



Instructions for 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

USCIS
Form I-363

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

We provide free forms through the USCIS website. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center and ask that we mail a form to you.

Signature. You (or your signing authority) must properly complete your request. USCIS will not accept a stamped or typewritten name in place of any signature on this request. If you are under 14 years of age, your parent or legal guardian may sign the request on your behalf. A legal guardian may also sign for a mentally incompetent person. If your request is not signed, or if the signature is not valid, we will reject your request. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of an original handwritten signature as valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten ink signature.

Filing Fee. There is no filing fee for Form I-363.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them after we receive them.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that they are competent to translate from the foreign language into English. The certification must also include their signature, printed name, the signature date, and their contact information.

USCIS Contact Center. For additional information on the request and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at www.uscis.gov/contactcenter or call at **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

Disability Accommodations/Modifications. To request a disability accommodation/modification, follow the instructions on your appointment notice or at www.uscis.gov/accommodationsinfo.

How to Complete Form I-363

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this request, use the space provided in **Part 7. Additional Information** or attach a separate sheet of paper. Type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks “Provide the name of your current spouse”), type or print “N/A,” unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, “How many children do you have” or “How many times have you departed the United States”), type or print “None,” unless otherwise directed.
4. **USCIS Online Account Number.** You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. The OAN is not the same as an A-Number.
5. **Part 4. Applicant’s Statement, Contact Information, Certification, and Signature.** Select the appropriate box to indicate whether you read this request yourself or whether you had an interpreter assist you. If someone assisted you in completing the request, select the box indicating that you used a preparer. Further, you must sign and date your request and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every request **MUST** contain the signature of the applicant (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.
6. **Part 5. Interpreter’s Contact Information, Certification, and Signature.** If you used anyone as an interpreter to read the instructions and questions on this request to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the request.
7. **Part 6. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Applicant.** This section must contain the signature of the person who completed your request, if other than you, the applicant. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 5.** and **Part 6.** If the person who completed this request is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this request **MUST** sign and date the request. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your request is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your request.

**We recommend that you print or save a copy of your completed request to review in the future
and for your records.**

Where To File?

Please see our website at www.uscis.gov/I-363 for the most current information about where to file this request.

Address Change

If you are not a U.S. citizen, you must notify USCIS of your new address within 10 days of moving from your previous residence. For information on changing your address, go to our website at www.uscis.gov/addresschange, or call the USCIS Contact Center.

NOTE: Do not submit a change of address request to the USCIS Lockbox.

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 USCIS accepts your request, we will check it for completeness. If you do not properly complete this request, you will not establish a basis for your eligibility and we may reject or deny your request.

Requests for More Information. USCIS may request that you provide more information or evidence to support your request. We may also request that you provide the originals of any copies you submit. If we request an original document from you, we will return it to you after USCIS determines it is no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your request. During your interview, USCIS may require you to provide your biometrics to verify your identity and/or update background and security checks.

USCIS Forms and Information

To ensure you are using the latest version of this request, visit www.uscis.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-363, we will deny your request 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

AUTHORITIES: The information requested on this request, and the associated evidence, is collected under the Immigration and Nationality Act, section 101 and Public Law 97-359 (96 Stat. 1716).

PURPOSE: The primary purpose for providing the requested information on this request is 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.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your request.

ROUTINE USES: DHS may share the information you provide on this request with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at www.dhs.gov/privacy. DHS may also make the information available, as appropriate, for law enforcement purposes or in the interest of national security.