

## **SUPPORTING STATEMENT**

### **Application for Naturalization**

#### **Form N-400**

**(OMB No. 1615-0052)**

#### **A. Justification.**

1. The Form N-400 is an application the U.S. Citizenship and Immigration Services (USCIS) provides for the use of immigrants who apply for naturalization (8 CFR 316.4). The USCIS uses the N-400 to determine whether the applicant is eligible for U.S. citizenship.
2. USCIS uses information collected on the N-400 to determine the applicant's eligibility for naturalization.
3. At this time, this form provides the most efficient means for collecting and processing the required data. USCIS has designated this form for e-filing as part of the Business Transformation Project.
4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
5. The collection of information does not have an impact on small businesses or other small entities.
6. The information collected on the Form N-400 is essential to documenting whether the applicant has met all the eligibility requirements for naturalization. If the information collection is not conducted, USCIS would not be able to determine if an applicant's

eligibility requirements for naturalization were met, nor would adjudication officers be able to conduct a meaningful adjudication interview.

7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. On August 12, 2011, USCIS published a 60-day notice in the Federal Register at 76 FR 50236. USCIS received comments from three commenters on the 60-day notice. The following is a summary of each comment and USCIS' response.

Comment 1

On page 3 of addresses and jobs offer a "button" to "add addresses" and "add jobs" similar to "add children" on page 6. This would automatically produce an additional page to write in additional addresses and jobs if they don't all fit on page 3.

USCIS Response:

Due to system limitations, USCIS is unable to offer an address and job continuation "buttons". As such, USCIS instructs applicants to provide additional information on a separate sheet of paper.

Comment 2

On page 5 offer 2 similar "buttons" if more than one previous spouse for applicant or applicant's spouse. This would automatically produce an additional page to write in additional previous spouses.

USCIS Response:

Due system limitations, USCIS is unable to offer a spouse continuation “button”. As such, USCIS instructs applicants to provide additional information on a separate sheet of paper.

Comment 3

What function does the “continuation page” button serve on page 6 under children info? Please delete.

USCIS Response:

If an applicant needs to data enter more children, the applicant must click on “Add Children” and then click “Go to continuation page”. The form will then move to the additional children continuation page for more data entry. USCIS understands that applicants may be confused by the meaning of “continuation page”. We will research the capability of clarifying its definition for the form.

Comment 4

YES and NO questions should automatically uncheck themselves so that only one box can be filled. Like I-485

USCIS Response:

Based upon your suggestion, USCIS will research this option. USCIS is interested in improving the form to assist the applicant completing the form.

Comment 5

Marriage information, page 4, current spouse address should shorten space needed for the STATE box and add a COUNTRY box. And in instructions it should state that if spouse lives with applicant to write “with me” in address box.

USCIS Response:

USCIS intends to update the form to include country box. However, USCIS will not include “with me” in the address box because USCIS still needs the spouse’s complete address in that particular section.

Comment 6

Page 10, person filling application should include email address.

USCIS Response:

USCIS intends to update the form to include a request for a preparer’s email address.

Comment 7

Interpreter information should be added to final page, like I-485.

USCIS Response:

USCIS intends to update the form to include a part requesting interpreter information. The second commenter requests that USCIS remove “to be” in Question #27 located in Section E, Part 10, Page 9. USCIS informs the commenter that this reference will be removed from Form N-400 as a part of its comprehensive review of the form.

#### Comment

Commenter requests that USCIS inform an applicant to file his or her own Form N-400. The commenter also asks that USCIS inform applicants that Parts 8 and 9 are not an indication that those people are also applying for naturalization.

#### USCIS Response

Form N-400 does not state that the application is for multiple people. In fact the application requests information directly from the perspective applicant. Part 8 requests information about the applicant's marital history. It never intimates that the information request confers citizenship to the spouse. Part 9 requests information about applicant's children. It never intimates that the information request confers citizenship to the applicant's children. USCIS will consider the commenter's statement to inform an applicant to file his or her own Form N-400.

#### Comment

Commenter would like information pertaining to the time period that applicants can file Form N-400; "up to 90 days before you have fulfilled the chronological time period of having had lawful permanent resident status for either five or three years."

#### USCIS Response

USCIS has been proactively providing that information in multiple documents. USCIS provides this information in the USCIS publication "A Guide to Naturalization" on page 22. USCIS also provides this information on the USCIS website in the web link below and is linked to the Form N-400 main page web link for USCIS.

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=e6051c613880f210VgnVCM100000082ca60aRCRD&vgnnextchannel=fe529c7755cb9010VgnVCM10000045f3d6a1RCRD>

Comment

Commenter requests that reference to M-476 be removed or provide a link to the publication from the Form N-400 main page.

USCIS Response

M-476 is an essential document for USCIS. It contains important information about the N-400 process that Form N-400 Instructions do not provide. Therefore, USCIS considers it vital to provide that reference in the Form N-400 instructions. USCIS also links the document to the Form N-400 main page on USCIS's website under "Related Links".

Comment

Commenter would like USCIS to simplify the sentence structures in the Form N-400 Instructions.

USCIS Response

Applying for naturalization is a complicated process. USCIS strives to provide plain language verbiage in USCIS documents. However, due to legal requirements, USCIS must draft more detailed verbiage. This is to assist the applicant and USCIS. USCIS strives to support the applicant in ensuring that the applicant understands the requirements for naturalization even though the information may at times be complicated. M-476 assists applicants to further comprehend the requirements.

Comment

Commenter requests that USCIS provides definitions for legal terminology used in Form N-400.

USCIS Response

None of USCIS's N-Forms provides definitions for legal terminology. USCIS would have to provide this service for all USCIS forms and that is not currently a capability. In addition, USCIS has received quite a bit of feedback that Form N-400 Instructions are too long. Provide legal terminology would more than double the Instructions.

Comment

Commenter requests that USCIS defines what "Middle Name" is.

USCIS Response

USCIS notes that the commenter asks whether or not the applicant should consider a "patronymic or a derivative" of the family name or maiden name. The commenter stated in a previous comment that USCIS should simplify the complex structure of USCIS verbiage. The commenter's language is quite complex. Therefore, USCIS is confused by the commenter's previous comments in reference to this comment. "Middle Name" is a plain language reference.

Comment

USCIS needs to clarify what "care of" terminology for applicant's home address.

USCIS Response

Private organizations, public organizations, academic institutions, and many more entities use "care of" on a daily basis. USCIS has provided that reference as those organizations on a common terminology known to thousands of people.

Comment

Commenter would like USCIS to clarify that the United States includes territories of the United States.

#### USCIS Response

The commenter mentioned that the Form N-400 references the Caribbean but that Puerto Rico is located in the Caribbean. USCIS clearly states “outside the United States”.

Puerto Rico is part of the United States as is evidenced that applicants do not have to have a passport to enter Puerto Rico. Yes, it is in the Caribbean but the applicant is also aware that entering other Caribbean countries require that applicants provide a passport to enter that country. In many cases, applicants must apply and receive visas to enter countries in the Caribbean. This is not the case for locations within the United States.

#### Comment

Commenter would like USCIS to instruct the applicant to review the Form N-400 Instructions at the top of the instructions and write in capital letters.

#### USCIS Response

USCIS spends considerable amount of time reviewing, drafting, and submitting the forms and instructions. The instructions are always in the same vicinity on uscis.gov. The instructions and application are printed together and provided at the same time by USCIS. It is up to the applicant to carefully review the form and the instructions before filing Form N-400 with USCIS. USCIS finds that even when information such as suggested are provided that applicants disregard that information. In addition, USCIS does not require applicants to write in capital letters.

#### Comment



Commenter would like USCIS to reference information about each specific form Part to its location in Form N-400.

USCIS Response

USCIS does not provide this reference for any of the N-forms. In addition, USCIS considers it confusing to continuously reference the pages in the instructions to the form. The instructions and form are separate documents to assist the applicant. Therefore, the applicant should feasibly have the instructions and the forms in close proximity with one another. Even if USCIS were to place the page numbers in the instructions, this does not guarantee that the applicant will actively uses that reference.

Comment

Commenter would like USCIS to draft 9 linked boxes for the applicant to provide the A Number in the right corner of each page.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like lengthen the middle name box.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like to bold the question F. “Are either of your parents U.S. citizens?” to maintain consistency.

USCIS Response

None of the information requests surrounding question F are bolded. Therefore, question F is consistent with the questions surrounding it.

Comment

Commenter would like to separate reference to requesting a waiver of the English and/or U.S. History and Government requirement and attaching Form N-648 to Form N-400.

USCIS Response

Requesting a waiver directly correlates with attaching Form N-648 to Form N-400. If the applicant is requesting a waiver then the applicant must submit a Form N-648. As such, USCIS provides the information in the questions to ensure the applicant is aware that the applicant must submit a Form N-648. Separating the question into two parts may cause applicants problems because they may not be aware that answering the question affirmatively requires Form N-648 submission with Form N-400.

Comment

Commenter would like USCIS to provide information about possible waivers of the English language requirements.

USCIS Response

As stated before, the naturalization process is complex. The Instructions provide information to applicants in form completion. M-476 provides more detailed information about the naturalization process requirements that applicants need to meet to enable USCIS to waive the English language requirements. It can be found on Page 26.

Comment

Commenter would like to add “if applicable” to “in care of” because it may not apply to applicants.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like to revise “Hair color” to “Hair color (current)”. Commenter would like to include a line after “Other” for eye color.

USCIS Response

The FBI requires this information. USCIS updates the information accordingly to meet the requirements from the FBI. The Public Comment above has not been suggested to USCIS by the FBI therefore, USCIS is unable to make that adjustment.

Comment

Commenter would like USCIS to underline the word “every” pertaining to the applicant’s employment. Commenter would also like USCIS to provide verbiage requesting applicants provide information about multiple positions that applicants may have had at the same time during the five year period.

USCIS Response

Form N-400 provides verbiage requesting employment information that applicants have held. USCIS is clear in asking for information for every place. In addition, USCIS advises applicants to provide additional information on a separate sheet of paper.

Therefore, USCIS provides detailed explanation of the information requested to complete the application.

Comment

Commenter would like USCIS to limit information requested about regarding trips outside the United States. USCIS currently requests the information since an applicant became a permanent resident. The commenter would like to change that to the past five years.

USCIS Response

While USCIS welcomes comments from the public, there are times where USCIS must maintain information requests as a part of the adjudication process ensuring the integrity of the system. The information request of trips outside the United States is one of those circumstances. Therefore, USCIS will not adjust that verbiage.

Comment

Commenter would like to adjust the verbiage “Spouse’s Family Name (Last Name)” to “Spouse’s Current Family Name (Last Name)”.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like Part 8D to include an additional box for citizenship derived through the applicant’s parents.

USCIS Response

Part 8D refers to the applicant’s spouse. Therefore, USCIS is confused by the comment referring to the applicant’s parents.

Comment

Commenter would like USCIS to draft 9 linked boxes for the applicant’s spouse to provide the A Number in the right corner of each page.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like USCIS to electronically generate continuation pages for Part 8F and 8G.

Response

Unfortunately USCIS does not have the capability of generating continuations pages for Part 8F and 8G at this time.

Comment

Commenter would like Form N-400 to specifically reference stepchildren and adopted children as a part of the “all children” reference.

USCIS Response

Form N-400 provides clear and detailed information about what USCIS considers to be an applicant’s children. This includes “stepsons or stepdaughters or legally adopted” children. Therefore, USCIS does provide that information in reference material used to guide an applicant when completing Form N-400. The applicant can also reference M-476.

Comment

Commenter would like USCIS to draft 9 linked boxes for the applicant’s child to provide the A Number in the right corner of each page.

USCIS Response

USCIS will consider this suggestion and research its possibility.

Comment

Commenter would like to edit over 10 questions in Part 10.

## USCIS Response

USCIS welcomes Public Comments. At the same time, USCIS must ensure that the N-400 process is conducted to ensure integrity. Therefore, those questions are a vital part of USCIS adjudication. Adjusting the questions may change the intent of the questions that USCIS is asking. We are focused on supporting the immigration process while also protecting the United States.

USCIS published a 30-day notice in the Federal Register on November 8, 2011, at 76 FR 69275. USCIS has not received any comments on the 30-day notice to date.

9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality. The associated system of records notice for this information collection is United States Citizenship and Immigration Services Benefits Information System. Published in the Federal Register on September 29, 2008 at 73 FR 56596. The related privacy impact assessment is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum.
11. There are no questions of a sensitive nature.

12. **Annual Reporting Burden:**

a.	Number of Respondents	693,890
b.	Number of Responses per each Respondent	1
c.	Total Annual Responses	693,890
d.	Hours per Response	6.13
e.	Total Annual Reporting Burden	4,253,545

### **Annual Reporting Burden**

The total annual reporting burden is **4,253,545**. This figure is based on the number of respondents (693,890) multiplied by x 6.13 (6 hours and 8 minutes) per response.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in item 14. There is a \$595 fee associated with the filing of this information collection, and a biometrics fee of \$85.

14. **Annualized Cost Analysis:**

a.	Printing Cost	\$	100,000
b.	Collecting and Processing Cost	\$	472,400,000
c.	Total Cost to Program	\$	472,500,000
d.	Fee Charge	\$	472,500,000
e.	Total Cost to Government		0

### **Government Cost**

The estimated cost of the program to the Government is calculated by using the estimated number of adult respondents (693,890) x \$595 (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form); plus 693,890 x \$80 (for capturing biometric information in connection with an application for naturalization).

## **Public Cost**

The estimated annual public cost is **\$471,975,787**. This is based on:

- a. The number of respondents (693,890) x hours of response (6.13 hours) x average hourly rate (\$30.74);
  - b. The number of respondents (693,890) x the fee (\$595); and
  - c. The number of respondents (693,890) x the biometric fee (\$85);
15. There has been no increase or decrease in the burden hours associated with the collection of this information. There is no change in the information being collected.
  16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
  17. DHS will display the expiration date for this information collection on the form.
  18. USCIS does not request an exception to the certification of this information collection.

## **B. Collection of Information Employing Statistical Methods.**

Not applicable.

## **C. Certification and Signatures.**



## **PAPERWORK CERTIFICATION**

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

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**Sunday Aigbe**  
Chief,  
Regulatory Products Division,  
Office of the Executive Secretariat,  
U.S. Citizenship and Immigration Services,  
Department of Homeland Security.

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**Date**