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PART VI. WHERE TO FILE

Requests for an S nonimmigrant classification or for an S nonimmigrant to file for adjustment of status, should be sent to:

DOJ-OEO P.O. BOX 7600 Washington, DC 20044-7600

Please note: The Criminal Division will forward certified requests to the INS Commissioner, for adjudication of the request for S classification. No request for S classification may proceed to the INS without the certification of the Criminal Division

PART VII. OTHER INFORMATION

Employment Authorization: Witnesses and informants who have received S nonimmigrant classification are entitled to receive an Employment Authorization Document (EAD), enabling them to seek employment in the United States. Aliens so entitled may request an EAD by filing Form I-765 according to the instructions on that form. Form I-765 may not accompany this form and must be filed separately.

Authority For The Collection Of The Information. The authority to require you to file Form I-854, Inter-Agency Alien Witness and Informant Record, when requesting authorization to bring a witness or informant into the United States, is found at section 101(a)(15)(S) of Act and the Congressional concerns behind that provision. Information you provide on Form I-854 is used determine eligibility for the requested classification/authorization, to record the numbers of requests and determinations made on this form, to track and monitor the alien, and to provide Congress with a required annual report on the admission of alien witnesses and informants. Failure to provide all information as required may result in the denial or rejection of this application. The information you provide may also be disclosed to other Federal, State, local and foreign law enforcement, intelligence and regulatory agencies.

Penalties For Perjury. All statements made in response to questions in this application are declared to be true and correct under penalty of perjury. 18 U.S.C. 1546, provides in part:

Whoever knowingly makes under oath, or as permitted under penality of perjury under 28 U.S.C. 1746, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement - shall be fined in accordance with this title or imprisoned not more than five years, or both.

The knowing placement of false information on this application may subject you and/or the preparer of this application to criminal penalties under Title 18 of the United States Code. The knowing placement of false information on this application may also subject you and/or the preparer to civil penalties under Section 274C of the Act, 8 U.S.C. 1324c. Under 8 U.S.C. 1324c, a person subject to a final order for civil document fraud is deportable from the United States and may be subject to fines.

Paperwork Reduction Act Notice.

We try to create forms and instructions that are accurate. can be easily understood, and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. Accordingly, the reporting burden for this collection of information is computed as follows: (1) learning about the law and form, 60 minutes; (2) completing the form, 75 minutes; and (3) assembling and filing the application 120 minutes, for an estimated average of 4 hours and 15 minutes per response. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to both the Immigration and Naturalization Service, 425 I Street, N.W., Room 5307, Washington, D.C. 20536; and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115-xxxx, Washington, D.C. 20503