

Generic Clearance for the Collection of Certain Information on Immigration Forms - Responses to 60-day Public Comments

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

60-day FRN Citation (federalregister.gov): [90 FR 11054](#)

Publish Dates: March 3, 2025 – May 2, 2025

Comment ID	Comment Sub-Theme	Comment Summary	USCIS Response
Topic 1. Legal Authority to Collect			
0054 0065 0067 0077 0079 0095 0102 0103 0172 0173		Several commenters expressed concern regarding whether DHS has the legal authority to collect the proposed high value information. For example, one commenter wrote that the Immigration and Nationality Act “does not explicitly authorize the collection of extensive data on family members who are not themselves applicants”, and that the proposed form “exceeds the statutory authority granted to USCIS.” Further concern was raised that the proposed generic clearance for collection of certain information regarding non-applicant family members would be “arbitrary and capricious” under the Administrative Procedure Act (APA), and that the proposed collection of sensitive information about individuals who have not consented to such disclosure and are not themselves seeking immigration benefits, would raise “significant Privacy Act issues.” Commenters also raised concern over constitutionality, particularly Fourth Amendment implications, as the “sweeping nature” may constitute an “unreasonable search and seizure of information.” Another commenter wrote that the proposals represent expansions by “agency fiat” and that “USCIS is attempting to impose an intrusive and unauthorized investigatory process that exceed far beyond what the law allows.”	Response: DHS disagrees with commenters that its collection of high value information elements is unconstitutional, that it exceeds the agency’s authority, is unnecessarily duplicative, arbitrary and capricious, or that it constitutes an abuse of power. DHS has broad authority under the Immigration and Nationality Act (INA) and Homeland Security Act (HSA) of 2002, to administer immigration laws including collecting information included 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 C.F.R. § 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. Additionally, DHS abides by the Privacy Act and provides public notice about collection and use of data under appropriate System of Records Notices (SORNs), Privacy Impact Assessments (PIAs), and privacy notices on DHS forms. The System of Records Notice DHS/USCIS-007 Benefit Information System, 84 FR 54622, October 10, 2019, lists current, former, and potential derivatives of requestors (family members) in its Category of Individuals Covered by the System.

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		Another commenter wrote that the proposed generic clearance for collection of certain information on immigration forms represents “a significant overreach by the government to use immigration benefits applications to facilitate enforcement measures.”	This collection is also consistent with Supreme Court rulings related to Fourth Amendment protections to the extent such protections are applicable in this context. It is not a violation of the Fourth Amendment to ask questions of an individual who is not detained and may choose whether or not to answer them. <i>See, e.g., Florida v. Royer</i>, 460 U.S. 491, 497 (1983) (citing cases). Individuals who choose to seek admission to the United States or apply for immigration benefits do so on a voluntary basis, and as such, the inclusion of particular questions on USCIS forms does not pose a Fourth Amendment concern. DHS also has practical utility for the collection of this information. 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.
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Topic 2. Compliance with the PRA			
0055 0056 0058 0064 0066 0068 0074 0077 0083 0086 0087 0089 0092 0094 0095 0097 0099 0100 0103 0116 0117 0121 0122 0140 0142 0153 0155 0157 0159	Practical Utility	Many commenters detailed that the newly requested data elements are not necessary, go beyond what is needed to adjudicate these applications, and therefore, do not have practical utility. Commenters expressed a desire to know how the collection of this extensive sensitive information from the applicant and their family members will enable the agency to achieve its goal of better screening applicants for immigration benefits. Many commenters highlighted concerns around collection of telephone and email history and are seeking clarity on how it is relevant to eligibility and its relevancy to naturalization. One commenter stated that the proposed collection has no practical utility with respect to using the requested data to help validate an applicant's identity in order to determine whether such a grant of a benefit would pose a national security or public-safety risk to the United States, in accordance with the EO. The commenter further detailed that DHS regulations already permit agencies to collect and store biometric information from immigration benefit applicants and that these biometrics already verify a person's identity, produce secure documents, and facilitate required criminal and national security background checks to protect national security and public safety as well as ensure that the person is eligible for the benefit sought. Therefore, the commenter claimed that DHS is already authorized to use a biometrics system to accomplish the purported goals of this proposed collection and the EO.	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' national security and law enforcement partners to better vet applicants for potential information of interest that could affect eligibility and/or admissibility. The information collection contains critical data elements for identity verification and screening. USCIS has a layered approach to security, and information collected would be only one piece of a large mixture of information used in the analysis of the applicant's eligibility. Although the

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0160 0166 0172 0076 0181 0182 0084		In addition, concerns were expressed on why all forms include all proposed data elements uniformly, since the forms are used for widely different benefit types and have different requirements. Many commenters expressed concerns questioning why information on family members (parents, spouse(s), siblings, and children) is being collected and the necessity of collecting this information. Commenters also questioned whether this information is relevant to whether the applicant is eligible for the benefit sought. One commenter stated that this proposal appears to be an unnecessary wide search for information that should focus on the applicant and not the applicant's family members, unless they are also simultaneously requesting immigration benefits. Another commenter expressed that existing security and background check procedures effectively screen applicants without requiring extensive information about non-applicant family members and that additional information about family members can be requested on a case-by-case basis when relevant to eligibility, rather than being comprehensively required. Other concerns expressed about the collection of family members' information included the use of this information to confirm or disprove an association between the applicant and information of interest. Specifically, commenters were concerned that immigration benefits may be denied if an applicant does not know the various family members' information being	potential exists for an applicant to provide false or inaccurate information, the response (or lack thereof) the applicant provides in the context of the larger picture will guide the line of inquiry pursued by the officer. The potential for inaccurate/false information does not render the collection of this information unnecessary. In addition, USCIS has established authorities to address fraud and misrepresentation on immigration benefit requests. USCIS makes case-by-case determinations based on the totality of the circumstances consistent with its authorities. DHS provides public notice about collection and use of data under appropriate System of Records Notices (SORNs), Privacy Impact Assessments (PIAs), and privacy notices on DHS forms. The Privacy Act System of Records Notice DHS/USCIS-007 Benefit Information System, 84 FR 54622, October 10, 2019, lists current, former, and potential derivatives of requestors (family members who may benefit from the request) in its Category of Individuals Covered by the System. The collection of data elements relating to the applicant's living and deceased family members will help DHS verify that the applicant does not have any associations with terrorist organizations or other groups that may pose a national security and/or public safety threat.
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		requested in the proposed data elements. Commenters also stated that DHS failed to consider the reality that applicants may be estranged from their parents, siblings, and children. Thus, applicants may not be able to collect and provide the information requested about their family members, which leaves applicants in a difficult position to determine if they should guess or simply not provide the information. The collection of U.S. Point of Contact data elements was raised by many commenters questioning the practical utility of collecting this information. For example, the Form I-485 instructions state “If you are outside the United States” but the applicant must be in the United States when submitting the application. The commenter stated there is no practical reason for a form that requires the applicant to be in the U.S. to collect a point of contact in the U.S., when the applicant is already in the U.S. and can be their own point of contact. Some commenters also expressed concerns that the addition of a question requiring a “U.S. Point of Contact Name and Phone Number if the Applicant is Located Outside of the United States,” violates the prohibition on “unnecessarily duplicative” information in 5 CFR §1320.9(b). Also, a commenter stated that this question for “U.S. Point of Contact” violate 5 CFR 1320.9(a) because there is no practical utility in requiring a “U.S. Point of Contact” on many of the forms where a U.S. contact for the applicant is not a requirement for eligibility.	The collection of Point of Contact information will be used by USCIS as a secondary data element to help confirm a subject's identity as it relates to the submitted application and to other records, and/or to, internally and with screening partners, help confirm or disprove an association between an applicant and information of interest, and the strength of that association in the context of the underlying information. USCIS revised the Point of Contact data element by removing the requirement that the individual identified as a Point of Contact be located in the U.S. This update was made on each impacted information collection, with the exception of Form I-590; see Topic 9. Form Specific Comments, Form I-590, Registration for Classification as Refugee for further explanation for this exception. The revised data element allows the applicant to list any Point of Contact, anywhere in the world, who can confirm the applicant's identity, if necessary. This resolves commenters' concerns that certain applicants may not have a U.S. point of contact. The intent of this data element is to collect a primary point of contact, an
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		One commenter expressed that the collection of Known Traveler Number (KTN) should be added to the forms to streamline background checks, stating that this would be more efficient since a background check would have already been completed as part of the application for Transportation Security Administration (TSA) pre-check through DHS.	individual who knows the applicant and can verify, if necessary, the applicant's identity. USCIS will not be including KTN as a recommended data element. Requesting a KTN is not included in USCIS' proposed changes as the other information listed is sufficient to meet DHS's stated goals.
0066 0067 0090 0092 0099 0100 0101 0103 0104 0114 0115 0117 0118 0119 0123 0135 0151 0156 0181 0182	Duplication	Many commenters expressed concerns that the proposed data elements will cause unnecessary duplication of information that is already collected through other means, such as on other current immigration forms that collect biographic information and essential immediate family member information necessary for adjudication. It was stated that the data elements 1-7 and 15-16 are in violation of 5 CFR 1320.9(b) because these data elements are already collected on the identified forms, and "reasonably accessible to USCIS." Adding these elements would be "unnecessarily duplicative" of "information otherwise reasonably accessible to the agencies." A commenter also argued that the proposed changes would represent a violation of 5 CFR 1320.9(c) as it would increase, "the amount of time that benefit requestors must spend on the identified forms."	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. U.S. Government departments and agencies involved in screening and vetting, to include 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

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			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’s 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 piece of a large mixture of information used in the analysis of the applicant’s eligibility. Although the potential exists for an applicant to
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			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 line 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.
0002 0044 0045 0055 0056 0058 0060 0061 0067 0071 0077 0078 0079 0080	Underestimation of Burden	Many commenters expressed that DHS has underestimated the burden to applicants for providing multiple years' worth of information and that unnecessary burden is imposed with the expansive collection of information. Many commenters expressed that the estimated burden was underestimated and misrepresented the increase in burden that will result from the new collection. In addition, it was expressed that the current burden estimate increase of 0.73 to 1.27 hours per form should be increased closer to 5 hours per form because the burden does not simply entail writing down information to the proposed questions but includes researching and obtaining information necessary to respond. There were concerns expressed that the	Response: USCIS has increased the estimated hour burden per response by adding an additional 3 hours for each impacted information collection to more accurately reflect the burden imposed on the public. With the new data elements, the hour burden per response to complete these information collections will have an overall increase by an average of 3.8 hours on each application. USCIS has 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 to more accurately reflect the burden estimate.

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0082 0084 0090 0088 0089 0090 0092 0093 0094 0095 0099 0100 0101 0103 0104 0105 0106 0107 0116 0117 0118 0119 0120 0121 0122 0124 0125 0127 0128 0131 0133		complexity and difficulty of gathering extensive information will be prohibitively more time-consuming and costly. Commenters also stated that the burden did not account for practical challenges faced by individuals who may lack access to comprehensive records, with there being a disproportionate impact on vulnerable populations due to lack of access to necessary documentation or challenges in providing historical information. One commenter expressed that expanding these forms would make them impractically longer, further complicating and extending a complex and overwhelming process. Multiple commenters expressed concerns with collecting five years of information for phone numbers and ten years of information for applicants' email address(es) which imposes an unnecessary and significant burden on applicants and applicants may not have access to or recollection of the comprehensive historical information personally and for family members. It was highlighted in several comments that the proposed collection will also greatly increase the length of each form, and the overall hourly burden will increase exponentially. One commenter expressed that the estimated burden increase was misrepresented by proposing a simultaneous, separate information collection for the same nine forms under another Federal Register announcement so that the estimated burden increase does not calculate the aggregate impact of both proposed new collections. In addition to mischaracterizing the estimated burden increase, the	The Generic Clearance for the new collection of certain information on immigration forms identifies the 24 data elements that constitute a new baseline threshold of data to be collected for identity verification and national security vetting. The Generic Clearance includes the information collections that will be affected upon approval of the Generic Clearance and USCIS will then update the affected information collection instruments and systems
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0134 0135 0136 0137 0138 0140 0141 0142 0143 0144 0146 0147 0148 0149 0151 0152 0153 0154 0156 0158 0159 0160 0161		commenter expressed the supporting statement seeks to downplay the burden increase by describing only the added time to each form without comparing it to the current time needed to complete each form.	to collect the additional data elements where the information is not already collected. The Generic Clearance is being used to propose the identified 24 data elements for a singular OMB approval which would then be applied to the affected information collections. 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.
0162 0163 0164 0166 0169 0170 0171 0172		A commenter expressed that the proposed information collection misrepresents the monetary cost burden to the public with the Federal Register Notice noting that the estimated total annual cost burden associated with this collection information is \$0. The commenter further elaborated that “in assessing that there will be a total of \$0 increase in cost on the public of adding these numerous new information collections to 3.5 million	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

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0173 0174 0175 0178 0180 0181 0182		forms per year, the supporting statement disingenuously infers that the only ‘cost’ to the public is the amount of time that applicants will now have to spend on each form, discounting the fact that adding millions of hours to the time needed to adjudicate benefits will increase costs to the agency once USCIS has to find a way to pay for the added expense of completing each adjudication.” Another commenter expressed that gathering up to ten years of contact and email history for oneself and one's relatives is time-consuming and, in many cases, requires the assistance of legal counsel. For many applicants, especially those with limited means, these requirements impose a real and significant financial burden. One commenter stated that many applicants will not have the contact information for children that are over age 18 and are missing, estranged, or no longer in contact for various personal reasons. There were other concerns expressed on the burden associated with collecting this information from family members that may be deceased or if they are estranged from family members due to abuse and concerns around the applicant having to gather this information from the family member causing personal safety issues.	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. In regard to the comments on increased time to adjudicate benefits and increased agency costs, you can find a response below in Topic 4. Impacts on Immigration Benefit Processing/Travel, Delay Benefit Processing. USCIS included the ability for applicants to identify if a child is deceased or if their current whereabouts are unknown when providing a Child’s Current Address. When providing a Child’s Telephone Number used in the past five years, instructional language was included to provide this information “if known” to be inclusive of situations where the applicant cannot access or recall the information. While some commenters expressed concerns that applications may be denied if applicants are unaware of details concerning their family members, specifically estranged or long-deceased family members, USCIS does not deny an application based solely on the applicant’s failure to provide information that the applicant does not know. Applicants may be asked to provide an explanation regarding their lack of knowledge if they are unable to answer particular questions on the form.
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0054 0055 0061 0065 0071 0079 0080 0084 0093 0095 0098 0103 0116 0117 0119 0120 0121 0151 0160 0163 0164 0167 0172 0173 0179 0181 0182	Appropriateness of generic clearance	Many commenters expressed that generic clearance is inappropriate for this proposed collection of information as the collection of information is not low burden, not voluntary, and not uncontroversial. Several commenters stated the data collection asks for information beyond the scope of a generic clearance request. Many commenters stated that the proposed collection of information is not low burden as the data collection adds 24 new “data elements” to nine immigration forms used to pursue lawful immigration status. Many commenters expressed concern about the increase in length of the forms. Commenters further disagreed with DHS’s estimate for how long it will take an applicant to complete each form, stating that the estimated time to complete each form will double for most applications. Many stated that the estimated time burden only accounted for the amount of time it takes to fill out the forms and did not take into account the amount of time needed to research and gather information to accurately answer the new 24 data elements. Many commenters also expressed concern that the new data elements will increase the processing times of the nine high value forms, including an increase in requests for evidence, and potentially erroneous denials.	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 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
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¹ 44 U.S.C. chapter 35; 5 CFR Part 1320.

² 8 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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		Some commenters indicated that DHS should publish a separate Federal Register notice for each form and make the proposed changes available to the public to review.	this process in order to make the proposed necessary changes to ensure a thorough screening and vetting process. USCIS is publishing a 30-day Federal Register Notice for the Generic Clearance for the new collection of certain information on immigration forms. The 60-day notice included, and the 30-day notice will include each affected information collection instrument with instructions which include 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			
0002 0054 0055 0056 0057 0059 0062 0063 0064 0065 0067 0071 0073 0077 0079 0078 0079		Many commenters expressed concern regarding compliance with the Privacy Act, as well as information security and data integrity. For instance, one comment suggested that rather than “expanding data collection, efforts should focus on ensuring that existing processes are well organized, fair, and protective of fundamental rights.” Another commenter expressed concern that there “are no clear safeguards to prevent misuse or data leaks” and that this information collection “normalizes invasive data collection and further erodes individual rights.” Several commenters expressed concern that some of the data was about individuals who may not be able to consent to the disclosure. For instance, one commenter wrote that “requiring applicants to disclose phone numbers, emails, and the whereabouts of family	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 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 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

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0082 0083 0084 0085 0086 0088 0092 0093 0094 0095 0096 0097 0098 0100 0102 0103 0104 0106 0107 0117 0120 0122 0123 0126 0131 0132 0133 0136 0141 0145 0147		members compels the sharing of personal information from individuals who have not consented.” Another wrote that “mandating applicants to disclose contact details and locations of family members compels the release of sensitive personal information without their consent.” With respect to the Privacy Act, one commenter declared that the proposed collection raises issues because the proposed generic clearance involves “gathering sensitive information about individuals who have not consented to such disclosure and who are not themselves seeking immigration benefits.” Another indicated that the requirement to collect 24 data elements would represent “an unprecedented invasion of privacy” and that spanning the collection of data back 10 years would be “particularly egregious”. Another stated that there will be a greater risk of violations of data integrity “because the information will easily be ‘spilled’ through FOIA releases, absent an extensive and onerous redaction process by FOIA processors.” Privacy Act: Several commenters asserted that the proposed generic clearance is not in compliance with the Privacy Act of 1974 as amended. Specifically, commenters stated that the proposed generic clearance for data collection requires that USCIS gather sensitive information about people who have not consented to the disclosure of that information and who are not seeking immigration	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 Record 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 eligibility determination); INA § 245(a)(2), 8 U.S.C. § 1255(a)(2) (admissibility requirements for adjustment of status
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0148 0150 0151 0154 0156 0157 0158 0159 0160 0161 0162 0163 0164 0166 0168 0170 0171 0172 0173 0174 0180 0181		benefits themselves. Some commenters noted that U.S. Citizens and Lawful Permanent Residents, who are the persons covered by the Privacy Act (see 5 USC section 552(a)(2)), would have their personal information provided to USCIS without their consent. Multiple commenters also noted that only applicants provide authorization for the release of their personal information on USCIS forms: family members who are not petitioners or beneficiaries do not sign Petitioner/Applicant Certifications. One commenter further asserted that DHS's Fair Information Practice Principles (FIPPs) would be violated by this data collection, the relevant FIPP here being "individual participation", as non-applicant family members do not authorize disclosure of their personally identifiable information (PII) to USCIS. On the same topic, another commenter stated that the Privacy Act, "requires that the agency 'inform each individual whom it asks to supply information... (C) the routine uses which may be made of the information, as pursuant to paragraph (4)(D) of this subsection; and (D) the effects on him, if any, of not providing all or any part of the requested information.' 5 U.S. [section] 552a(e)(3)." The commenter states that this information is not provided to all of the individuals about whom information is collected, only the applicants, the individuals "whom [USCIS] asks to supply information". Several commenters also stated that the data collection was not narrowly tailored and justified by a compelling	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 C.F.R. § 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
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		government interest. Multiple commenters stated that the Privacy Act requires federal agencies to collect only information that is legally authorized and necessary and claimed that the proposed information collection is neither legally authorized nor necessary. Some commenters cited the Immigration and Nationality Act's lack of specific authorization for this data collection and the lack of argument and observational security data demonstrating that the biographical data collection proposed was necessary. Others simply stated that USCIS provided no justification for the proposed information collection, and, therefore, had not shown its necessity. One commentator more narrowly claimed that the proposed information collection of elements 15 through 22 was neither legally authorized nor necessary. One sentiment discussed in multiple comments asserted that other FIPPs would be violated by this general clearance. These commenters state that USCIS justifies the general clearance by appealing to the need for increased vetting, but has not explained why increased vetting is necessary, allegedly violating the FIPPs of "transparency" and "purpose specification". These commenters further state that data collection is not minimized by this clearance, violating the "data minimization" FIPP; that the description of how the additional information collected will be used is inadequate, violating the "use limitation" FIPP; and that family members may, in many cases, not review and do not sign testifying to the accuracy of data applicants provide about them, violating the "data quality and	our systems from unauthorized access. To ensure compliance with these policies, USCIS personnel complete training on the use of information systems and sign the 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: • 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-
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		integrity” FIPP. They further indicate that USCIS risks violating the “security” FIPP by having more information that must be redacted to respond to FOIA requests which will increase the risk of error and accidental release of PII. They also state that USCIS has not proposed any accountability or auditing measures to ensure data security, which may lead to violations of the “accountability and auditing” FIPP. Another commenter wrote that DHS has not yet “conducted a Privacy Impact Assessment on the risks of collecting, using, and storing the [PIII] of applicants’ family members who are not applying for an immigration benefit”, to include U.S. Citizens and Lawful Permanent Residents and that U.S. Citizens and Lawful Permanent Residents are the subjects of Privacy Impact Assessments, as outlined in Section 208 of the E-Government Act of 2002 and in OMB’s subsequent implementation guidance. Data Security: With regard to data security, many commenters asserted that increasing the amount of data USCIS collects increases the risk of identity theft and other forms of fraud should PII be breached or leaked. One commenter stated that the collection of biographic data for non-applicants outlined in elements 15 through 22 would “greatly increase the risk of future Privacy Act violations by USCIS because the information will be easily ‘spilled’	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-notices-sorns and https://www.dhs.gov/uscis-pias-and-sorns. DHS staff also follow applicable law and policy when redacting or releasing information in response to FOIA requests. USCIS officers are aware that there may be data integrity issues with any information collected on its forms, including some may inadvertently be inaccurate, out of date, or otherwise compromised. USCIS verifies information provided by various means and considers the totality of evidence before making a final determination on a case. In many instances, applicants are provided notice and opportunity to explain any information that may be inconsistent or deficient.
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		through FOIA releases, absent an extensive an[d] onerous redaction process by FOIA processors.” Many commenters expressed concern that the additional data collected by USCIS would be used for discretionary denials of immigration benefits based on the activities of family members with whom applicants no longer have a substantial connection. Many commenters expressed concern that law enforcement would use the additional data USCIS proposes to collect about the applicant’s family members who are not applying for an immigration benefit. In general, commenters were concerned that the Federal Register Notice did not contain enough information on how the data would be safeguarded from data breaches. One commenter wrote: “The government is currently experiencing an unprecedented level of leaks, with unauthorized groups accessing the private and confidential information kept by various government agencies, including information of U.S. citizens. The proposed generic clearance provides no safeguards to prevent misuse or data leaks.” Multiple commenters stated that the U.S. Government and other institutions have lately had a poor track record of keeping PII safe. One commenter wrote that the U.S. Government released many Social Security Numbers unintentionally when declassifying internal investigations about the assassination of former President John F. Kennedy. Another cited a study indicating that close to 700 million	
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		American records were leaked in 2024 and that between 2023 and 2024 global data breaches increased eightfold. A few commenters expressed concerns that the U.S. Government would use the new information USCIS proposes to systematically persecute individuals based on their nationality, religion, or political opinion. Some commenters were similarly concerned that the U.S. Government would release some PII to the public in the hopes that others would threaten, intimidate, or harm the relevant individuals (i.e., engage in “doxxing”). Data Integrity: Multiple commenters were concerned that because telephone numbers and email addresses are public, these may be attached to subscriptions that do not actually represent the activities or interests of the individual involved, in particular by anti-immigration activists who wish to sabotage the applications of individuals applying for immigration benefits. One commenter noted that email addresses from major providers like Yahoo and Microsoft are recycled because their email accounts are deactivated after less than ten years of inactivity (the proposed length of email address history to be collected), and that email addresses may no longer be used by the individual. The commenter was particularly concerned that the dates the email addresses were active are not included in the proposed data collection.	
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		Many commenters were concerned that the additional burden on applicants and the administrative system will compound the likelihood of errors both by applicants and by USCIS. Some were concerned that USCIS may deny a benefit for gaps in the personal information that the applicant was unable to obtain. Commenters were also concerned about how refugees and asylees, in particular, might be able to collect information when they have become separated from family members or fled under circumstances that do not allow further contact with their family members. Commenters were also concerned about applicants who will be unable to collect information from family members who had died or from whom they had become estranged because of past abuse.	
Topic 4. Impacts on Immigration Benefit Processing/Travel			
0002 0044 0045 0055 0056 0058 0060 0062 0063 0064 0068 0069 0070 0076	Delay Benefit Processing	Several commenters wrote expressing concerns over possible delays in benefit processing times. One commenter, for example, wrote that the proposed changes would, “not only place an undue burden on both the applicants and the administrative system but also risk making some of these forms impractically longer.” Another wrote that as the forms become longer, “the process of reviewing and processing such applications becomes more complex, burdensome.” Another expressed concern that the collection of additional information would be “the opposite of efficiency.” Another raised concerns regarding the “additional burden on government which would add to the backlog in processing” of immigration forms.	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.

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0077 0078 0086 0089 0088 0092 0093 0094 0095 0097 0103 0107 0116 0121 0122 0123 0142 0146 0147 0149 0151 0155 0156 0157 0160 0161 0163 0164 0172 0174 0181		Some commenters indicated that it would have a negative impact on government efficiency, with one suggesting that the “immigration screening process is already quite burdensome as it is” and that this would not be helped by adding “2,000,000 hours of federal bureaucracy” to the process, while another expressed concern that adding “needless bureaucracy” would amount to the “opposite of government efficiency.” Others expressed concern regarding the potential for additional strain on the USCIS budget and additional work hours. One expressed concern regarding “the response time from the USCIS would be longer” while “the additional cost to the USCIS budget could end up being huge.”	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. DHS may consider fee increases if necessary to recover costs in future fee rules. DHS has taken into account the costs involved in collecting this information and has found it reasonable and justified given the security and fraud prevention benefits from this collection.
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0182			
0069 0071 0073 0076 0079 0086 0101 0104 0105 0116 0124 0125 0127 0128 0131 0134 0138 0141 0143 0144 0146 0147 0149 0151 0152 0155 0156 0161 0162 0166	Deter Travel or Immigration	Some commenters expressed concern that the proposed generic clearance may deter travel or immigration flow. For example, one comment suggested that the proposed changes would “discourage people from applying for immigration status by threatening their relatives” which may undermine “the purpose of immigration.” Some commenters suggested that it would be impractical to remember or gather information such as phone numbers and emails, deterring people from applying for immigration benefits. Another commenter expressed concern that elderly applicants would have difficulty tracking down phone numbers and emails which may create barriers when applying for immigration benefits. Some commenters also opined that the proposed changes could result in having a “chilling effect” on the applicants. Another suggested that the added “administrative burden” of the proposed changes was “too high and not realistic.”	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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0169 0171 0172 0175 0180 0183			
Topic 5. Constitutional Issues			
0096 0097 0157 0161 0168	First Amendment (out of scope)	Several commenters expressed concern that the proposed collection would violate the first amendment, with one commenter stating that it would “affect applicants in a biased and prejudicial way”. Another commenter stated that this data collection will have a chilling effect on 1 st , 4 th , and 14 th amendment rights, as applicants will self-censor to avoid scrutiny.	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.
0002 0054 0057 0059 0062 0063 0064 0065 0067 0070 0071 0085 0089 0097 0098 0102	Fourth Amendment	Commenters alleged that the sweeping nature of the data collection of non-applicants may constitute an unreasonable search and seizure of information. Another commenter believes that data collection without safeguards raises concerns about 4 th amendment violations as well as privacy and due process rights.	Response: DHS disagrees with commenters that its collection of high value information elements is unconstitutional, that it exceeds the agency’s authority, or that it constitutes an abuse of power. DHS has broad authority under the Immigration and Nationality Act (INA) and Homeland Security Act (HSA) of 2002, to administer immigration laws including collecting information included 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 C.F.R. § 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.”

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0115 0131 0146 0150 0154 0157 0161 0163 0171 0172 0180			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. These additional questions help facilitate this personal investigation. This collection is also consistent with Supreme Court rulings related to Fourth Amendment protections to the extent such protections are applicable in this context. It is not a violation of the Fourth Amendment to ask questions of an individual who is not detained and may choose whether or not to answer them. See, e.g., Florida v. Royer, 460 U.S. 491, 497 (1983) (citing cases). Individuals who choose to seek admission to the United States or apply for immigration benefits do so on a voluntary basis, and as such, the inclusion of particular questions on USCIS forms does not pose a Fourth Amendment concern.
0057 0059 0062 0063 0064 0088 0097 0145 0154 0173 0180	Fifth and Fourteenth Amendments i. Due Process	Several commenters expressed concerns about Fifth and Fourteenth Amendment violations, specifically due process. One commenter stated, “the collection creates insurmountable barriers to accessing immigration benefits and humanitarian protections that are guaranteed by statute”. Another commenter said that this collection would “drastically transform USCIS’ Procedures” and that “a massive shift in practice does not reflect a fair and transparent process and is instead symptomatic of a due process loss of substantive rights.” Several commenters also expressed that this collection is a violation of the due process rights of the individual	Response: USCIS believes the commenters are referring to the due process clause of the Fifth and Fourteenth Amendments, which state, “No person shall...be deprived of life, liberty, or property, without due process of law...” and “No state shall...deprive any person 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

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		whose information is provided by the person filling out the form.	safety threats. Additionally, USCIS maintains and stores all collected information in accordance with federal regulatory, statutory, departmental, and component privacy requirements, mandates, directives, and policy.
0062 0063 0064 0070 0148 0157	Miscellaneous	Commenters have stated that this collection is an example of intrusive overreach that undermines privacy and due process and will lead to increased government surveillance and profiling. Further, commenters wrote, the proposed collection targets noncitizens and reinforces harmful stereotypes, like foreign nationals from particular regions warrant enhanced surveillance. Commenters stated that the collection threatens core constitutional values and presents privacy and 1st amendment concerns, chilling speech and disincentivizing expressing political opinions. At least one commenter presented the following concerns: that the collection forces disclosure of sensitive personal information without family member consent and violates their privacy and is an example of government surveillance that provides no protections against breaches with no guarantee the information will be safe. Commenters claimed that the collection does not outline the meaningful security improvements to be gained. One commenter believes telephone metadata has limited utility and will lead to an increase in unfair discretionary denials, noting that the NSA telephone metadata program was found unlawful in multiple court cases. The commenter wrote that the collected data	Response: Many of the comments in this section have been answered in other sections related to privacy, data security, effectiveness of data collection, economic concerns, concerns about discouraging immigration, and concerns about increased burdens for applicants and USCIS personnel. This information collection will permit USCIS to better vet applicants for immigration benefits. Individuals who present a threat to national security or public safety are not eligible for certain benefits and 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 § 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). Additionally, the relevant information will assist in our investigations and in making sure that these requirements are met. 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 Federal Register on March 3, 2025. Responses to concerns

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		would result in increased false positive or unclear results and that it would be ineffective as a vetting tool, claiming that additional collection would not improve immigration screening or reduce risk. One commenter believes irrelevant information makes it more difficult to identify legitimate security threats. Additionally, some commenters pointed out that applicants and family members whose information must be included have social media handles they no longer use or remember.	about social media will be provided with reference to that specific Federal Register Notice in a separate document.
Topic 6. Vulnerable Populations			
0055 0056 0059 0086 0087 0098 0131 0143 0144 0151 0154 0162 0163 0171 0172 0180		Many commenters expressed concerns regarding the collection's impact on vulnerable populations. Several commenters noted that some applicants, including asylum seekers or those in refugee camps, may not have access to the relevant documentation or information. Another commenter noted that requiring this information would provide the opportunity for exploitation from bad actors, including persecutors or abusive family members. One commenter stated that providing this information will demand more hours from a client's attorney, which would disproportionately affect lower income clients. Others noted that the increased data requirements can lead to decreased application rates among low-income applicants, minority groups, and the elderly. Another commenter noted the need for increased data protection requirements in the context of vulnerable populations.	Response: The information in this collection constitutes a small portion of the information used in the analysis of an application. If any individual does not have access to certain information, they may indicate as such on the forms. Any one response (or lack thereof) to a certain additional data element will not exclusively determine whether an application is approved or denied. DHS makes case-by-case determinations based on the totality of the circumstances consistent with its authorities.

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Topic 7. Discrimination			
0055 0072 0086 0087 0095 0098 0101 0106 0138 0157 0162 0168 0172 0180		Some commenters expressed concerns that this collection is targeting specific populations and would result in discrimination. One commenter noted that collecting personal and family information “may lead to profiling or discrimination, intentionally or unintentionally” and “reinforce systemic biases.” Another commenter expressed a concern that this collection would “reinforce harmful stereotypes”, including that foreign nationals warrant enhanced surveillance. One commenter called the collection a “systemic attack on minorities”, and another opined that it could be “discriminatory to those that come from certain circumstances or someone that practices [a] certain religion.” Another claimed this collection would be “weaponized against vulnerable demographics”.	Response: DHS is committed to the highest standards of conduct, especially when it comes to the fair, unbiased, and transparent enforcement of our mission responsibilities. The collection of this additional information will be used to help enforce our immigration laws by assisting in the adjudication of eligibility to travel to or be admitted to the United States or be granted an immigration-related benefit. Existing DHS policy prohibits the consideration of race or ethnicity in our investigation, screening, and enforcement activities in all but the most exceptional instances. This policy is reaffirmed in manuals, policies, directives, and guidelines. Existing DHS policy also prohibits profiling, targeting, or discrimination against any individual for exercising his or her First Amendment rights. We will not use the information in a discriminatory manner that prevents entry into the United States or denies benefits based on an applicant’s personal characteristics unless relevant to admissibility or statutory eligibility for a benefit. DHS will handle this collection of data in the same manner as other information collected for travel or immigration benefit purposes. This new collection of information is one data point for vetting travelers and benefit requestors and is intended to complement other information, including other application data provided by the alien. DHS will make case-by-case determinations based on the totality of the circumstances.

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Topic 8. Waste of Taxpayer Dollars			
0116 0121 0122 0155 0160 0172 0181 0182		These comments collectively argue that the proposed information collection requirements for immigration benefit applications will lead to significant governmental waste and inefficiency. Key points include: Economic Impact: The increased processing times and administrative burdens will lead to higher costs for both the public and USCIS. This could potentially lead to budget shortfalls and financial instability for the agency. Increased Burden and Costs: The new requirements will drastically increase the time and resources needed for applicants to gather information, which will also increase the workload for USCIS, leading to higher operational costs and longer processing times. Governmental Inefficiency: The additional data collection is seen as unnecessary and duplicative, adding bureaucratic layers without clear benefits. This inefficiency contradicts the administration's stated goals of reducing waste and improving governmental operations. Misrepresentation of Costs: The supporting statement for the proposed collection claims that there will be no additional cost burden to the public, only an increase in the time required to complete forms. However, the comments suggest that this is misleading, as the increased time for adjudication will ultimately lead to higher costs for the agency and the public.	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 and duplicative have been answered in other sections. Please see responses in Topic 2. Compliance with the PRA, Underestimation of Burden and Topic 4. Impacts on Immigration Benefit Processing/Travel, Delay Benefit Processing.

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Topic 9. Form Specific Comments			
0045 0061 0071	Form N-400, Application for Naturalization	One commenter stated that the revisions to the Form N-400 would create processing delays for USCIS and lead to confusion and errors on the part of the applicant. One commenter objected to the increased length of the Form N-400 and stated that the additional information is excessive and irrelevant and has no bearing on an alien’s eligibility to naturalize. This commenter also stated that the new revisions to the Form N-400 and form instructions violates the Paperwork Reduction Act (PRA) and the Administrative Procedure Act (APA). This commenter also indicated that DHS has failed to provide an explanation as to why this data collection is necessary. Additionally, some commenters expressed concerns that applications for naturalization may be denied if applicants are unaware of details concerning their family members, specifically estranged or long-deceased family members. Some commenters identified errors on the draft revision of the Form N-400, specifically, some questions were inadvertently included on the draft form revision	Response: USCIS acknowledges that the draft revision of the form is longer and more complex, but the questions are necessary to fully vet applicants for naturalization. Naturalization is the most significant immigration benefit that the United States offers, and it is necessary to ensure that applicants are fully investigated to identify any concerns that might make them ineligible for naturalization. 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. These additional questions help facilitate this investigation. While some commenters expressed concerns that applications for naturalization may be denied if applicants are unaware of details concerning their family members, specifically estranged or long-deceased family members, USCIS does not deny an application for naturalization based solely on the applicant’s failure to provide information that the applicant does not know. Applicants may be asked to provide an explanation regarding their lack of knowledge if they are unable to answer particular questions on the form. USCIS has incorporated corrections into the form for the questions that assumed that applicants’ parents and spouses were U.S. citizens. These questions have been

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		assuming that applicants' parents and spouses were U.S. citizens. Some commenters made suggestions regarding sections of the Form N-400 that were not included in the proposed changes.	updated to avoid making that assumption and clarify that all applicants should provide the requested information, whether their parents or spouses are U.S. citizens or not. Additionally, commenters correctly identified several technical errors, such as errors in numbering, that have now been corrected. Where commenters made suggestions regarding sections of the Form N-400 that were not included in the proposed changes, USCIS did not address those comments because they are outside the scope of the proposed changes.
0119 0103 0181	Form I-730, Refugee/Asylee Relative Petition	Some commenters expressed concerns that the contact information, physical location, and addresses for all the I-730 petitioner's immediate family members are not relevant to eligibility and may be used to target family members for immigration enforcement actions. Some commenters also expressed concerns that the addition of a question requiring a "U.S. Point of Contact Name and Phone Number if the Applicant is Located Outside of the United States," violates the prohibition on "unnecessarily duplicative" information in 5 CFR §1320.9(b). Commenters state that because there is an I-730 petitioner in the U.S. filing the petition and the	Response: USCIS provides that this information collected will not be used to target family members but will aid in establishing the applicant's relationships, which may relate to eligibility. The information provided by the applicant may be used to verify an applicant's identity, eligibility, and to vet the applicant to help determine whether such a grant of a benefit poses a security or public-safety threat to the United States. These additional data elements are necessary to comply with section 2 of E.O. 14161 to establish screening and vetting standards and procedures to enable USCIS to assess an alien's eligibility to receive an immigration-related benefit from USCIS. USCIS provides that while it could be assumed that the petitioner is the beneficiary's Point of Contact, this question does not compel the beneficiary to list the petitioner. The beneficiary may list a different name as the Point of Contact if they prefer to do so.

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		petitioner's name, address, and phone number are already captured on Form I-730, the information collection for a "US Point of Contact" for I-730 beneficiaries outside of the U.S., is unnecessarily 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.
0067 0103 0181 0118	Form I-751, Petition to Remove Conditions on Residence	One commenter objected to the proposed expansion of the Form I-751 and claimed the additional questions which ask for the petitioner's and U.S. citizen spouse's past telephone numbers, employment history, and information about their parents and siblings are intrusive and irrelevant to the determination as to whether a marriage was entered in good faith. This commenter claims the proposed expansion violates the statutory limitations of INA 216. Multiple commenters highlighted that the data elements added to Form I-751 should already be known by USCIS, either through the Form I-485 or through the immigrant visa process. Another mention of the I-751 included that the data element for petitioner's sex was not included on the form as indicated in the data elements being added, the commenter stated that since it is already printed on the "conditional resident card" that it is already reasonably available to the agency, showing there is no justification under (b) to add this data element.	Response: With respect to concerns that the additional questions are irrelevant, the new information will allow USCIS' national security and law enforcement partners to better vet applicants for consistent information of interest that could affect eligibility and/or admissibility. The petitioner's sex was included on the I-751 Form, which was available as a supporting document with the 60-day notice for the proposed generic clearance.
0119 0103 0181	Form I-590, Registration for Classification as Refugee	A commenter stated that the data elements collecting Point of Contact violates 5 CFR 1320.9(a) because there is no practical utility in requiring a "U.S. Point of Contact" where a U.S. contact for the applicant is not a	Response: USCIS already asks Form I-590 applicants to provide a U.S. point of contact (i.e. see Part " <i>Relative In The United States</i> ") where such contact exists on Form I-590 itself. This assists with the resettlement process

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		requirement for eligibility. For example, Form I-590 relates exclusively to applicants located outside of the United States. However, individuals applying for refugee status outside of the United States are not required or expected to have any relative, friend, or acquaintance living in the U.S. as a “U.S. Point of Contact.”	coordinated by Resettlement Support Centers abroad and domestic resettlement agencies contracted by the Department of State, as many approved refugee applicants request resettlement near U.S. points of contact such as family and friends when practicable. This is the practical utility of asking Form I-590 applicants to provide a point of contact, and because this question on Form I-590 has practical utility, continuing to collect this information is not in violation of 5 CFR 1320.9(a). Further, Form I-590 applicants do not need to provide information about a U.S. contact if they have no contacts in the United States. 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.
Topic 10. Specific Instruction Changes			
0045 0071 0076 0077		One commenter stated the revisions to the Form N-400 and instructions are complex and fragmented, rather than streamlined for clarity. One commenter stated that the instructions for the Form N-400 were unclear and asks for the alien to provide irrelevant information. This commenter also asked for clarification regarding consent to share information with	Response: Through these changes, USCIS is requesting consistent information across the impacted information collections. The associated instructions for each impacted form included instructional updates associated with new data elements, where necessary, to ensure clarity. Regarding Selective Service and Social Security information, those questions are current and are not being added as part of this generic clearance; thus, the comments on those sections are out of scope and are not being addressed. Specific to the N-400, INA § 335, 8 U.S.C.

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		Social Security and who should select that they've registered for Selective Service. Another commenter provided there is missing instructional clarification on biographic information, specifically, the form requires the applicant to select their race and ethnicity but does not state if multiple selections are allowed or required. Clear instructions should be provided for applicants of mixed racial backgrounds. One commenter stated that explicit instructions should be included on when it's appropriate to skip sections, such as marital history for those who have never been married or spousal information for those not applying under the 3-year provision. This would reduce unnecessary responses.	1447 authorizes USCIS to investigate naturalization applicants. 8 CFR 335.1 mandates that, "[t]he investigation shall consist, at a minimum, of a review of all pertinent records, police department checks, and a neighborhood investigation in the vicinities where the applicant has resided and has been employed, or engaged in business, for at least the five years immediately preceding the filing of the application." These additional questions help facilitate this personal investigation. With respect to instructional clarification regarding race and ethnicity, the generic clearance does not propose changes to these and the Forms N-400, I-131, I-485, I-751, and I-829 state that the applicant may "select all applicable boxes." The Forms I-589 and I-590 ask an open-ended question with respect to "Race, Ethnic, or Tribal Group" and Forms I-192, I-730, make no mention of race or ethnicity. Because the content regarding race and ethnicity was not added as part of this generic clearance, the comment on this content is out of scope and is not being addressed. USCIS will not be including instructions regarding the appropriateness of skipping sections, as the intention is to collect as much relevant information from applicants as possible. If an applicant determines that information requested in a particular section does not apply to them, they can indicate that the information requested is "not applicable." For instance, if an applicant has never been married, they can indicate that they have never been married, such as by stating "no prior marriage." However,
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			if applicants indicate that information requested in a given section is not applicable to them, they may be asked to provide an explanation regarding their response, or lack thereof, and potential lack of knowledge. USCIS further notes that spousal information will be required for naturalization applicants whether or not they are applying under the 3-year provision because, as noted above, it is relevant information for all applicants for purposes of vetting and identity verification.
Topic 11. Support			
0076 0081		There are two comments on this topic, both from the same person who shares their support with these changes and recommends modifications on what information they believe would be practical to collect for fiancé and spousal petitions. The commenter stated that the requirement to provide 10 years of email addresses would be cumbersome, but that email addresses for the last 5 years would be reasonable. Similarly, requesting family phone numbers for 5 years would also be cumbersome. Providing past business phone numbers and e-mail addresses would be difficult or impossible to recall or obtain from previous employers. Additionally, this commenter included that not all countries have a national ID, so not all benefit seekers will be able to provide this information.	Response: DHS appreciates the positive feedback and comments. In response to the recommended modifications, USCIS does not deny an application based solely on the applicant's failure to provide information that the applicant does not know. Applicants may be asked to provide an explanation regarding their lack of knowledge if they are unable to answer particular questions or provide particular information on the form. USCIS provides other options in this data element requesting Passport/Travel document or National ID which includes data fields to provide passport and/or travel document information.

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Topic 12. Out of Scope			
0053 0091 0108 0109 0110 0111 0112 0113 0165 0176 0177		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.