

**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 aliens to apply for naturalization. Title 8 CFR 316.2(b) states that an applicant for naturalization “shall bear the burden of establishing by a preponderance of the evidence that he or she meets all of the requirements for naturalization,” and the Form N-400 is the primary instrument used by USCIS to verify that the applicant has met all requirements for naturalization. Title 8 CFR 316 and 335 also provide 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.

The Immigration and Nationality Act (INA), as amended, provides for the collection of fees at a level that will ensure recovery of the full costs of providing adjudication and naturalization services, including services provided without charge to asylum applicants and certain other immigrant applicants, INA section 286(m), 8 U.S.C. § 1356(m). The INA provides that the fees may recover administrative costs as well. The INA also authorizes U.S. Citizenship and Immigration Services (USCIS) to provide some services for free at its discretion and allows USCIS to restrict fee waiver availability on benefits while providing for fee waiver consideration on some benefits.

USCIS regulations at 8 CFR 106.2(b)(3)(ii) provide that the fee for an Application for Naturalization (Form N-400) for applicants whose documented income is less than or equal to 400 percent of the Federal poverty level is half the cost of the fee. This information collection is necessary to document the applicant’s income and eligibility to pay the reduced fee.

Executive Order (EO) 14168, “Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government,” states that it is the policy of the United States to recognize two sexes, male and female and these sexes are not changeable. See 90 FR 8615 (Jan. 20, 2025). The EO instructs agencies, including the Department of Homeland Security (DHS), USCIS, to give the terms “sex”, “male”, “female”, “men”, “women”, “boys” and “girls” the meanings set forth in section 2 of the EO when interpreting or applying statutes, regulations, or guidance and in all other official agency business, documents, and communications. Per section 3 of the EO, all agencies, including USCIS, shall use the term “sex” and replace “gender” with “sex” in all applicable information collections. USCIS information collections that require an individual’s sex shall list “male” or “female” and shall not request gender identity.

This collection of information is necessary to comply with Section 2 and Section 3 of the EO. USCIS will update its forms and systems to reflect the EO definitions when collecting information from individuals who submit immigration benefit requests. USCIS, as a component of DHS, has the following statutory and regulatory authorities, to collect information from applicants for immigration benefits, to secure the homeland and prevent terrorism:

- The Homeland Security Act, 2002, P.L. 107-296;
- The Intelligence Reform and Terrorism Prevention Act (IRTPA) of 2004, P.L. 108-458;
- Implementing Recommendations of the 9/11 Commission Act of 2007 (“The 9/11 Act”), P.L. 110-53;
- The Immigration and Nationality Act, as amended;
- Title 8 of the U. S Code; and
- Title 8 of the Code of Federal Regulations.

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.

Naturalization is the process by which U.S. citizenship is granted to an alien after he or she fulfills the requirements established by Congress in the INA. Form N-400, Application for Naturalization, allows USCIS to fulfill its mission of fairly adjudicating naturalization applications and only naturalizing statutorily eligible individuals.

USCIS uses the data collected on this form to verify that the applicant is eligible for a reduced fee for the immigration benefit being requested.

The applicant must document their income to be eligible for the reduced fee. For evidence, USCIS will accept copies of Federal Income Tax returns, or copies of other documentation substantiating an applicant’s income, such as pay stubs for a reasonable period or an IRS Form W-2.

To meet the standards of EO 14168, Section 2 and 3, USCIS will update Form N-400 to reflect the EO definitions when collecting information from individuals who submit immigration benefit requests. An individual's sex is a biographic identifier and data element used to help USCIS confirm both an individual's identity both as it relates to the submitted immigration benefit request and to other records.

- 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 first create and then 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).

Requests to pay a reduced fee cannot be filed electronically at this time. The electronic version of the Form N-400 will not contain a section concerning eligibility for the reduced fee. Applicants for a reduced fee will be instructed in the Form N-400 Instructions to file their Form N-400 via mail. The methods of collection described in this supporting statement provide the most efficient means for USCIS to collect and the public to provide the information necessary for USCIS to determine whether or not the request accurately documents the individual's eligibility for the reduced request fee. Form N-400 provides the most efficient means for collecting and processing the required data.

- 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. USCIS has consolidated the Form I-942, Request for Reduced Fee (OMB# 1615-0133) questions into the Form N-400. Form I-942 will be discontinued under its own PRA action.

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.

USCIS is submitting a non-substantive change to a currently approved collection request to OMB. Publication of Federal Register Notices is not required.

- 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-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. USCIS asks questions relevant to whether the applicant was inadmissible at the time of admission for permanent residence 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; INA 212(a)(2)(A)(i)(I) – Conviction or Commission of a Crime Involving Moral Turpitude; INA 212(a)(2)(A)(i)(II), (B), or (C) – Controlled Substance Violations, Multiple Criminal Convictions, or Controlled Substance Traffickers; or 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 (=CxD)	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)	454,850	1	454,850	8.547	3,887,603	\$40.89	\$158,964,085
Individuals or households	Application for Naturalization / N-400 (Electronic)	454,850	1	454,850	3.92	1,783,012	\$40.89	\$72,907,361
Individuals or households	Biometric Processing	909,700	1	909,700	1.17	1,064,349	\$40.89	\$43,521,231
Total				1,819,400		6,734,964		\$275,392,677

* The above Average Hourly Wage Rate is the [May 2021 Bureau of Labor Statistics](#) average wage for All Occupations of \$28.01 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$40.89. The selection of "All Occupations" was chosen because respondents to this collection could be expected from 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, maintenance, and operating costs associated with this collection of information. For informational purposes, there is a \$760 paper filing fee and \$710 online filing fee associated with the filing of this information collection.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Costs may include payments for document translation and preparation services, attorney and legal fees, postage, 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 \$515 and approximately 90 percent of the total respondent population may incur this cost. The estimated cost to respondents is calculated as follows: The estimated out of pocket cost to respondents is 909,700 multiplied by 90 percent multiplied by \$515, which equals \$421,645,950.

- 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 printing costs) and immigration benefits provided for free. USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS, since these fees are based on resource expenditures related to the benefit in question. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing, and processing of this form.

The estimated cost to the government is calculated by multiplying the estimated number of respondents (909,700) by the \$760 filing fee, which equals **\$691,372,000**.

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

To meet the standards of EO 14168, Section 2 and 3, USCIS will update Form N-400 to reflect the EO definitions when collecting information from individuals who submit immigration benefit requests. USCIS shall use the term “sex” and replace “gender” with “sex” in all applicable information collections. USCIS information collections that require an individual’s sex shall list “male” or “female” and shall not request gender identity. USCIS is reporting no change to the estimated annual hour burden and estimated annual cost burden to respondents for this information collection as a result of this action.

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.