office for an interview.

USCIS Forms and Information

To ensure you are using the latest version of this form, visit the USCIS Web site at **www.uscis.gov** where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling our toll-free number at **1-800-870-3676**. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at **1-800-375-5283**. For TDD (hearing impaired) call: **1-800-767-1833**.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, **InfoPass**. To access the system, visit our Web site. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.

USCIS Privacy Act Statement

This form will be used to determine whether Form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody for P. L. 97-359 Amerasian, requires enforcement. It may be furnished to the U.S. Attorney for an enforcement action. Submission of the information required by this form is voluntary, but failure to provide any or all of the information may result in the inability to enforce the affidavit.

Authority for the collection of the information requested on this form is contained in Public Law 97-359 (96 Stat. 1716).

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 30 minutes per response, including the time for reviewing instructions, and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140. OMB No. 1615-0022. **Do not mail your completed Form I-363 to this address.**