

**SUPPORTING STATEMENT FOR
APPLICATION TO FILE DECLARATION OF INTENTION
OMB Control No.: 1615-0078
COLLECTION INSTRUMENT: N-300**

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 334(f) of the Immigration and Nationality Act (Act), an alien over 18 years of age, who is residing in the United States pursuant to lawful admission for permanent residence, may file a declaration of intention with U.S. Citizenship and Immigration Services (USCIS) to become a United States citizen.

Authority: 8 U.S.C. 1445.

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.*

Permanent residents use Form N-300 to file a Declaration of Intention to become a United States citizen (“Declaration of Intention”). Although the Declaration of Intention is not required for naturalization, some permanent residents find it necessary to file a Form N-300 to fulfill requirements of states that mandate specific documentation from resident aliens seeking to work in certain occupations or professions, or to obtain various licenses. The Form N-300 facilitates this process.

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.*

The use of this form provides the most efficient means for collecting and processing the required data. Currently, USCIS does not have the automated capability in place to accept electronic submission of this type of application.

Form N-300 and its instructions, however, are available electronically at USCIS’ Website at <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?>

[vgnextid=c67c7f9ded54d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD](https://www.uscis.gov/nextid=c67c7f9ded54d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD) and they can be downloaded, completed and saved electronically. The form, along with the required supporting documentation and filing fee must be mailed to the USCIS office that has jurisdiction over the respondent. USCIS is currently in the process of reviewing all information collection activities via its “Transformation” initiative. Under this initiative, USCIS is considering allowing for full electronic submission capabilities. As such, due to the partial GPEA compliance of allowing for accessing, completing and saving the form electronically, USCIS respectfully requests a 2-year approval as it continues to move towards full GPEA compliance for all forms.

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.*

A review of the 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. *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 does not have an 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 this information is mandated by section 334 of the Act. USCIS collects this information to verify the status of the permanent resident. If USCIS deems the applicant eligible, USCIS will retain the application in the file and advise the applicant of the action taken. Without such advisement, it may not be possible for some permanent residents to satisfy requirements of states that ask permanent residents to produce evidence of their intention to become U.S. citizens in order to engage in certain occupations or professions, or obtain various licenses.

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). The circumstances described in question seven of this supporting statement do not apply to the information collection in question.

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.

On August 24, 2011 USCIS published a 60-day notice in connection with this information collection in the Federal Register at 76 FR 52961. USCIS received two comments (with multiple comments within), from the same commenter, in connection with that 60-day notice. Specifically, the commenter made the following recommendations:

- The commenter stated – “I would *at least* ask for the date and basis of the LPR status and record it on the form.”

USCIS’ Response - USCIS has the ability to understand the date and basis of the LPR status therefore it has not required in the applicant to provide that information

- The commenter stated that the declaration currently on the form is “weak and non-committal”.

USCIS’ Response - USCIS is satisfied the declaration meets the requirements to maintain the integrity of the immigration system and will not make amendments as those recommended by the customer to it.

- The commenter stated that “[t]he weak and non-committal *Declaration* on the form could use some additional statements to make it **substantive, worthwhile, and more meaningful**. I suggest USCIS significantly add to it.”

USCIS’ Response - A Form N-300 is a declaration of a person’s intent to become a U.S. citizen; it is not a requirement to understand the person’s eligibility for naturalization. USCIS requests that type of information on Form N-400, Application for Naturalization. Thereafter, USCIS determines the applicant’s eligibility status. The Form N-300 does not do so; therefore, USCIS will not include naturalization requirements to the form.

- The commenter suggested that “[i]f an applicant is going to make and sign a declaration, at least USCIS should make it a substantive, worthwhile, & meaningful declaration, signed in-person, under Oath and under penalty of perjury.”

USCIS’ Response - USCIS is satisfied the declaration meets the requirements to maintain the integrity of the immigration system and will not make amendments as those recommended by the commenter to it.

- The commenter noted that the supporting statement submitted in connection with USCIS’ previous request to extend this information collection notes that USCIS will make two copies of the N-300 with the original maintained in the Service office that made the decision, a copy maintained in the applicant’s A-File, and a

copy provided to the applicant. The commenter further states that under the recently published RIN 1615-AB83 Immigration Benefits Business Transformation, Increment I Final Rule, USCIS will retain the application and advise the applicant of action taken.

USCIS Response – As established by the rule reference above, if approved, USCIS will retain the application in the file and advise the applicant of the action taken.

On November 22, 2011, USCIS published a 30-day notice in connection with this request in the Federal Register at 76 FR 72209. USCIS received the following comment:

- **Public Comment**

Commenter states that the Form N-300 Declaration of Intention is weak and non-committal and needs to be updated to be substantive, worthwhile, and more meaningful.

USCIS Response - USCIS respects the commenter's feedback and appreciates the time it takes for the commenter to review the form and provide advice. However, USCIS has determined that the Form N-300 Declaration of Intention is substantive, worthwhile, and meaningful. Therefore, USCIS will maintain the Form N-300 Declaration of Intention as was provided in the Federal Register. USCIS thanks the commenter for his due diligence.

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

USCIS does not provide payments or gifts to respondents in exchange for the information provided while requesting the benefit.

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 associated with this information collection is U.S. Citizenship and Immigration Benefits Information System, which was published 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 (Dated September 5, 2008).

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 person's from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

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

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Individuals or Households	Application to File Declaration of Intention, N-300	85	1	.58	49.30	*\$30.44	\$1,500.70
Total		85			49.30	\$30.44	\$1,500.70

**The wage rate category of "All Occupations" has been used for this collection of information. The mean wage for this occupation category as listed by the Bureau of Labor Statistics is \$21.94 and adding the wage rate multiplier of 1.4 provides a total adjusted wage rate of \$30.44.*

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 is no cost burden to respondents for actually responding to this information collection- start-up, maintenance, and operating costs associated with completing the paperwork. For informational purposes only, please know that there is a fee of \$250 associated with this collection.

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:

Printing Cost	\$ 230
Collecting and Processing	\$ 21,020
Total Cost to Government	\$ 21,250

Government Cost

The cost of the program to the Government is calculated by multiplying the estimated number of respondents 85 x \$250 the suggested fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits). In addition, the cost includes estimated overhead cost for printing, stocking, distributing and processing of this form.

15. *Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.*

There has been an increase in the estimated annual burden hours previously reported for this information collection. USCIS previously reported 34 total burden hours. The number of respondents has increased from 45 to 85 respondents, resulting on an additional 40 annual responses, USCIS is currently reporting 49.30 total burden hours. USCIS has made some changes to the form’s style, content and language to include the elimination of the elimination of one page. Until November 28, 2011, 8 CFR part 334.11 required current page 2 (Declaration of Intent) of Form N-300 to be retained in the applicant’s file. Page 3, (duplicate Declaration of Intent) of the Form N-300, is to be mailed to the applicant if the application is approved. After November 28, 2011, the regulation only requires retaining the application and advising the applicant of the action taken. USCIS has determined to use the improved version of the Declaration of Intent (pages 3 and 4 of the proposed Form N-300) to inform the applicant of application approval. The proposed new Form N-300 will be reduced to three pages, which also reduces the time burden on respondents as USCIS estimates that the individuals completing this request will be able to do so in 35 minutes (in less than 10 minutes as previously estimated). Only one Declaration of Intent page will be completed by the applicant. A copy of the approved Declaration of Intent will be made for the file. These changes, listed in the accompanying Table of Changes, are meant to improve the overall format of the form, facilitate completion and clarify the questions USCIS employs to collect the information needed to adjudicate this type of request. The prior cost to respondent listed in ROCIS has been removed as it was erroneously included in the last submission.

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.*

USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.

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 in the form in accordance with OMB regulations

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. Collection of Information Employing Statistical Methods.

Not applicable.