

## **SUPPORTING STATEMENT**

### **Request for Hearing on a Decision**

#### **in Naturalization Proceedings (Under Section 336 of the INA)**

**Form N-336**

**OMB No. 1615-0050**

**A. Justification.**

1. Section 336 of the Immigration and Nationality Act (the Act) allows an applicant to request a hearing before an immigration officer if his or her application for naturalization was denied after an examination by U.S. Citizenship and Immigration Services (USCIS), under section 335 of the Act.
2. This form provides a method for applicants, whose applications for naturalization are denied, to request a new hearing by an Immigration Officer of the same or higher rank as the denying officer, within 30 days of the original decision. This form is being revised. See attached table of changes.
3. The use of this form provides the most efficient means for collecting and processing the required data. In this case USCIS does not employ the use of information technology in collecting and processing information. This form has been designated for e-filing under the business transformation initiative.
4. A search of USCIS forms inventory report revealed no duplication of effort and there is no other similar information currently available that can be used for this purpose.
5. This collection of information does not impact small businesses or other small entities.
6. Without Form N-336, an applicant would not be able to request a hearing before an

immigration officer if his or her application for naturalization was denied after an examination by USCIS, under section 335 of the Act.

7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. USCIS will address comments prior to publishing the 30-day notice in the Federal Register.
9. USCIS does not provide payments or gifts to respondents for a benefit sought.
10. There is no assurance of confidentiality. The system of record notice associated with this information collection is the Alien File (A-File) and Central Index System (CIS), which was published in the Federal Register on January 17, 2007 at 72 FR 1755. The privacy impact assessment associated with this information collection is the Integrated Digitization Document Management Program (IDDMP).
11. There are no questions of a sensitive nature.

12. **Annual Reporting Burden:**

a.	Number of Annual Respondents	5,523
b.	Number of Annual Responses per each Respondent	1
c.	Total Annual Responses	5,523
d.	Hours per Response	2.75
e.	Total Annual Reporting Burden Hours	15,188

**Annual Reporting Burden**

**The total annual reporting burden hours for this information collection is 15,188.**

This figure was derived by multiplying the number of annual respondents (5,523) x (1)

frequency of response x (2.75) (2 hours and 45 minutes) per response.

13. There are no capital or start-up costs associated with this information collection. There is a \$650 fee charge for this information collection.

14. **Annualized Cost Analysis:**

a. Printing Cost	\$ 2,588
b. Collecting and Processing	\$ 3,587,362
c. Total Cost to Program	\$ 3,589,950
d. Fee Charge	\$ 3,589,950
e. Total Cost to Government	\$ 0

**Government Cost**

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents (5,523) x \$650 fee charge (which includes the suggested average hourly rate for clerical, officer, and supervisory time with benefits). This figure includes the estimated overhead cost for printing, stocking, and distributing the form.

**Public Cost**

**The total annual burden hour cost for respondents is \$ 466,887.** This figure is based on the total number of respondents (5,523) x (1) number of responses x 2.75 (2 hours and 45 minutes) x \$30.74 (average hourly rate).

**The total annual fee burden cost for respondents is \$3,589,950.** This figure is based on the number of respondents (5,523) x \$650 (the fee charge).

15. There is no increase or decrease in the estimated burden hours previously reported for this collection of information. There has been a change to the information being collected.

However this change will not affect the amount of time to complete the form.

16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. Based on 5 CFR 1320.5(a)(1)(iii)(C), USCIS is seeking an exception from OMB to display an expiration date for this information collection. OMB reviews USCIS's immigration forms annually because they cannot be electronically-filed. USCIS has been including the expiration date of the annual approval on the forms, although the information being requested from the public does not usually change from year to year. USCIS's current practice has been that once OMB approves the annual extension for use of the form, the existing forms inventory is destroyed and additional forms and instructions with the new expiration date are printed and distributed. The current process has caused our customers great confusion because often times the form they have on hand may have a stale expiration date. Even though the form and instructions did not change, they do not want to use the expired form in fear that their application will be rejected due to the stale expiration date. USCIS is proposing removing the expiration date from this form in an effort to avoid confusion for our customers and to save the costs associated with destroying and printing forms unnecessarily.
18. The USCIS does not request an exception to the certification of this information collection.

**B. Collection of Information Employing Statistical Methods.**

Not Applicable.

**C. Certification and Signature.**

## **PAPERWORK CERTIFICATION**

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with, including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

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**Sunday Aigbe**  
Chief,  
Regulatory Products Division,  
Office of the Executive Secretariat,  
U.S. Citizenship and Immigration Services.

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**Date**