

**SUPPORTING STATEMENT FOR
Application for Naturalization
OMB Control No.: 1615-0052
COLLECTION INSTRUMENT(S): N-400**

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.**

As allowed by 8 U.S.C. 1421 and codified at 8 CFR 316.4, the U.S. Citizenship and Immigration Services (USCIS) provides for immigrants to apply for naturalization. Title 8 CFR 316.10 indicates that applicants must display “*good moral character*,” and the Form N-400 is the final instrument used by USCIS to verify that the applicant has met this requirement for the period in question. Title 8 CFR 316 also provides additional detail regarding the action related to applicant’s being vetted for naturalization. USCIS uses the Form N-400 to determine whether the applicant is eligible for U.S. citizenship.

The oath that an applicant takes to become a citizen reflects requirements that all must meet to be naturalized, and the specific details can be found in Section 337 of the Immigration and Naturalization Act (INA) (8 U.S.C. 1448). To ensure that the applicant meets the criteria to take the oath, USCIS has incorporated the necessary questions into the Form N-400.

- 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.**

Form N-400, *Application for Naturalization*, allows USCIS to fulfill its mission of helping people become U.S. citizens. Naturalization is the process by which U.S. citizenship is granted to a foreign citizen or national after he or she fulfills the requirements established by Congress in the INA.

When the Form N-400 is completed online, persons wishing to apply for naturalization through honorable service in the U.S. Armed Forces will be able to complete the relevant questions from the Form N-426 (OMB Control Number 1615-0053) as a part of the response process. The time burden is reported in that collection.

- 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 and instructions can be accessed as a PDF, completed, and returned via mail to USCIS. The Form M-476, *A Guide to Naturalization*, supports the form and supplements the instructions. It is available online at www.uscis.gov, where it can be completed and submitted electronically, and also in print format if requested. The form will also be available electronically for completion and submission. This electronic submission process is expected to be available approximately February, 28th, 2016. USCIS will hold the release of the updated form and instructions until the electronic process is ready for release due to work required to allow for proper intake of the new form and the electronic acceptance capability. USCIS is also considering a revision to the full set of instructions and may release an updated set near the middle of 2016.

- 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.**

The Form N-400 is designed specifically to collect the information necessary to make a determination if the respondent is eligible to naturalize; there is no other form designed 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.**

The 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.**

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 naturalization interview.

- 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 April 8, 2015, USCIS published a 60-day notice in the Federal Register at 80 FR 18856. USCIS did receive comments after publishing that notice. USCIS has responded in a separate comment matrix and separate document responding to questions about the attestation and certification language added to forms. Also, the American Immigration Lawyers Association resubmitted comments that were previously considered, and the response document is included again.

On September 28, 2015, USCIS published a 30-day notice in the Federal Register at 80 FR 58292. 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.

PIAs

- DHS/USCIS/PIA-015 - Computer Linked Application Information Management System (CLAIMS 4), which covers the processing of paper N-400 applications.
- Forthcoming DHS-USCIS-PIA-056 USCIS ELIS Update

SORNs

- DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records, which covers the collection, use, and maintenance of supplemental documents.
- DHS-USCIS-007 - Benefits Information System September, which covers the collection and use of applicant, dependent(s), parent(s), spouse, interpreter, and preparer information from paper based applications.
- DHS/USCIS-015 - Electronic Immigration System-2 Account and Case Management System of Records, which covers the collection and use of applicant, dependent(s), parent(s), spouse, interpreter, and preparer information from electronically filed applications.

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.

USCIS asks questions of a sensitive nature regarding past behavior and activities. These questions are necessary to determine eligibility of the applicant to naturalize. Sensitive questions are asked to determine: whether an individual might be inadmissible under INA 212 (a)(3)(A)-(F) – Security Grounds for Unlawful Activity, Control or Overthrow of the U.S. Government, Terrorist Grounds, Adverse Foreign Policy Consequence, Communist or Totalitarian Affiliation; whether an individual might be inadmissible under INA 212 (a)(2)(A)(i)(I) – Conviction or Commission of a Crime Involving Moral Turpitude (CIMT) or INA 212(a)(2)(A)(i)(II), (B), or (C) – Controlled Substance Violations, Multiple Criminal Convictions, or Controlled Substance Traffickers, or; whether an individual might be inadmissible under INA 212 (a)(2)(D)(i) and (ii) – coming to the United States solely, principally, or incidentally to engage in prostitution, or an unlawful commercialized vice.

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	Application for	697,171	1	9.17	6,393,058	\$31.79	\$203,235,316

households	Naturalization / N-400 (Paper)						
Individuals or households	Application for Naturalization / N-400 (Electronic)	77,463	1	3.50	271,121	\$31.79	\$8,618,937
Individuals or households	Biometric Processing	774,634	1	1.17	906,322	\$31.79	\$28,811,976
Total		774,634			7,570,501		\$240,666,229

**The above Average Hourly Wage Rate is the May 2014 Bureau of Labor Statistics average wage for All Occupations of \$22.71 times the wage rate benefit multiplier of 1.4 (to account for benefits provided) equaling \$31.79. The selection of "All Occupations" was chosen as the expected respondents for this collection could be expected to be from any occupation.*

The hour burden includes the time required to complete either the online or paper version of the Form N-400. It also includes the time required to gather the documentation necessary to support the submission, the time to review the instructions and the instructional portions of the M-476, *A Guide to Naturalization*, and the time that the respondent will spend in the interview after the submission.

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 respondents to the Form N-400 will incur costs including translation and preparation services, costs to acquire attorney representation, and costs to gather documentation and to mail the complete package to USCIS although not all respondents will incur every cost. USCIS estimates the total estimated cost = \$131,230,746 and the estimated cost per respondent is \$169.41.

There is a fee required for this collection of \$595 plus a biometric fee of \$85, for a total of \$680 to be submitted with the 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.**

The cost to the Federal Government is represented by the fees required with submission, which reflect the costs USCIS incurs to process the form and biometrics. The cost is \$680 per respondent times 805,812 respondents equaling \$547,952,160. USCIS also incurs a cost to print a certain volume of the Form N-400 and the M-476 (*Guide to Naturalization*) totaling \$160,000. The total cost to the Federal Government is estimated to be \$547,952,160 + \$160,000 = \$548,112,160.

- 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 currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
N-400				6,182,108	7,570,500	1,388,392

Total(s)				6,182,108	7,570,500	1,388,392

The increase in hour burden results from a better estimate of the time burden required to complete the Form N-400 submission process, including addition of time burden for the interview process and to review the Form M-476, *A Guide to Naturalization*. The increase is mitigated by the reduce hour burden per response for the respondents who will complete the form and submit electronically via the MyUSCIS version.

Data collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New)	Difference
N-400				0	\$131,230,065	\$131,230,746
Total(s)				0	\$131,230,065	\$131,230,746

The increase in cost burden reflects USCIS reporting the estimated cost to the respondents to comply with all of the activities related to the Form N-400 as well as to obtain necessary assistance for the preparation and submission of the form.

- 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.