

Generic Clearance for the Collection of Certain Information on Immigration Forms - Responses to 30-day Public Comments

Public Comments (regulations.gov): [USCIS-2025-0002](#)

30-day FRN Citation (federalregister.gov): [90 FR 42604](#)

Publish Dates: September 3, 2025 – October 3, 2025

Comment ID	Comment Sub-Theme	Comment Summary	USCIS Response
Topic 1. Legal Authority to Collect			
0232 0233	Legal Authority to Collect	Commenters argue that the proposed "Identifying Information Collection" lacks sufficient legal authority and violates federal laws and constitutional principles. Below is a summary of the key points: 1. Lack of Executive Authority: The proposal exceeds the executive branch's authority, as it relies solely on an executive order (EO 14161) without support from Congress or the Constitution, as an executive order alone does not provide sufficient legal authority for such a broad and invasive data collection effort. 2. Violation of Federal Laws: a. Administrative Procedure Act (APA): Proposal lacks adequate justification, fails to consider critical factors (e.g., costs, burdens on vulnerable populations), and does not provide a rational connection between the data collection and stated goals of national security. 3. Nature of the Proposal: Proposal is arbitrary and capricious because it lacks justification, imposes irrelevant blanket requirements, and underestimates the burdens on applicants. 4. Paperwork Reduction Act (PRA) Violation: Requires agencies to demonstrate that information collections are necessary, useful, and minimally burdensome. The comments argue that the proposed collections fail on all counts, as they are unnecessary, duplicative, and impose unjustifiable costs on applicants and the government. Recommendations: Rescind proposal or revise it to tailor data collection to specific forms, limit scope of data collection, provide a grace period, and ensure data security.	Response: DHS disagrees with commenters that its collection of high value information elements exceeds the agency's authority, is unnecessarily duplicative, arbitrary and capricious, or imposes unjustifiable costs. DHS has broad authority under the Immigration and Nationality Act (INA) and Homeland Security Act (HSA) of 2002, to administer immigration laws including collecting data identified in this information collection. See generally, INA secs. 101, 103, 8 U.S.C. 1101, 1103; sec. 402 of the HSA. For example, INA 287(b), 8 U.S.C. 1357(b), and 8 CFR 287.5(a)(2) empower officers and agents to "take and consider evidence concerning the privilege of any person to enter, reenter, pass through, or reside in the United States." Specific to the N-400, INA 335, 8 U.S.C. 1446, requires "a personal investigation of the person applying for naturalization" and authorizes USCIS to take testimony "in any way affecting the admissibility of any applicant for naturalization" and to require the production of relevant documents. DHS also has a reasonable basis and practical utility for the collection of this information under the Paperwork Reduction Act. This collection is not a rule or a proposed rule under the Administrative Procedure Act. This information collection is necessary to ensure compliance with Executive Order (E.O.) 14161, which directs the Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence, to "identify all resources that may be used to ensure that all aliens seeking admission to the United States, or who are already in the United States, are vetted and screened to the maximum degree possible." This collection will be used to conduct thorough security checks and verify applicants' identities and eligibility for the immigration benefits they are applying for.
0235	Regulatory Action	Key Regulatory Recommendations and Support:	Response: DHS appreciates the constructive and positive feedback from this commenter and is

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		1. Codify Requirements in Regulations: Formalize the revised immigration application requirements in the Code of Federal Regulations (CFR) to ensure longevity and prevent future reversals. Codification would obstruct attempts to misinterpret intent of the Immigration and Nationality Act (INA). 2. Extend Changes Beyond ICRs: Use formal rulemaking under the Administrative Procedure Act (APA) to protect the longevity of enhanced vetting and identification procedures. 3. Replace Discretionary Language: Change "may" to "must" in 8 CFR 316.4(b) to establish uniform application requirements.	receptive to including these suggestions in a future regulation. For the time being, DHS will proceed with the proposed form changes. This will enable DHS to implement rigorous vetting practices as quickly as possible and will also serve as a basis for DHS to gain data and experience that will better inform future rule changes. Finally, DHS is not required to codify information collection elements in regulations as it already has requisite statutory and regulatory authority to collect the data elements contained in this generic clearance, which as explained previously are necessary for the adequate vetting and screening related to various immigration benefits.
0233	Contradiction of Executive Orders	One commenter argued that the proposed regulatory actions contradict President Trump's executive orders aimed at reducing regulatory burdens. The comment includes that the proposed actions contradict these mandates by: - increasing the complexity of the application process; and - imposing additional burdens without clear evidence that the changes will achieve the stated goals of protecting national security or improving vetting processes.	Response: The two cited Executive Orders, E.O. 14192, <i>Unleashing Prosperity Through Deregulation</i>, and E.O. 14219, <i>Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative</i>, do not apply in the homeland security or immigration contexts. Both orders specify that they do not apply to regulations or actions related to a "homeland security... or immigration-related function of the United States." Additionally, as discussed more fully below, DHS has taken into account the costs and burdens involved in collecting this information and has found these costs and burdens reasonable and justified given the security and fraud prevention benefits from this collection. See Topic 4. Impacts on Immigration Benefit Processing, Delay Benefit Processing.
0233	Prohibited Activity	Commenter raised concerns about the proposed information collection activities by DHS in relation to immigration forms. Key points are below: Prohibited Investigative and Intelligence-Gathering Activities: Commenter asserts that the proposed collection may lead USCIS to engage in investigative and intelligence-gathering activities that are assigned exclusively to	The Homeland Security Act of 2002 (HSA) transferred to the Bureau of Citizenship and Immigration Services (now USCIS) the functions of "adjudications of immigration visa petitions," "adjudications of naturalization petitions," "adjudications of asylum and refugee applications," "adjudications performed at service centers," and "all other adjudications performed by the Immigration and Naturalization Service immediately before the effective date" of the HSA. These adjudicative

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		U.S. Immigration and Customs Enforcement (ICE) under the Homeland Security Act of 2002. This would constitute a prohibited activity, as USCIS is not authorized to perform such functions.	functions necessarily include the ability to investigate whether an applicant is eligible for a benefit, as the INA recognizes by providing for investigations and evidence gathering in the context of adjudications. As noted above, examples include INA 287(b), 8 U.S.C. 1357(b), which empowers officers and agents to “take and consider evidence concerning the privilege of any person to enter, reenter, pass through, or reside in the United States,” and INA 335, 8 U.S.C. 1446, which requires “a personal investigation of the person applying for naturalization” and authorizes USCIS to take testimony “in any way affecting the admissibility of any applicant for naturalization” and to require the production of relevant documents.
Topic 2. Compliance with the PRA			
0228 0230 0232 0233 0234	Practical Utility	Commenters consistently argue that the proposed information collection lacks practical utility. Key points are below: 1. Lack of Necessity: ▪ DHS and USCIS have not provided evidence or justification that the additional data collection (e.g. historical phone numbers and family members' data) is necessary to improve identity verification, national security, or eligibility determinations. ▪ No historical or statistical evidence demonstrates that such information has been effective in identifying security threats or denying benefits to ineligible applicants. ▪ Commenters expressed that data is irrelevant to the adjudication of immigration benefits and does not contribute to verifying identity or assessing security risks. 2. Alternative Processes Exists: ▪ Commenters allege that USCIS already collects sufficient data on applicants through existing forms, biometrics, security and background checks, and use of investigative databases. The additional data being requested is	Response: 5 CFR 1320.9 states, “As part of an agency’s submission to OMB of a proposed collection of information, the agency,” in this case, USCIS, “... shall certify... that the proposed collection of information” “(a) [i]s necessary for the proper performance of the function of the agency, including that the information to be collected will have practical utility.” This collection will have immediate practical utility to verify the applicant’s identity and eligibility. DHS has practical utility to collect the information covered by the generic clearance in compliance with 5 CFR 1320.9(a). The biographical information which will be collected—including the names; addresses; birthdates; nationalities; phone numbers; email addresses; and employment history of the alien’s living and deceased parents, siblings, spouses, former spouses, and children—is relevant to determining eligibility for Forms N-400, I-131, I-485, I-751, I-590, I-829, I-730, I-192 and I-589 because it will allow USCIS and its national security and law enforcement partners to better vet applicants for potential information of interest that could affect eligibility and/or admissibility. U.S. government departments and agencies involved in screening and vetting, to include

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		redundant and does not add value to the adjudication process. ▪ Relevant information and family member data could be requested on a case-by-case basis through the Request for Evidence (RFE) process, rather than as a blanket requirement. The commenters assert that the proposed information collection is unnecessary, redundant, and unsupported by evidence of effectiveness. Existing processes already achieve the stated goals, making the additional data collection wasteful and unjustified.	USCIS, identified data elements that would constitute a new baseline threshold of data to be collected for identity verification and national security vetting. The collection of this information is necessary to comply with Section 2 of EO 14161, which requires the re-establishment of a “uniform baseline for screening and vetting standards and procedures, consistent with the uniform baseline that existed on January 19, 2021, that will be used for any alien seeking a visa or immigration benefit of any kind”, to ensure these foreign nationals do not represent a threat to the safety and security of the United States. Specifically, it directs relevant agencies to, “vet and screen to the maximum degree possible all aliens who intend to be admitted, enter, or are already inside the United States, particularly those aliens coming from regions or nations with identified security risks.” These nine forms cover a majority of the aforementioned pool of aliens seeking to travel to the United States and other applicants seeking immigration benefits. Additionally, given the nature of USCIS’ mission, it is important for USCIS to ask for and review this information. All information provided by the applicant may be used to verify his or her identity, eligibility, and to vet the applicant. In addition to checking government information, DHS officers may use sources of publicly available information as part of the existing vetting process to screen the information submitted. If an initial screening indicates possible information of concern or a need to further validate information, a trained officer will have timely visibility of the information provided by the applicant, along with other information and tools these officers regularly use in the performance of their duties. The officer will review in a manner consistent with policy and regulations. USCIS has a layered approach to security, and information collected would be only one element used in the analysis of the applicant’s
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			eligibility. Although the potential exists for an applicant to provide false or inaccurate information on the form, the response (or lack thereof) the applicant provides in the context of the larger picture will guide the lines of inquiry pursued by the officer. The potential for inaccurate/false information does not render the collection of this information unnecessary. USCIS makes case-by-case determinations based on the totality of the circumstances, consistent with its authorities. The information collected will help USCIS' mission to administer the nation's lawful immigration system. It may also be used to identify potential deception or fraud. Further, it may help detect potential threats. This new data collection may also help distinguish individuals of additional concern from those individuals whose information substantiates their eligibility for travel to or entry into the United States or immigration benefits.
0230 0232 0233 0234	Duplication	Commenters consistently state that the proposed information collection is unnecessarily duplicative, highlighting the following points: 1. Repetition Across Forms and Immigration Stages: Applicants are required to repeatedly provide the same information (e.g., phone numbers, email addresses, and family members' data) across multiple forms (e.g., N-400, I-485, I-131) and at different stages of the immigration process, even when the data has not changed. This redundancy adds to the burden on applicants without improving efficiency. 2. Data Already Held by USCIS: ▪ Much of the requested information is already collected and stored by USCIS through prior applications, biometrics, and existing investigative databases. Requiring applicants to resubmit this data is redundant and does not add value to the adjudication process. ▪ Proposed collection imposes blanket requirements for all applicants, regardless of the type of immigration	Response: USCIS is complying with the PRA, and the PRA implementing regulations and will not implement this generic information collection in a way that is duplicative. To the extent that any of the information collection instruments already include some of the information contained in the generic clearance, USCIS will combine those elements to ensure that it is not duplicating the collection. However, collecting the same information across different forms, at different stages of the immigration process, is not duplicative because changes or lack of consistency in the applicant's responses may flag areas of concern for an adjudicator to assess. Please see response in Topic 2. Compliance with the PRA, Practical Utility.

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		relief sought, rather than tailoring data collection to specific cases. 3. No Added Value or Security Benefit: Duplication of information does not enhance security, identity verification, or eligibility determinations, as existing databases and processes already provide sufficient data for these purposes.	
0232 0233 0234	Underestimation of Burden	The commenters emphasize that the proposed information collections impose excessive and unnecessary burden on both applicants and USCIS. Key points include: 1. Unrealistic Time Burden Estimates: USCIS time estimates for completing the forms are criticized as grossly underestimated, with the actual time required likely to be significantly longer. A commenter criticized USCIS's claim that compliance will take less than an hour, arguing that tracking down the requested information will require significantly more time and effort. 2. Burden on Applicants: - Applicants are required to provide extensive and detailed historical information (e.g., phone numbers, email addresses, and family members' data), which is often difficult to recall, verify, or access. - Proposed changes would more than double the length of most forms, significantly increasing the time and effort required for applicants to complete them. - Financial costs, such as legal fees and administrative expenses, further increase the burden on applicants.	Response: In USCIS' response to public comments from the 60-Day notice, as published in the Federal Register at 90 FR 11054 on March 3, 2025, the estimated hour burden per response was increased by an additional 3 hours for each impacted information collection to more accurately reflect the burden imposed on the public, which totals to an overall increase by an average of 3.8 hours on each application. USCIS closely reviewed the estimated average hour burden per response and the addition of the 24 data elements and instructional content to allow the applicant to provide the requested information, as necessary, and is confident that this increase in burden addresses the commenters' concerns and accurately reflects the estimated burden. The estimated burden included on the Generic Clearance reflects only the burden associated with the 24 data elements being applied to the affected information collections, where the information is not already collected. By identifying only the associated burden for the identified 24 data elements for each affected information collection in the Generic Clearance, we can more clearly isolate the precise burden impact the data elements institute. The total burden impact for each affected information collection will be outlined in each Supporting Statement. Additionally, the overall average burden per response for each affected information collection can be found in the information collection instrument with instructions included on the Federal eRulemaking Portal site at: https://www.regulations.gov and entering USCIS-2025-0002.

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		3. Burden on Family Members: ▪ Vulnerable populations, such as refugees and victims of trafficking, face disproportionate harm, as disclosing family members' information could endanger relatives in unsafe situations.	The estimated total annual cost burden associated with a specific information collection will be captured in those approved collections. Any updates to the estimated annual cost burden to respondents, which includes the imposed out-of-pocket costs to respondents, will be outlined in each Supporting Statement for the affected information collection. Out-of-pocket costs may include payments for document translation and preparation services, attorney and legal fees, postage, and costs associated with gathering documentation. In addition, any updates to the estimated cost to the federal government will be outlined in each Supporting Statement for the affected information collection. While some commenters expressed concerns for vulnerable populations and disclosure of family members' information, USCIS does not deny an application based solely on the applicant's failure to provide information that the applicant does not know or provide. The information in this collection constitutes a small portion of the information used in the analysis of an immigration benefit request. If any individual does not have access to certain information, they may so indicate on the affected forms. Any one response (or lack thereof) to a certain additional data element will not exclusively determine whether an application is approved or denied. Applicants may be asked to provide an explanation regarding their lack of knowledge if they are unable to answer particular questions on a form. DHS makes case-by-case determinations based on the totality of the circumstances, consistent with its authorities.
0232 0233 0234	Appropriateness of generic clearance	The commenters strongly oppose the use of a generic clearance for the proposed immigration information collections, particularly the Form N-400. They argue that generic clearance should only be used for information collections that are voluntary, low-burden, and uncontroversial, and that these information collections do not meet that criteria. Instead, they claim that the proposed collection is mandatory, imposes	Response: The process used by DHS to obtain this generic clearance is similar to, but no less demanding than, the process to obtain approval of any new or revised information collection as it still requires the standard 60 and 30-day notice process. In addition, a generic information collection clearance requires the same level of justification, support, analysis, and level of approval as any other information collection approved by the Office of Management and

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		significant burdens, and raises privacy and legal concerns. Key issues include: 1. Failure to Meet Generic Clearance Criteria: ▪ Voluntary: Proposed collections are mandatory, with significant consequences for non-compliance, such as delays or denials of immigration benefits. ▪ Low Burden: Imposes substantial burden on applicants, including the need to gather detailed personal and family information (e.g., historical phone numbers and email addresses). This is inconsistent with the "low burden" requirement for generic clearances. ▪ Uncontroversial: The collections raise significant constitutional, legal, and human rights concerns, including privacy issues, free speech implications, and due process concerns. These controversial aspects make the collections unsuitable for expedited approval under a generic clearance. ▪ Accuracy and Relevance Issues: The accuracy of family members' information is questionable, as applicants are being asked to attest to data that is not their own. DHS has not explained how this information will be used to adjudicate benefits or how it advances screening goals.	Budget under the Paperwork Reduction Act and implementing regulations.¹ The generic clearance is being used to propose the identified 24 new data elements for the affected information collections, which allows for the public to review the new individual data elements that will appear on the affected information collections. This method provides a single docket for the public to provide comments on the proposed 24 data elements and affected information collections, which reduces the burden on the public, rather than the public having to identify and comment on a separate notice and docket for nine separate information collections. The use of a generic clearance also reduces burden and cost to the federal government to publish separate Federal Register notices. USCIS agrees that a generic clearance is usually used for information collections that are voluntary, low-burden, and non-controversial.² As per requirements under 44 U.S.C. 3501 et seq. and 5 CFR 1320, USCIS believes that a generic clearance is appropriate to use for this process in order to make the proposed necessary changes to ensure a thorough screening and vetting process. USCIS published a 60-day Federal Register notice and 30-day Federal Register notice for the Generic Clearance for the Collection of Certain Information on Immigration Forms. The 60-day notice and the 30-day notice included each affected information collection instrument with instructions that included the proposed changes on the Federal eRulemaking Portal site at: https://www.regulations.gov and entering USCIS-2025-0002.
Topic 3. Compliance with the Privacy Act/Records Act/Information Security/Data Integrity			
0232 0233		The comments highlight significant privacy concerns regarding the proposed collection. Key issues include:	Response: DHS disagrees that this information collection is an invasion of privacy. USCIS complies with the Privacy Act and DHS policy regarding collection and protection of information as required. DHS understands that

¹ 44 U.S.C. chapter 35; 5 CFR Part 1320.

² 5 CFR 1320.3(c)(1); Sunstein, Cass R., *Memorandum for the Heads of Executive Departments and Agencies, and Independent Regulatory Agencies: Paperwork Reduction Act – Generic Clearances* (May 28, 2010)

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		1. Violation of the Privacy Act of 1974: Collection of irrelevant or unnecessary data (e.g., historical contact information), including third-party information, without proper notice of how it will be used, which violates the Privacy Act's requirements for relevance, necessity, and direct collection from the subject. 2. Invasion of Privacy: Collection of extensive personal information about applicants and their family members is deemed unwarranted and intrusive. Data collection should be restricted to only what is directly relevant and necessary for adjudicating immigration benefits. Avoid blanket collection of third-party information. ▪ Consent Issues: There is no mechanism for obtaining consent from third parties whose data is disclosed in applications. Recommend establishing mechanisms to secure consent from third parties whose personal information is disclosed in applications. 3. Lack of Transparency: DHS has not adequately explained how the data will be used, stored, or shared, nor updated privacy notices to reflect the expanded data collection. ▪ Risk of Data Breaches: Past cybersecurity incidents raise concerns about the security of sensitive data, especially for minors and vulnerable groups, with potential risks of misuse or targeting. ▪ Potential Misuse of Data: The data could be used for enforcement or surveillance beyond its stated purpose, undermining trust and privacy protections. 4. Impact on Vulnerable Groups: The collection poses heightened risks for asylum seekers, minors, and victims of crime, who may face retaliation or harm. Recommend implementing specific safeguards for vulnerable groups' sensitive information. 5. Failure to Conduct a Privacy Impact Assessment (PIA): DHS has not assessed the risks	information provided on its forms may be about U.S. citizens and lawful permanent residents who are covered by the Privacy Act. Any personal information gathered by DHS will only be used or released in accordance with law and policy. The new information collected will be used and treated in the same manner as the information that is already collected on the subject forms. DHS's proposal is respectful of individual privacy and strictly adheres to federal privacy laws and guidance and Departmental privacy policies and procedures. DHS provides public notice about collection and use of data under appropriate System of Records Notices (SORNs) published online and in the Federal Register, Privacy Impact Assessments (PIAs) posted on the DHS website, and privacy notices on DHS forms. DHS has evaluated potential privacy risks and determined that multiple published System of Records Notices (SORNs) in the Federal Register and associated Privacy Impact Assessments (PIAs) cover and apply to information gathered in this collection. Submission of information to DHS for an immigration benefit is a voluntary action and information provided on the form is provided by the individual completing the form. Third party information, such as that of family members and associates, is provided by the individual applicant for lawful purposes and is often needed to determine identity and eligibility for a request. For example, individuals who present a threat to national security or public safety are not eligible to travel to the United States under certain travel programs and may be inadmissible to the United States. U.S. immigration laws preclude DHS from granting immigration and naturalization benefits to individuals with certain disqualifying characteristics including association with terrorist organizations. See, e.g., INA 208(b)(2)(A), 8 U.S.C. 1158(b)(2)(A) (mandatory bars to asylum); INA 214, 8 U.S.C. 1184 (admission of nonimmigrants); INA 212(a), 8 U.S.C. 1182(a) (inadmissible aliens); INA 215, 8 U.S.C. 1185 (travel control of citizens and aliens); INA 217, 8 U.S.C. 1187 (Visa Waiver Program
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		of collecting, using, and storing sensitive data, nor outlined measures to mitigate these risks. ▪ Recommendation: Conduct comprehensive PIA and revise privacy notices and system of records notices (SORNs) to reflect the expanded data collection and provide transparency about data use and consequences of non-disclosure	eligibility determination); INA 245(a)(2), 8 U.S.C. 1255(a)(2) (admissibility requirements for adjustment of status applicants and agency discretion); and INA 316(a)(3), 8 U.S.C. 1427(a)(3) (good moral character requirement for naturalization). A uniform baseline of data fields, and screening and vetting standards will assist DHS in making sure that these requirements are met. Federal laws, including the Immigration and Nationality Act (INA) and Homeland Security Act of 2002, provide authority for this information collection. For example, INA 287(b), 8 U.S.C. 1357(b), and 8 CFR 287.5(a)(2) empower officers and agents to “take and consider evidence concerning the privilege of any person to enter, reenter, pass through, or reside in the United States.” Specific to the N-400, INA 335, 8 U.S.C. 1446, requires “a personal investigation of the person applying of naturalization” and authorizes USCIS to take testimony “in any way affecting the admissibility of any applicant for naturalization” and to require the production of relevant documents. DHS takes the protection and security of all personally identifiable information (PII), including about third parties, very seriously and strictly adheres to federal privacy laws and guidance and Departmental policies and procedures for protecting PII, including adhering to federal information technology data protection standards. USCIS takes precautions to maintain the security, confidentiality, and integrity of the information collected. Safeguards include controls that limit access of the information to only authorized users. These safeguards employ advanced security technologies to protect the information stored on USCIS systems from unauthorized access. To ensure compliance with these policies, USCIS personnel complete training on the use of information systems and sign Rules of Behavior before any computer use and annually thereafter. The data collected by USCIS will be safeguarded and stored in accordance with the following privacy SORNs and PIAs, respectively: SORNs:
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		- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, see 82 FR 43556 (September 18, 2017); DHS/USCIS-006 Fraud Detection and National Security Records, See 77 FR 47411 (August 8, 2012); DHS/USCIS-007 Benefits Information System, see 84 FR 54622 (October 10, 2019); DHS/USCIS-010 Asylum Information and Pre-Screening System of Records, See 80 FR 74781 (November 30, 2015); DHS/USCIS-017 Refugee Case Processing and Security Screening Information System of Records, See 81 FR 72075 (October 19, 2016); and DHS/USCIS-018 Immigration Biometric and Background Check, See 83 FR 36950 (July 31, 2018). PIAs: - DHS/USCIS/PIA-003(b) Integrated Digitization Document Management Program (IDDMP); DHS/USCIS/PIA-013-01 Fraud Detection and National Security Directorate; DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems; DHS/USCIS/PIA-027 USCIS Asylum Division; DHS/USCIS/PIA-051 Case and Activity Management for International Operations (CAMINO); DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS); DHS/USCIS/PIA-064 myUSCIS; DHS/USCIS/PIA-068 Refugee Case Processing and Security Vetting; DHS/USCIS/PIA-079 Content Management Services (CMS); and DHS/USCIS/PIA-071 myUSCIS Account Experience, which covers the electronic submission of forms to USCIS. All documents are available at: https://www.dhs.gov/system-records-notice-sorns and https://www.dhs.gov/uscis-pias-and-sorns.
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		6. Use of AI: Reliance on AI for data analysis raises concerns about biases, errors, and the lack of safeguards to protect privacy. ▪ Recommendation: Assess the risks of using AI for data analysis, including biases and errors, and establish safeguards to address these issues. These comments call for DHS to address these privacy risks by rescinding or revising the proposal, conducting a PIA, limiting data collection to necessary information, strengthening cybersecurity, obtaining consent for third-party data, and ensuring transparency and safeguards to protect sensitive information.	DHS staff also follow applicable law and policy when redacting or releasing information in response to FOIA requests. Determinations for travel, entry, and immigration benefits will be made by trained USCIS officers and not by computer systems or algorithms. USCIS does not use artificial intelligence for data analysis and vetting of an application. Immigration benefits will be independently reviewed, and a case-by-case determination will be made by USCIS officers based on the totality of the circumstances. In addition, generally, other than discretionary overseas denials, USCIS would not deny a benefit based on the new high value data elements without first confronting the applicant, petitioner, or benefit requestor with the information and providing an opportunity to explain it or rebut any negative inferences USCIS may have drawn from it. See 8 CFR 103.2(b)(16)(i) and (ii). If using AI tools in the future, USCIS will comply with all applicable laws and policy.
Topic 4. Impacts on Immigration Benefit Processing			
0228 0233 0234	Delay Benefit Processing	The summarized comments highlight the following key points about how the proposed collection of information could delay benefit processing: 1. Increased Complexity: Longer, more complex forms will take applicants more time to complete and lead to more errors and omissions. Increased burden may discourage eligible applicants from pursuing naturalization, disrupt family unity, and strain organizations that assist applicants. 2. Increased Burden on Adjudicators: ▪ Proposed changes would require USCIS adjudicators to review a larger volume of data, including complex and potentially irrelevant information. This would exacerbate existing backlogs, slow adjudications, and require additional resources and training, further delaying processing times.	Response: USCIS believes adding questions will not increase the agency's processing time in many situations. While the collection of these new data elements will add some work for USCIS, the new data elements will help USCIS validate information is correctly associated with the applicant in relevant systems and will provide trained DHS adjudication personnel with more timely access to relevant information, all of which may reduce unnecessary delays and costs by allowing timelier confirmation of an applicant's identity and/or benefit eligibility. Through efficient collaboration and information sharing, over time, the government's burden may decrease. DHS has considered the costs of greater use of requested information from applicants for certain immigration benefits in the case adjudication process and recognizes it may take more time for officers to adjudicate each case.

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		▪ Additional training for officers to handle complex data will increase operational inefficiencies and costs. 3. Technological and Practical Limitations: Automated tools are not reliable enough to analyze the proposed data effectively, and manual review could lead to misunderstandings and inefficiencies, further slowing processing. 4. Contradiction with Policy Goals: Proposed changes contradict stated goals of improving government efficiency and reducing regulatory burdens. Instead, they would increase complexity, costs, and delays. The commenters collectively maintain that the proposed information collection is unnecessary, burdensome, and counterproductive. It will significantly delay benefit processing and undermine the efficiency of the immigration system. The commenters urge USCIS to abandon the proposals to maintain timely and effective adjudication processes.	DHS may consider fee increases if necessary to recover costs in future fee rules. DHS has taken into account the cost involved in collecting this information and has found it reasonable and justified given the security and fraud prevention benefits from this collection.
0233	Deter Immigration	The proposed collection of information would deter immigration by imposing excessive burdens on applicants, including the need to provide extensive historical data and sensitive family information, which could discourage individuals, especially in mixed-status families and vulnerable populations like refugees and asylees, due to fears of enforcement actions or harm to relatives. The use of immigration benefit forms as tools for enforcement and intelligence gathering, rather than focusing solely on eligibility, may intimidate applicants and discourage them from engaging with the legal immigration process. Privacy concerns, fear of enforcement actions, and the risk of errors leading to penalties further intimidate applicants, discouraging even eligible individuals from pursuing immigration benefits. The proposed requirements would disproportionately deter vulnerable populations, such as those fleeing persecution, who may lack	Response: USCIS seeks to balance its national security, public safety, and fraud missions with the provision of immigration benefits to eligible aliens. While we recognize that this collection may influence the decisions of a limited number of immigration benefit seekers, USCIS' top priority is the safety and security of the American people. USCIS does not seek to unnecessarily burden applicants but rather seeks to obtain all information necessary to maintain a robust and dynamic screening system. Additionally, DHS does not anticipate that the collection of this additional information will significantly affect processing times for most applicants. The United States will continue to attract the best and brightest to our shores.

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		access to the required information or fear repercussions for their families.	
Topic 5. Constitutional Issues			
0233	First Amendment (out of scope)	The comment raises concerns that DHS's proposed data collection practices could infringe on First Amendment rights by: 1. Chilling Free Expression: Requiring disclosure of extensive personal information, including data on family members, may deter individuals from engaging in constitutionally protected speech. The fear of surveillance, misuse, or unintended disclosure of this information could lead to self-censorship. 2. Consent Issues: Collecting data on third parties (e.g., family members) without their consent raises privacy and association concerns. 3. Lack of Safeguards: DHS has not provided adequate protections to prevent misuse of data or ensure constitutional rights are upheld. This comment also included several comments on social media related to lack of clear standards for social media data and activists or individuals facing retaliation if their social media activity is exposed.	Response: DHS did not address these comments because they are outside the scope of the proposed generic clearance. DHS believes there is no plausible impact on free speech related to these additional data fields. Disclosure of social media handles is not part of this proposed collection but, rather, is part of another proposed collection also posted for public comment in the <i>Federal Register</i> at 90 FR 11324 on March 5, 2025, for a 60-day notice and at 90 FR 44693 on September 16, 2025, for a 30-day notice. Responses to concerns about social media will be provided in that specific Federal Register notice in a separate document.
0230 0232	Fifth Amendment i. Due Process	Commenters argue that the proposal violates the Fifth Amendment's Due Process Clause by failing to meet procedural due process standards in immigration proceedings and provide adequate justification. Key points include: 1. Due Process Violations: Noncitizens, including those in removal proceedings or who entered unlawfully, are entitled to procedural due process protections under the Fifth Amendment. 2. Unfair Burdens: The proposal imposes significant and unnecessary burdens on applicants, such as requiring irrelevant information, which could lead to delays,	Response: USCIS believes the commenters are referring to the due process clause of the Fifth Amendment, which states, "No person shall...be deprived of life, liberty, or property, without due process of law...". USCIS believes the additional data elements in this collection are reasonable to obtain and are not insurmountable. USCIS already is authorized to collect information on family members as part of the application process, and DHS uses this information for determining eligibility and to assess and identify potential fraud, national security, and public safety threats. Additionally, USCIS maintains and stores all collected information in accordance with federal regulatory, statutory, departmental,

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		additional legal fees, and loss of substantive rights like privacy. 3. Lack of Transparency: Collection process is described as unfair and non-transparent, failing to account for its impact on noncitizens and resulting in a "due process loss of substantive rights."	and component privacy requirements, mandates, directives, and policy. The proposed information collection does not impact the due process rights of applicants, petitioners, or benefit requestors. For example, in general other than discretionary overseas denials, USCIS would not deny a benefit based on the new high value data elements without first confronting the applicant, petitioner, or benefit requestor with the information and providing an opportunity to explain it or rebut any negative inferences USCIS may have drawn from it. See 8 C.F.R. § 103.2(b)(16)(i) and (ii). Additionally, if USCIS makes an adverse finding on any request or application, the individual may be entitled to additional immigration processes which may include the right to appeal or appear before an immigration judge.
Topic 6. Waste of Taxpayer Dollars			
0234		Commenter includes that the proposed changes represent a waste of taxpayer dollars for several reasons: 1. Increased Costs Without Justification: Comments highlight that proposed changes would impose financial and administrative burdens on both applicants and USCIS. This includes costs related to gathering hard-to-access information and increased personnel time for processing applications. These costs are seen as unjustifiable given the lack of evidence that the new measures would improve security or efficiency. 2. Inefficiency in Government Operations: Proposed changes are criticized for making USCIS operations less efficient, slowing down application processing times, and increasing administrative complexity. This inefficiency contradicts the goals of reducing wasteful spending and improving government services. 3. Impact on Stakeholders: The inefficiencies and delays caused by the proposals would negatively affect applicants, their families, and	Response: DHS disagrees with these comments that categorize this collection as a waste. Regarding tax dollars specifically, unlike many other federal agencies, USCIS is primarily (approximately 96%) fee-funded, meaning its operations are funded by fees charged to applicants for immigration or naturalization benefits, rather than taxpayer money. Fees collected by USCIS are deposited into the Immigration Examinations Fee Account (IEFA), which is a special fund in the Treasury of the United States used to cover the costs associated with providing immigration and naturalization benefits, such as adjudicating immigration benefit requests, conducting interviews, and screening and vetting. Congress provides a small portion (approximately 4%) of the agency's budget through appropriations, typically for activities like employment verification and civic integration. Comments concerning an increase in burden on applicants and concerns that this data collection is unnecessary have been answered in other sections. Please see responses in Topic 2. Compliance with the PRA, Practical Utility, and

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		businesses, including employers awaiting naturalized citizens to fill critical roles. In summary, the comments argue that the proposed changes would waste taxpayer dollars by imposing unnecessary costs and creating inefficiencies, all while burdening both the public and the government.	Topic 4. Impacts on Immigration Benefit Processing, Delay Benefit Processing.
Topic 7. Other Recommendations			
0229		The recommendations in this comment suggest making immigration forms and processes more rigorous and comprehensive. Recommendations include: 1. Increased Rigor in Forms: Require applicants to provide all aliases, all countries of citizenship, and all telephone numbers used in the last five years to detect potential misuse. 2. Mandatory Personal Interviews: Conduct personal interviews for all applicants to assess the accuracy of their responses, their intentions for coming to the U.S., and their political or social activities. 3. Additional Questions: Include questions about applicants' intention for coming to the U.S. and whether they intend to be politically active in the U.S.	Response: Please see USCIS' responses below. 1. USCIS already included these recommended data elements in the identified 24 data elements within this Generic Clearance for the Collection of Certain Information on Immigration Forms. 2. Most applications and petitions are followed by an in-person interview where the applicant is testifying to information under oath. However, each application and petition includes a certification for the beneficiary, petitioner, or applicant to sign, certifying under penalties of perjury that responses provided and documents submitted are complete, true and correct. DHS appreciates the feedback and is receptive to implementing expanded use of personal interviews in future rule changes. 3. USCIS will not be making this recommended change. While intention for coming to the United States is a data point collected in certain immigration-related forms, many of the forms involved in this generic clearance relate to individuals already in the United States, so it would not be an appropriate addition to all of the impacted forms. Additionally, while certain types of political activity may be relevant to eligibility for particular immigration benefits (see, e.g., INA 313, 8 U.S.C. 1424), there is no question about political activity that would be relevant to eligibility for all of the benefits impacted by this generic clearance.

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		4. Technology Use: Ask applicants about their use of personal computers and the type of internet activities they engage in.	4. USCIS will not be making this recommended change. This recommendation is overly broad, and it would not yield pointed responses necessary to meet the purpose USCIS seeks. USCIS understands there is a delicate balance between requesting information necessary for national security and public safety vetting and asking for information that would be considered intrusive and irrelevant for vetting purposes.
Topic 8. Support			
0235		Align with Executive Order 14161: Commenter expressed support for strengthened vetting standards to improve national security and applicant screening.	Response: DHS appreciates the positive feedback and comments.
Topic 9. Out of Scope			
0229 0231 0233 0234		Several commenters referenced information collections or regulatory-related information that does not pertain to this proposed generic clearance. Some commenters also included comments on social media data collection.	Response: These comments are out of scope for the proposed generic clearance of the intended information collection because they do not provide feedback on the nature of the proposed generic clearance or the actual information collection instruments affected. Disclosure of social media handles is not part of this proposed collection but, rather, is part of another proposed collection also posted for public comment in the <i>Federal Register</i> at 90 FR 11324 on March 5, 2025, for a 60-day notice and at 90 FR 44693 on September 16, 2025, for a 30-day notice. Responses to concerns about social media will be provided in that specific Federal Register notice in a separate document.