

**SUPPORTING STATEMENT FOR  
Request for Certification of Military or Naval Service  
OMB Control No.: 1615-0053  
COLLECTION INSTRUMENT(S): Form N-426**

**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 8 CFR Part 328, and section 329 of the Immigration and Nationality Act (Act) (8 U.S.C. 1440), certain aliens applying to become naturalized United States citizens on the basis of honorable service in the U.S. Armed Forces are required to file Form N-426, Request for Certification of Military or Naval Service with Form N-400 (OMB Control Number 1615-0052), Application for Naturalization, to verify such military or naval service.

- 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 Form N-426 is used by naturalization applicants to document honorable service in the U.S. Armed Forces. The form is filed with U.S. Citizenship and Immigration Services (USCIS). The Department of Defense (DOD) record centers or personnel offices verify and certify the applicant's military or naval service information provided on Form N-426. USCIS reviews the form as part of the process to determine the applicant's eligibility for naturalization.

USCIS also collects biometric information from respondents to verify their identity and check or update their background information.

- 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 form N-426 is available via the Internet at <http://www.uscis.gov/files/form/n-426.pdf> and it can be completed and saved electronically. The form currently is not able to be filed electronically but USCIS is currently working to allow for the submission of information via data entry directly into a database system. The N-426 is currently not

scheduled for conversion to this method and future updates will be provided when available.

- 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 information is collected specifically to document military involvement and allows for verification of data provided from the Department of Defense. The data elements are collected via this form to ensure eligibility for naturalization and are not collected elsewhere. 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.**

The collection of information is from individuals that have past military experience, there is no impact to 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, USCIS will be unable to verify the applicant's record of honorable military or naval service to satisfy the statutory requirements for naturalization. Without this form, increased burden would be placed upon the respondent to provide this information as they would be required to perform the background work to obtain other evidence that could possibly be used to allow for a determination of eligibility. The form facilitates the information collection process, enabling USCIS to determine the applicant's eligibility for naturalization.

- 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.**

**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 December 18, 2014 USCIS published a 60-day notice in the Federal Register at 79 FR 75578; USCIS did not receive any comments. On April 21, 2015 USCIS published a 30-day notice in the Federal Register at 80 FR 22218. 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 for 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. The system of record notice associated with this information collection is the Alien File, Index, and National File Tracking System of Records, which was published in the Federal Register on November 21, 2013, at 78 FR 69864. The Privacy Impact Assessment associated with this information collection is Integrated Digitization Document Management Program, dated September 24, 2013.

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

INA 328 and INA 328 require that in order to naturalize through military service, the applicant must have “served honorably” in the armed forces. If separated from military service, an eligible applicant is one who “was never separated except under honorable conditions” and was not “separated from such service on account of alienage...”

As stated in INA 328, the applicant is required to furnish to USCIS “a certified statement from the proper executive department for each period of his service upon which he relies for the benefits of this section, clearly showing that such service was honorable and that no discharges from service, including periods of service not relied upon by him for the benefits of this section, were other than honorable.”

As stated in INA 329, “service in the military, air, or naval forces of the United States shall be proved by a duly authenticated certification from the executive department under which the applicant served or is serving, which shall state whether the applicant served honorably...”

**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
Individual or households	Request for Certification of Military or Naval Service / N-426	10,000	1	.333	3,330	\$31.26	\$104,096
<b>Total</b>		<b>10,000</b>			<b>3,330</b>		<b>\$104,096</b>

\* The above Average Hourly Wage Rate is derived from the *May 2013 Bureau of Labor Statistics Mean Hourly Wage for "All Occupations"*. The wage rate of \$31.26 is calculated from the base average wage rate of \$22.33 times the wage rate benefit multiplier of 1.4. The selection of "All Occupations" represents the possibility that respondents can be employed in any type of work; the collection is not targeting any specific category of employment.

**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.**

USCIS estimates that there is a total annual cost to the respondents of \$245,000. The estimate is based on the costs to gather documentation (the form DD-214, which should be minimal as the records are available directly from the National Archives per their website, and it indicates they are usually free) and postage to mail it and the form to USCIS. The estimate cost per respondent is \$24.50 per respondent to cover the copy and mailing charge x 10,000 respondents = \$245,000.

Approximately 5% of the respondents incurring costs to obtain the information necessary to complete the form x \$490 estimated cost.

- 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	\$ 4,140
b.	Collecting and Processing Cost	\$ 400,000
c.	Total Cost to Government	\$ 404,140

**Government Cost**

The estimated cost of the program to the Government is calculated by using the estimated number of adult respondents (10,000) x \$40 = (\$400,000) (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for stocking, distributing and processing of this form); plus the printing cost of \$4,140 = \$404,140.

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

There are no changes to the hour burden for this collection.

There changes to the form or instructions are identified in the separate tables of changes. These include formatting changes and addition of necessary attestation and certification language.

<b>Data collection Activity/Instrument</b>	<b>Program Change (cost currently on OMB Inventory)</b>	<b>Program Change (New)</b>	<b>Difference</b>	<b>Adjustment (cost currently on OMB Inventory)</b>	<b>Adjustment (New)</b>	<b>Difference</b>
N-426				0	\$245,000	\$245,000
<b>Total(s)</b>				<b>0</b>	<b>\$245,000</b>	<b>\$245,000</b>

USCIS has estimated the cost to respondents and is updating the reporting of this cost in the current 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.**

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.