

**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 applicants 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 fairly adjudicating naturalization applications and only naturalizing statutorily eligible individuals. 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.

- 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.**

Form N-400 and its instructions are available online at www.uscis.gov/forms as a fillable, printable PDF, which can be completed and saved electronically. The PDF version of

Form N-400 must be printed, signed, and submitted to USCIS via mail.

Form N-400 can also be completed, signed, and submitted electronically via <https://myaccount.uscis.dhs.gov>. A link to this website is available on the USCIS forms page. Respondents who wish to complete and submit Form N-400 electronically must set up or sign into their USCIS online account before being able to access the electronic version of the form. The burden for setting up a USCIS online account is covered under the USCIS Identity, Credential, and Access Management (ICAM) information collection (OMB control number 1615-0122).

- 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 the applicant meets the eligibility requirements for naturalization, 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 November 21, 2018, USCIS published a 60-day notice in the Federal Register at 83 FR 58781. USCIS did receive 33 comments after publishing that notice.

On March 29, 2019, USCIS published a 30-day notice in the Federal Register at 84 FR 11997. USCIS did/did not receive comments. USCIS indicated in the 60-day Federal

Register Notice that the proposed action was Revision of a Currently Approved Collection. As a result of the comments received from the publication, USCIS has determined that to properly consider and respond to all comments, it will request that the current information collection be considered by OMB for an extension of the approval. Therefore, USCIS is submitting this information collection as an Extension, Without Change, of an Approved Collection. USCIS will publish a separate 60-day Federal Register Notice when it is ready to proceed with the revision of the information collection.

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 Records Notices (SORNs) associated with this collection of information are:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking;
- DHS/USCIS-007 Benefits Information System; and
- DHS/USCIS-018 Immigration Biometric and Background Check System.

The Privacy Impact Assessments (PIAs) associated with this collection of information are:

- DHS/USCIS/PIA-003 Integrated Digitization Document Management Program;
- DHS/USCIS/PIA-015 Computer Linked Application Information Management System (CLAIMS 4) Update;
- DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS); and
- DHS/USCIS/PIA-071 myUSCIS Account Experience.

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 lack good moral character or attachment to the principles of the U.S. Constitution (*see* INA 316(a)), or whether an individual's admission to the United States for permanent residence may have been

unlawful (*see* INA 318) based upon his or her inadmissibility 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 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.**

		A	B	C (=AxB)	D	E (=Cx D)	F	(=ExF)
Type of Respondent	Form Name / Form Number	#. of Respondents	#. of Responses per Respondent	# of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals or households	Application for Naturalization / N-400 (Paper)	567,314	1	567,314	9.17	5,202,269.38	\$35.54	\$184,888,654
Individuals or	Application for	214,186	1	214,186	3.5	749,651.00	\$35.54	\$26,642,597

households	Naturalization / N-400 (Electronic)							
Individuals or households	Biometric Processing**	778,000	1	778,000	1.17	910,260.00	\$35.54	\$32,350,640
Total				1,563,000		6,862,180.38		\$243,881,891

* The above Average Hourly Wage Rate is the May 2017 Bureau of Labor Statistics average wage for All Occupations of \$24.34 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$35.54. The selection of "All Occupations" was chosen because respondents to this collection could be expected from any occupation.

** Military N-400 applicants are not subject to the biometrics requirement. This number reflects the estimate for non-military N-400 filings that are subject to the biometrics requirement.

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 capital, start-up, operational or maintenance costs associated with this collection of information. For informational purposes only, the filing fee for Form N-400 is \$640 plus a biometric services fee of \$85, for a total of \$725.

USCIS estimates that respondents who submit a paper application will incur an average cost of \$3.75 to mail the completed package to USCIS. Respondents who choose to submit their application online will not incur postage costs. The estimated cost for postage is 567,314 respondents multiplied by \$3.75, which equals \$2,127,427.50.

USCIS estimates that Form N-400 respondents will incur some out of pocket costs as a result of responding to this collection of information. Costs may include payments for document translation and preparation services, attorney and legal fees, and costs associated with gathering documentation. USCIS estimates the average cost of this information collection may vary widely, from as little as \$20 to \$1,000 per respondent. USCIS estimates that the average cost for these activities is \$490 and that approximately 90 percent of the total respondent population may incur this cost. The estimated out of pocket cost to respondents is 781,500 multiplied by 90 percent multiplied by \$490, which equals \$344,641,500.00.

Adding together the estimated cost for postage and the estimated out of pocket costs, the total estimated cost to respondents for this collection of information is \$346,768,927.50.

- 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.**

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the clerical, officer, and managerial time with benefits) and immigration benefits provided for free. As a consequence of USCIS immigration fees being based on resource expenditures related to the benefit in question, USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to the agency. The filing fee for Form N-400 is \$640, which is paid by all regular N-400 applicants. A biometric services fee of \$85 is also paid by all regular N-400 applicants. Military N-400 applicants do not pay these fees. The total estimated cost to the Federal government is calculated by multiplying \$640 by the estimated total number of respondents (781,500), which equals \$500,160,000.00, and adding that product to the \$85 biometric services fee multiplied by the estimated number of respondents who will pay that fee (778,000), which equals \$66,130,000.00. The total estimated cost to the Federal government is \$566,290,000.00.

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) [new minus current]	Difference
Application for Naturalization / N-400 (Paper)				6,961,589	5,202,269	(1,759,320)
Application for Naturalization / N-400 (Electronic)				250,261	749,651	499,390.00
Biometric Processing				971,887	910,260	(61,627.00)
Total(s)				8,183,737	6,862,180.38	(1,321,557)

USCIS is reporting an adjustment to the estimated annual time burden for this collection of information, as a result of a decrease in the estimated number of respondents. USCIS published a 60-day Federal Register Notice indicating that this information collection was being revised; however, the PRA action changed to an extension at the 30-day Federal Register Notice. USCIS maintained the adjustment in the estimated number of respondents, but reverted to the currently approved estimated time burden per response for the paper and electronic filing instruments. The estimated annual time burden being reported in this Supporting Statement reflects an overall decrease from the currently approved time burden.

Data collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New) [new minus current]	Difference
Application for Naturalization / N-400 (Paper)				\$128,610,990.00	\$252,312,901.50	\$123,701,911.50
Application for Naturalization /				\$12,113,323.00	\$94,456,026.00	\$82,342,703.00

N-400 (Electronic)						
Biometric Processing				\$0	\$0	\$0
Total(s)				\$140,724,313.0 0	\$346,768,927.5 0	\$206,044,614.5 0

USCIS is reporting an adjustment to the estimated annual cost burden for this collection of information. As a result of a reevaluation of the estimated cost burden to respondents, the total estimated annual cost burden for this collection of information has increased, even though the estimated number of respondents has decreased. USCIS is reflecting a higher cost per respondent for both the paper and electronic filing instruments.

- 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.