

**SUPPORTING STATEMENT FOR
Notice of Naturalization Oath Ceremony
OMB Control No.: 1615-0054
COLLECTION INSTRUMENT(S): N-445**

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.**

U.S. Citizenship and Immigration Services (USCIS) requires, under 8 U.S.C. 1427 and 8 U.S.C. 1443, that immediately prior to commencement of an oath ceremony, each applicant for naturalization complete the questionnaire on Form N-445 (8CFR 337.2(c)).

- 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.**

The information furnished on Form N-445 refers to events that may have occurred since the applicant's initial interview and prior to the administration of the oath of allegiance. Several months may elapse between these dates and the information that is provided assists the officer in rendering an appropriate decision on the application. USCIS will use the information collected to ensure that all decisions made prior to the respondent's naturalization remain valid and that no action on the part of respondent has invalidated any of those decisions.

- 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 U.S. Citizenship and Immigration Services (USCIS) does not employ the use of information technology in collecting and processing information. This form is provided to USCIS by the applicant in person at the location when the oath ceremony is conducted; there is no potential opportunity for e-filing capability on this form.

- 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.**

This form is unique to the naturalization process and is necessary at the time that the oath is to be administered; there is no other form that collects the same information and there is no duplication.

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 of information 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.

If this information is not collected and presented to the USCIS officer at the time of the ceremony, there is no mechanism for USCIS to retrieve this information and allow for an appropriate decision to be made on the applicant for administration of the oath of allegiance.

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).

- 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.**

On November 8, 2012 USCIS published a 60-day notice in the Federal Register at 77 FR 67018. USCIS did receive one comment after publishing that notice. The one comment did not specifically comment upon any aspect of the information collection but rather provided personal opinions on issues they perceive to arise from the immigration of persons into the United States. USCIS reviewed the comment and find that no action is required or will be taken in regards to the form N-445. On February 20, 2013, USCIS published a 30-day notice in the Federal Register at 78 FR 11898. USCIS did not receive comments.

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

USCIS does not provide any payment to the respondent for the benefit sought.

- 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.

- 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 form whom the information is requested, and any steps to be taken to obtain their consent.**

The questions in the form N-445 follow those on Form N-400 (OMB Control Number

1615-0052) and are asked during the applicant's interview. The Form N-400 contains a series of questions that collect information that field Immigration Services Officers must use to render a decision on an applicant's ability to naturalize. All eligibility requirements are based on statute as set forth in the Immigration and Nationality Act. To be naturalized, an applicant must fulfill certain requirements set forth in the Immigration and Nationality Act concerning age, lawful admission and residence in the United States. These general naturalization provisions specify that a foreign national must be at least 18 years of age; have been granted lawful permanent resident status in the United States (be a legal permanent resident or LPR); and have resided in the country continuously for at least 5 years. Additional requirements include the ability to speak, read, and write the English language; knowledge of the U.S. government and history; and good moral character.

Some time may pass before the applicant's interview and his or her oath ceremony. USCIS asks these questions again because an affirmative answer requires USCIS to review an applicant's Form N-400 to understand if the applicant continues to be eligible for U.S. citizenship. An applicant is not a U.S. citizen until he or she has been oathed. USCIS wants to ensure that applicants meet that criterion.

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 | Notice of Naturalization Oath Ceremony / N-445 | 900,000 | 1 | 0.166 | 149,400 | \$30.44 | \$4,547,736 |
| Total | | 900,000 | | | 149,400 | | \$4,547,736 |

The above Average Hourly Wage Rate is calculated from the [May 2011 Bureau of Labor Statistics](#) average wage for “All Occupations” of \$21.74 times the wage rate benefit multiplier of 1.4 equaling \$30.44. The occupation “All Occupations” has been chosen as there is no single occupation of worker targeted by this collection of information; a respondent can be of any occupation.

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 are no start-up or capital costs, nor are there any operational or maintenance costs associated with this collection of information.

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:

| | | | |
|----|--------------------------------|----|-----------|
| a. | Printing Cost | \$ | 31,500 |
| b. | Collection and Processing Cost | \$ | 2,988,000 |
| c. | Total Cost to Government | \$ | 3,019,500 |

Government Cost

The estimated cost of the program to the Government is \$3,019,500. This figure is calculated by using the estimated number of respondents (900,000) multiplied (x) by .083 (5 minutes) (time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits). In addition, it is estimated that overhead cost for printing, stocking, distributing, and processing of this form will be \$31,500.

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

| Data collection Activity/Instrument | Program Change (hours) | Program Change | Difference | Adjustment (hours currently) | Adjustment (New) | Difference |
|-------------------------------------|------------------------|----------------|------------|------------------------------|------------------|------------|
|-------------------------------------|------------------------|----------------|------------|------------------------------|------------------|------------|

| | currently on OMB Inventory) | (New) | | on OMB Inventory) | | |
|-----------------|---------------------------------------|-------|--|----------------------|----------------|---------------|
| N-445 | | | | 107,900 | 149,400 | 41,500 |
| Total(s) | | | | 107,900 | 149,400 | 41,500 |

The estimated total annual burden hours has increased from 107,900 hours to 149,400 hours, at total increase of 41,500. This increase is a result of USCIS' better estimation of the number of respondents for the N-445.

- 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.**

This information collection will not be published for statistical purposes.

- 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 for OMB approval of this information collection.

- 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. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.