



January 16, 2019

Samantha Deshommes
Chief, Regulatory Coordination Division
Office of Policy and Strategy
Department of Homeland Security
U.S. Citizenship and Immigration Service
20 Massachusetts Avenue NW
Washington, D.C. 20529-2140

**RE: OMB Control Number 1615-0052; Agency: USCIS; Docket ID USCIS-2008-0025;
Agency Information Collection Activities; Revision of a Currently Approved Collection;
Application for Naturalization**

Dear Chief Deshommes:

The Catholic Legal Immigration Network, Inc. (CLINIC) respectfully submits the following comments related to proposed changes to Form N-400 and Form N-400 Instructions. These comments are based on the expertise of CLINIC's staff, who have extensive experience developing tools and resources regarding the naturalization process and assisting individual applicants for naturalization, as well as insights from our affiliate members who regularly provide services to individual applicants directly and in workshop settings.

CLINIC supports a national network of community-based legal immigration services programs that primarily serve low-income immigrants and regularly advise and assist individuals in filing family-based applications, naturalization applications, humanitarian forms of relief, and more. This network includes over 330 programs operating in 47 states, as well as Puerto Rico and the District of Columbia. CLINIC's network employs an estimated 2,300 staff, including attorneys and accredited representatives. According to our 2017 internal survey of our affiliates, 96 percent of survey respondents provided legal services in naturalization and citizenship. These agencies deliver naturalization application preparation services through individual consultation and through large-scale workshops.

Nearly 9 million immigrants living in the United States are eligible for naturalization but have not yet applied.¹ CLINIC and our affiliated programs work to identify and address barriers to citizenship and to promote immigrant integration. Our Catholic identity drives our efforts to promote naturalization and integration, as described by St. John XXIII: "...among the rights of a human person there must be included that by which a man may enter a political community where he hopes he can more fittingly provide a future for himself and his dependents. Wherefore, as far as the common good rightly understood

¹ See New Americans Campaign, About, available at <https://newamericanscampaign.org/about/>.

permits, it is the duty of that state to accept such immigrants and to help to integrate them into itself as new members.” Based on this principle, we also now encourage USCIS to honor that duty to ensure that as many qualified immigrants as possible are accepted and integrated into our communities as citizens, without erecting unnecessary barriers.

CLINIC is part of the New Americans Campaign (NAC)² and other initiatives that assist lawful permanent residents to realize their full potential by assisting them with the naturalization process through the development of innovative approaches and technologies and exchanging best practices. Through the NAC, CLINIC provides funding and technical assistance to twenty-one local affiliate agencies to expand and strengthen their existing services. CLINIC has an extensive collection of naturalization resources for service providers, including a detailed toolkit for organizing naturalization workshops; a free study guide for the citizenship test; a graphic novel of the naturalization interview; a flow chart of the disability waiver process; webinar trainings on various topics; how-to guides; and other resources developed through our naturalization initiatives. Thus, CLINIC and our network agencies have a vested interest in any changes to USCIS Form N-400 and instructions.

I. General Comments

We appreciate this opportunity to provide feedback on the proposed changes to Form N-400 and Form N-400 Instructions. We wish to thank USCIS for the helpful explanation in Question number 49 regarding when an applicant who did not register for the Selective Service is not required to submit a status information letter or statement explaining the reason. This is an improvement that will clarify the process and reduce the paperwork burden on applicants. Other changes in the revised form, unfortunately, unnecessarily increase burdens on applicants, their representatives, and USCIS adjudicators.

The stated goals of USCIS’s naturalization program are to encourage eligible permanent residents to become citizens of the United States, and to promote integration of immigrants and new citizens into American society.³ CLINIC’s own goals informed by our Catholic identity are the same, as described above. These shared goals are reinforced with research and data that demonstrate that naturalization results in higher income, employment rates,⁴ rates of home ownership⁵ for immigrants, and benefits the United States by increasing earning and spending potential to raise the GDP by tens of billions of dollars.⁶

Keeping these worthy goals in mind, several of USCIS’s proposed changes to Form N-400 and its instructions would lead to a more lengthy, complicated and confusing application process, which is

² To learn more about NAC’s groundbreaking work to naturalize LPRs around the country, please see its website at <https://newamericascampaign.org/about/>.

³ See U.S. Citizenship and Immigration Service, Citizenship Resource Center, About us. Available at: <https://www.uscis.gov/citizenship/about-us>.

⁴ Madeleine Sumption and Sarah Flamm, “The Economic Value of Citizenship for Immigrants in the United States,” Migration Policy Institute, Sept. 2012, available at: <http://www.migrationpolicy.org/research/economic-value-citizenship>.

⁵ U.S. Census Bureau, “Homeownership Among the Foreign-Born Population,” Jan. 2013, available at: <https://www2.census.gov/library/publications/2013/acs/acsbr11-15.pdf>.

⁶ Manuel Pastor and Justin Scoggins, “Citizen Gain: The Economic Benefits of Naturalization for Immigrants and the Economy,” Center for the Study of Immigrant Integration, University of Southern California, Dec. 2012, available at: https://dornsife.usc.edu/assets/sites/731/docs/citizen_gain_web.pdf.

counterproductive to the goal of encouraging qualified permanent residents to naturalize and would likely exacerbate historic processing backlogs.⁷ Furthermore, these broader, less precise questions and unclear instructions in this proposed version of the form could cause applicants to run into problems with the new RFE and NOID policy. Confused applicants may not accurately enter information affecting their statutory eligibility or may believe they do not need to attach the necessary documentation, resulting in denial of the application even though they are statutorily eligible for naturalization.

This revised version of Form N-400 and its instructions use vocabulary that goes far beyond the level of English that is statutorily required for naturalization applicants, “to read, write, and speak words in ordinary usage in the English language.” The requirements shall be met if “the applicant can read or write simple words and phrases to the end that a reasonable test of his literacy shall be made and that no extraordinary or unreasonable conditions shall be imposed upon the applicant.” With each iteration, Form N-400 seems to grow longer and more complex, requiring more assistance by representatives to understand, interpret and complete it. CLINIC requests that USCIS endeavor to shorten the form and to revise it for plain language so that applicants can understand each question and answer to the best of their ability. Also, shortening and simplifying the form and instructions would reduce the high burden being placed on naturalization applicants and on representatives and the agency itself.

CLINIC respectfully requests that USCIS consider our specific concerns below, and make commensurate changes to the proposed new Form N-400 in order to ensure that USCIS and CLINIC can meet our shared goal of encouraging naturalization and integration of immigrants into American society.

II. Comments on Changes to N-400 Form

| Part/Question | Section or Language | Comment |
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| Introduction | Check box if G-28 is attached, Attorney bar number, and USCIS account number | <p>Requiring the entry of the attorney bar number is redundant as that information is on the G-28.</p> <p>Recommendation: Remove the box to enter attorney bar number in order to comply with the Paperwork Reduction Act’s requirements to reduce the burden of the data collection, and to eliminate duplication.⁸</p> |

⁷ Office of the Inspector General, Department of Homeland Security, “USCIS Has Been Unsuccessful in Automating Naturalization Benefits Delivery,” Nov. 30, 2017, available at: <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-23-Nov17.pdf> (“backlogs increased by more than 60 percent and processing times nearly doubled.”).

⁸ See 44 USC §3505(a)(3)(B)(i) (Describing the goals of OPM’s strategic plan for information resources management.).

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| <p>Part 3</p> | <p>Accommodations for Individuals with Disabilities and/or Impairments</p> | <p>This Part was deleted in its entirety. Applicants with disabilities would not be able to indicate their request for an accommodation required under the Rehabilitation Act at the time of filing. In addition, the revised instructions do not describe any alternative way to request accommodations. These changes in combination with the proposed changes to the N-648 guidance would severely limit applicants' knowledge and ability to apply for accommodations. Applicants with disabilities would be disadvantaged in the naturalization process.</p> <p>Recommendation: The Part on accommodations for individuals with disabilities and/or impairments from the previous version of the form should be restored to be consistent with the requirements of 8 CFR 312.1(b)(3).</p> |
| <p>Part 8, Q3</p> | <p>List below all the trips of 24 hours or longer that you have taken outside the United States since you became a lawful permanent resident or during the last ten years, whichever is shorter.</p> | <p>This revised version changes the look-back time for travel from 5 years for all applicants to the shorter of the time since becoming a permanent resident or the last 10 years. This change decreases the look-back time for those who can naturalize after three years of residence, but increases it for those who have been long-term permanent residents.</p> <p>We welcome the decrease in entry of travel for those who qualify after 3 years.</p> <p>However, increasing the travel</p> |

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| | | <p>look-back period for long-term permanent residents is burdensome to the applicant, representatives, and the agency, and it does not contribute to the evaluation of physical presence for the 3 or 5 years.</p> <p>Recommendation: The form should request travel over a period of no more than 5 years. There is no need for additional information beyond the five year statutory period for determining continuous residence and physical presence established at 8 CFR 316.2(a)(4).</p> |
| <p>Part 11, Q11</p> | <p>New question Have you EVER been associated with, worked for, or given any kind of money, help, or any other thing to a group or a member of a group that used weapons or engaged in violence?</p> | <p>Recommendation: This question should be modified to add the elements of voluntariness and knowledge. As worded, this question applies to anyone who ever peacefully attended a protest without knowing a violent faction was present; to anyone who has survived extortion or has been forced at gunpoint to work for a group engaged in violence; to anyone who ever gave money to or provided support to individuals not knowing they were members of a violent group; to anyone duty-bound to provide medical or humanitarian aid in conflict; etc. Furthermore, the addition of the language “or any other thing” is too broad. It would encompass such innocent behavior as handing an item to a person as an employee of a store engaging in a legal commercial transaction.</p> <p>We recommend that the question be removed in its entirety for the</p> |

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| | | <p>reasons stated above. If, however, USCIS opts to include this question, we suggest the following alternate language:</p> <p>“Have you EVER voluntarily and knowingly been associated with, worked for, or given any kind of money, help, or donated equipment or supplies to support a group or a member of a group that used weapons or engaged in violence?”</p> <p>If you answered ‘Yes,’ please provide an explanation, including whether this assistance was in the context of medical or humanitarian care”</p> <p>These recommendations would help this change conform to the requirements of 8 CFR 316.10.</p> |
| <p>Part 11, Q19.A. - 19.B.</p> | <p>“If you answered ‘Yes,’ were any of those weapons ever used against another person?”</p> <p>Question 19.B. was deleted.</p> | <p>The proposed change strips away a person’s knowledge and intent in a transaction. Applicants may not be able to answer this yes or no question truthfully because they very reasonably may not know if the weapons were ever used against another person.</p> <p>Recommendation: this change should not be implemented and the previous language in this line of questioning should be restored:</p> <p>A. “If you answered ‘Yes,’ did you know that this person was going to use the weapons against another person?”</p> <p>B. If you answered ‘Yes,’ did you know that this person was going to sell or give the weapons to someone who was going to</p> |

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| | | <p>use them against another person?”</p> <p>This recommendation would help this change conform to the requirements of 8 CFR 316.10.</p> |
| Part 11, Q24 | <p>Have you EVER been arrested, cited, or detained by any law enforcement officer (including any foreign law enforcement officer, any immigration official or any official of the U.S. armed forces) for any reason?</p> | <p>As written, this question would trigger a yes response from any applicant who has ever been the victim of arbitrary arrest/detention abroad or people who have been arrested/detained for a reason underlying an asylum claim (such political opinion, LGBTQ, etc.). Due to the nature of the question, obtaining records/evidence of an arbitrary arrest or persecution at the hands of a foreign government would be extremely difficult if not impossible, adding a barrier and additional difficulty to the process.</p> <p>Recommendation: This change should not be implemented and the previous language should be restored:</p> <p>“Have you EVER been arrested, cited, or detained by any law enforcement officer (including any immigration official or any official of the U.S. armed forces) for any reason?”</p> <p>This recommendation would help this change conform to the requirements of 8 CFR 316.10.</p> |
| Part 11, Q25 | <p>New question: Have you EVER had your fingerprints taken by a law enforcement officer in any country?</p> | <p>Questions regarding arrest and conviction already exist, and there is nothing implicating good moral character about having one’s fingerprints taken. Fingerprints may be taken by law enforcement officers upon entering a country or entering a</p> |

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| | | <p>profession such as law or child care.</p> <p>Recommendation: This question should be removed, as it is overly broad.</p> <p>This recommendation would help this change conform to the requirements of 8 CFR 316.10.</p> |
| Part 11, Q30.A. | New question: Have you EVER received a pardon? | <p>Recommendation: USCIS should clarify if this question if referring to the U.S. justice system and/or foreign countries.</p> <p>This recommendation would help this change conform to the requirements of 8 CFR 316.10.</p> |
| Part 11, Q30.B. | New question: If you answered "Yes," please provide an explanation. | <p>Recommendation: USCIS should provide guidance on what information about a pardon it is seeking.</p> <p>This recommendation would help this change conform to the requirements of 8 CFR 316.10.</p> |
| Part 11, Q33.E. | Married or attempted to marry someone in order to obtain an immigration benefit? | <p>The words “or attempted to marry” were added to this question.</p> <p>Recommendation: We recommend that the service remove this added phrase. It is very unclear what it means to “attempt to marry” a person, and a variety of situations and behaviors could be implicated. It is also unclear what information or evidence would be relevant to this inquiry, particularly if the relationship in question occurred years or even decades before with little memory or documentation remaining. The added language is overbroad and imprecise and should be removed in order to conform to</p> |

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| | | the requirements of 8 CFR 316.10. |
| Part 11, Q40 | New question: Have you EVER been removed or deported from any (other) country? | Recommendation: USCIS should remove this question, as it is overbroad. Each country has its own laws and standards by which it removes or deports foreign nationals, many of which may not implicate a person's good moral character. This recommendation would help this change conform to the requirements of 8 CFR 316.10. |
| Part 11, Q40.A. | If you answered "Yes," please answer the following: A. When were you removed or deported (mm/dd/yyyy)? | Recommendation: USCIS should remove this question in conjunction with Question 40. It may be impossible for an applicant to know, verify, or document the date of removal. |
| Part 11, Q40.B. | B. From what country were you removed or deported? | Recommendation: USCIS should remove this question in conjunction with Question 40. This recommendation would help this change conform to the requirements of 8 CFR 316.10. |
| Part 11, Q40.C. | C. Why were you removed or deported? | Recommendation: USCIS should remove this question in conjunction with Question 40. It may be impossible for an applicant to know, verify, or document the reason for removal. This recommendation would help this change conform to the requirements of 8 CFR 316.10. |
| Part 12, Title | Applicant's Statement, Contact Information, Certification, and Signature | Part 12 added "Contact Information" to the title, but this part does not request any contact information. This addition is unnecessary and should be |

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| | | removed in order to comply with the Paperwork Reduction Act's requirements to reduce the burden of the data collection, and to eliminate duplication |
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III. Comments on Changes to N-400 Instructions

| Page Number ⁹ | Section or Language | Comment |
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| General comment | The revised instructions completely omit information on accommodations for individuals with disabilities and/or impairments. | Without these instructions, those with disabilities will not be provided the information they need to request an accommodation required under the Americans with Disabilities Act, disadvantaging them in the naturalization process. Recommendation: The instructions on accommodations for individuals with disabilities and/or impairments from the previous version of the form should be restored to be consistent with the requirements of 8 CFR 312.1(b)(3). |
| Page 3 | Eligibility based on Marriage to a U.S. Citizen | This section should include instructions on the exception for battered spouses. Recommendation: Add a new instruction to address the battered spouses exception at 8 USC 1430(a). Suggested language: Note: If you obtained status as the spouse, former spouse, or intended spouse of a U.S. citizen who subjected you to battery or extreme cruelty, you may naturalize without living in marital union with the U.S. citizen spouse for at least three years before filing the Form N-400. |
| Page 5 | Lawful Permanent Resident Status <i>“Unless you are applying for naturalization based on service in the U.S. armed forces during a period of</i> | This statement limits spouses of U.S. citizens only to those who have qualified employment abroad; those married to U.S. citizens and living in the |

⁹ Page number refers to the actual instruction page listed in brackets on the proposed revised instructions, not to the page listed at the bottom of each page of the PDF.

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| | <p><i>conflict, as the spouse of a U.S. citizen in qualified employment outside the United States, or as a U.S. national, you must be a lawful permanent resident for five years before applying for naturalization.”</i></p> | <p>United States are also eligible to naturalize after three years.</p> <p>Recommendation: Change the language as follows (change underlined) to ensure it tracks 8 U.S.C. 1430</p> <p><i>“Unless you are applying for naturalization based on service in the U.S. armed forces during a period of conflict, <u>based on marriage to a U.S. citizen</u>, as the spouse of a U.S. citizen in qualified employment outside the United States, or as a U.S. national, you must be a lawful permanent resident for five years before applying for naturalization.”</i></p> |
| Page 6 | <p>Conditional Residence <i>“If you are a conditional permanent resident, in most cases you must have an approved Form I-751, Petition to Remove Conditions on Residence, before USCIS can approve your application for naturalization. You must file Form I-751 within 90 days of the second anniversary of the date you obtained your conditional permanent resident status, unless you can establish good cause and extenuating circumstances for failing to file Form I-751 during that time period. “</i></p> | <p>Instructions should clarify that a conditional resident may file for naturalization while the I-751 pending, but the I-751 must be approved before N-400 can be approved.</p> <p>Recommendation: Add a new instruction to address this issue as provided for in the USCIS Policy Manual, Volume 12, Chapter 5, Section B.</p> <p><i>“A conditional resident may submit an application for naturalization while Form I-751 Petition to Remove Conditions on Residence is pending, but naturalization cannot be approved until Form I-751 has been approved.”</i></p> |
| Page 6 | <p>Required Evidence <i>“Permanent Resident Card. Do not include your Permanent Resident Card with your application. You must bring it when you appear for your interview.”</i></p> | <p>This instruction tells the applicant to bring their Permanent Resident Card to the interview, but instructions do not say to submit a photocopy of the front and back of the Permanent Resident Card.</p> <p>Recommendation: The instructions should clarify whether or not the applicant is required to submit a photocopy of the Permanent Resident Card at the time of filing. Referring the applicant to the M-477 Document</p> |

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| | | Checklist would also be helpful to provide applicants clarity. This recommended instruction would help applicants to comply with 8 CFR § 316.4(b). |
| Page 9 | <p>Good Moral Character <i>“Citizenship Claims and Voting</i> <i>You may not qualify for naturalization if you previously claimed you were a U.S. citizen or you unlawfully voted in the United States in a Federal, state, or local election.”</i></p> | <p>Recommendation: Instructions should include statement that there may be circumstances where a claim to U.S. citizenship will not prevent a finding of good moral character. For example, an inadvertent false claim of citizenship on a form that the applicant misunderstood may be circumstance where applicant could still establish good moral character. This recommendation would ensure that the instructions conform with the USCIS Policy Manual, Volume 12, Chapter 5, Part F.</p> |
| Page 10 | <p>Required Evidence <i>“Provide income tax returns that you filed with the IRS for the past five years, or three years if you are filing for naturalization on the basis of marriage to a U.S. citizen. Go to www.irs.gov for information on how to obtain copies of your tax documents.”</i></p> | <p>The previous edition of instructions did not require this documentation as part of submission, but instructed the applicant to bring the evidence to the interview. Tax returns were not required for every case.</p> <p>Also, the revised instructions leave out information on submitting IRS tax transcripts listing tax information.</p> <p>Recommendations: Remove the requirement to submit tax returns with every application; requiring this documentation with the N-400 in all cases is not necessary and will be burdensome on the applicant.</p> <p>Replace instructions regarding IRS tax transcripts; this is useful information for applicants, and would make the process less burdensome on the applicant.</p> |
| Page 10 | <p>Crimes and Offenses Evidence <i>If you have ever... been ordered to pay a fine, make restitution, or have your wages garnished? You must provide... 1. Original or certified copies of the order to pay a fine, restitution, or garnish wages; and 2.</i></p> | <p>Recommendation: The instructions should clarify that traffic violations are not included.</p> <p>If traffic violations were included, it would contradict the preceding instruction that applicants only need to</p> |

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| | <i>Documentation that you have satisfactorily paid the required sum or evidence of current payment.</i> | submit documentation of traffic incidents if: 1. Involved alcohol or drugs; 2. Led to an arrest; or 3. Seriously injured another person. |
| Page 13 | <p>Evidence <i>“Provide the evidence listed in the General Eligibility Requirements and Specific Instructions sections of these Instructions. At the time of filing, you must submit all evidence as requested. You may also provide the evidence at the time of your interview. If you fail to submit required evidence, USCIS may deny your application for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions.”</i></p> | <p>Two of the sentences in this section are not written clearly, and may be interpreted to contradict each other. One sentence says that all requested evidence must be submitted at the time of filing; the next sentence says that you may also provide the evidence at the time of interview. Those two sentences could be interpreted to be alternatives that an applicant can <i>either</i> submit evidence at the time of filing, <i>or</i> at the interview, which is inaccurate.</p> <p>Recommendation: Clarify the language in this section to ensure that applicants submit all necessary information at the time of filing in order to avoid a denial under the new RFE/NOID guidance.</p> |
| Page 18 | <p>Information about Your Children Required Evidence 1. Provide evidence that you are related to your children. For example: A. Birth certificates for all children; B. Court orders naming you as the parent; or C. Final adoption certificates or decrees for all children you have legally adopted.</p> | <p>The previous edition of instructions did not require submission of children’s birth certificates with the N-400 but instructed applicants to bring them to the interview. Requiring this documentation with the N-400 will be burdensome on the applicant. In most circumstances, these documents are not relevant to the applicant’s eligibility for naturalization.</p> <p>Recommendation: Remove the requirement to submit documentation of relationship to children from the instructions. This onerous documentation requirement will create unnecessary obstacles to naturalize.</p> |

IV. Discussion

We wish to further discuss three of our recommendations above that would most severely hamper applicants from accessing the naturalization benefit for which they qualify and integrating more fully into our country. The changes we wish to address are the absence of form entry or instructions for those with disabilities and impairments, the expansion of the travel history to 10 years for long-time residents, and the requirement to submit tax returns and children’s birth certificates at the time of filing.

A. Absence of Form Entry or Instructions for Those with Disabilities and Impairments

USCIS is proposing to delete in its entirety the section on the form where an applicant can request accommodations for disabilities or impairments, and delete this section from the instructions, as well. These omissions in combination with USCIS's proposed changes to the N-648 Guidance regarding medical certification of disability set a very troubling pattern disadvantaging those with disabilities in the naturalization process.

If USCIS decides to enact these proposed changes, applicants with disabilities may not know that accommodations are available to them or how to apply for them. And even if they do apply, the changes to the N-648 guidance will raise barriers to having that request granted. It is USCIS policy to "make every effort to provide accommodations to customers with disabilities."¹⁰ Removing instructions and methods of indicating a need for accommodations is not consistent with USCIS's stated dedication to complying with the Rehabilitation Act.

CLINIC very strongly recommends that USCIS restore the sections of the form and instructions assisting applicants with disabilities to understand how to apply for accommodations in order to comply with its own policy and the Rehabilitation Act.

B. 10 Years of Travel History

The proposed revisions to Form N-400 would require applicants to increase to 10 years the amount of time that a long-time permanent resident must report foreign travel. The Paperwork Reduction Act requires that agencies reduce information collection where it is not necessary. This collection does not contribute to any evaluation of physical presence, as that evaluation extends a maximum of 5 years in an applicant's past.

USCIS proposes this significant change without providing any rationale for its necessity, and despite its clear increase in the burden to the agency and the applicant. This additional information will take USCIS more time to review and process. Further, the change would likely significantly increase the volume of FOIA requests for travel history that would need to be processed by Customs and Border Protection. USCIS should be attempting to find ways to reduce its N-400 backlog, not increase it by adding significant administrative and adjudication time. Also, this change increases the burden on attorneys, representatives, and non-profits, as it would add significant complications to the naturalization workshop model used by an estimated 30 to 40 percent of our affiliates. This workshop model allows our affiliates to pursue our shared goal to naturalize qualifying immigrants and assist them to integrate and flourish in American communities, and this proposed change adds significant burden to preparation and counseling stages.

Furthermore, long-term residents are a target population that USCIS and CLINIC should be striving to

¹⁰ See USCIS Policy Manual, Volume 1, Part A, Chapter 11, Disability Accommodation Requests.

transition to citizenship and integration. This additional burden only serves to dissuade applicants, as it requires them to gather information that may not be readily available due to the passage of time.

CLINIC very strongly recommends that USCIS cap the look-back period for foreign travel reporting at 5 years, as that is the amount of time most relevant to a naturalization request, and additional requests unreasonably increase the burdens on all parties.

C. Requiring Tax Returns and Children's Birth Certificates to be Submitted at the Time of Filing

The proposed revision requires applicants to provide two types of evidence at the time of filing that are currently not required: three years of tax returns, and any children's birth certificates. The previous edition of instructions did not require this documentation as part of submission, but instructed the applicant to bring the evidence to the interview. CLINIC's concern is that this would significantly increase the documentation and paperwork burden at the time of filing. This additional documentation would be a burden to applicants, as they would need to gather these documents before filing, rather than having the entirety of the often 12 to 20 month adjudication time to gather these documents. It would also be a burden to USCIS staff and adjudicators, as they will be required to process and review documentation that was previously unnecessary for many naturalization filings, leading to further slowdowns in an already severely backlogged system.

CLINIC very strongly recommends that USCIS maintain the current practice of requiring this documentation only at the time of interview, as it is unnecessary for many form types, and it would reduce the burdens on all parties, as called for under the Paperwork Reduction Act.

V. Conclusion

We appreciate and encourage continued dialogue and engagement with the community and stakeholders as we carry out our shared goals of encouraging naturalization of eligible permanent residents and integration of immigrants into U.S. society.

Thank you for your consideration of these comments. Please do not hesitate to contact Advocacy Director Jill Marie Bussey at jbussey@cliniclegal.org, with any questions or concerns about our recommendations.

Sincerely,



Jeanne Atkinson, Esq.
Executive Director
Catholic Legal Immigration Network, Inc.