

Form N-400-012 Revision Responses to 30-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2008-0025-0258](#)

FRN Citation (federalregister.gov): 88 FR 77349

Publish Dates: November 9, 2023 – December 11, 2023

Total Commenters: 10

| No. | Comment Author | Commenter ID | Comment | USCIS Response |
|-----|----------------------|--------------------------------------|--|---|
| 1. | Anonymous | USCIS-2008-0025-0267 | <p>Dear Chief Deshommes,</p> <p>Thank you for providing an opportunity to comment on the proposed revisions to the Form N400 Application for Naturalization. I am writing as a private citizen but also as a long-serving adult educator who practices in a large coalition of immigrant-serving organizations and legal services providers.</p> <p>1. The review of Form N400 serves as the USCIS Speaking and Listening Test. However, this is not mentioned anywhere on the Form or instructions. I recommend DHS clearly highlight this on the Form as it has a dual purpose, one that is not disclosed to the public.</p> <p>2. Similarly, DHS should highlight the exact questions on Form N400 that are part of the Speaking and Listening Test. We applaud USCIS's recent acknowledgment that parts of the Form are not at the "ordinary usage" statutory requirement.</p> <p>Sincerely,</p> | <p>Response: USCIS appreciates your comments. Proposed instructional language advises “Almost all applicants for naturalization must take a naturalization test to demonstrate that they are able to read, write, speak, and understand English, and that they have a basic knowledge of civics (U.S. history and government).” The proposed Form Instructions also say, “For additional information about the test, please visit www.uscis.gov/citizenship.” This website provides the information about the test that you suggest USCIS should provide.</p> |
| | World Education (WE) | USCIS-2008-0025-0270 | Comments 2 - 4 | |

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| 2. | World Education (WE) | USCIS-2008-0025-0270 | <p>Increasing Language Access for individuals with a language Barrier</p> <p>One in five, or 43 million adults, in the United States possess low literacy skills, and a plurality of this population lack the language or cognitive skills to answer basic survey questions.¹ We note the following significant challenges for individuals with a language barrier:</p> <p>Complexity of language</p> <p>The English language used in the Form N-400 includes complex or compound-complex structures, and the text assumes familiarity with cohesive devices, inter-sentential connectors, sequence of tenses, and other features typical of extended discourse. The examples below elicits ratings of “difficult” or “extremely difficult” on online readability calculators.² In the context of adult education, these examples require interpretive reading skills at Level 4 or Level 5 of the English Language Proficiency Standards for Adult Education, particularly Standards 1, 5, and 8.³ This means that users of the N-400 and the accompanying instructions need to possess reading skills at the High Intermediate ESL or the Advanced ESL level on the National Reporting System (NRS) table of Educational Functioning Levels (EFL) for ESL4 in order to complete the Form N-400 successfully. Users with lower levels of reading proficiency in English are therefore likely to be intimidated not only by the length of the form, but by the scope of the reading task involved in understanding and completing it. For those without resources for assistance with form completion (such as legal aid and translation services), even with the proposed changes the N-400 still presents considerable barriers to completion.</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS will not make any additional clarifying edits based on this comment.</p> |
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| | | <ul style="list-style-type: none">● Example 1: Instructions, Early Filing, page 3: If you are applying based on lawful permanent residence for 5 years, you may generally file your application up to 90 days before meeting the required 5-year period of continuous residence as a lawful permanent resident. If you are applying based on your marriage to a U.S. citizen, you may generally file up to 90 days before meeting the required 3-year period of continuous residence as a lawful permanent resident.● Example 2: Form N-400, Part 9, page 6: When a question includes the word “EVER,” you must provide information about any of your actions or conduct that occurred anywhere in the world at any time, unless the question specifies otherwise. <p>WE offers the following recommendation to improve accessibility for those with a language barrier: USCIS should seek to align the language level of Form N-400 with the High Beginning or Low Intermediate (EFL) level for ESL, to the degree that doing so is feasible given the requirements for use of legal terminology on the form. This would bring the N-400 more closely into alignment with the statutory descriptive language from 8 U.S.C. 1423 and with the USCIS-identified requirements for passing the speaking test portion of the naturalization interview.</p> | |
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| 3. | World Education (WE) | USCIS-2008-0025-0270 | <p>Vocabulary</p> <p>Provision of synonyms: Some items in Part 9 include synonyms in parentheses after more complex or less commonly used terms; for example, “advocated (supported and promoted) any of the following” in Item 5b, “conspired (planned with others)” in Item 6c, and “alimony (court-ordered financial support after divorce or separation)” in Item 17g. This is helpful, but the reason for provision of these reading aids in some places and not others is not clear.</p> <p>WE offers the following recommendations to increase language access for those with a language barrier:</p> <p>WE recommends reviewing the text for additional terms where provision of similar aids would increase understanding. Synonyms and definitions could be developed based on the word lists developed for previous versions of the N-400 by community-based organizations. These aids could be provided in a glossary as a study aid to be posted on the USCIS website. Such a glossary would be useful in three ways to support applicants with form completion, offer an instructions aid for instructors and others.</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS used synonyms for words that may have more than one meaning or be misunderstood. At this time, USCIS did not find any other terms in the form for which there was a need to provide a synonym. The public may provide additional feedback in this regard in future revisions of the form. USCIS is not making further changes to the form at this time. Additionally, the suggestion to create a study aid is outside the scope of this form revision.</p> |
| 4. | World Education (WE) | USCIS-2008-0025-0270 | <p>Sentence Structure</p> <p>For readers with lower levels of reading proficiency, information processing is facilitated when written material uses simple sentences rather than compound or compound-complex ones (such as this one). The instructions within the proposed N-400 often use compound structures that decrease the accessibility of the material.</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. USCIS has also provided definitions for some of the most complex terms and is not adding additional definitions at this time.</p> |

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| | | | <p>WE offers the following recommendation to improve accessibility for those with a language barrier:</p> <p>USCIS should seek to align the language level of Form N-400 with the High Beginning or Low Intermediate (EFL) level for ESL, to the degree that doing so is feasible given the requirements for use of legal terminology on the form. This would bring the N-400 more closely into alignment with the statutory descriptive language from 8 U.S.C. 1423 and with the USCIS-identified requirements for passing the speaking test portion of the naturalization interview.</p> | |
| | National Coalition for Literacy | USCIS-2008-0025-0271 | Comments 5 - 18 | |
| 5. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>NCL has also identified several further opportunities for USCIS to increase the accessibility and usability of the N-400 and the instructions. In this document, NCL first provides overall observations on the language level of the N-400 and the instructions. NCL then addresses specific ways in which language access could be increased for the N-400 specifically. NCL's overall objective is to offer observations and recommendations that support USCIS in aligning the naturalization materials with the statutory requirement of demonstrating "an ability to read, write, and speak words in ordinary usage in the English language, Provided, That the requirements of this paragraph relating to ability to read and write 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 condition shall be imposed upon the applicant" (8 U.S.C. 1423).</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS is not making further changes to the form at this time.</p> |

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| | | | <p>1. Overall Language Level</p> <p>The overall language level of both the Form N-400 and the instructions is relatively high. The majority of sentences in the instructions and many sentences in the N-400 have complex or compound-complex structures, and the text assumes familiarity with cohesive devices, inter-sentential connectors, sequence of tenses, and other features typical of extended discourse. Examples:</p> <p>Instructions, Early Filing, page 3: If you are applying based on lawful permanent residence for 5 years, you may generally file your application up to 90 days before meeting the required 5-year period of continuous residence as a lawful permanent resident. If you are applying based on your marriage to a U.S. citizen, you may generally file up to 90 days before meeting the required 3-year period of continuous residence as a lawful permanent resident.</p> <p>Form N-400, Part 9, page 6: When a question includes the word “EVER,” you must provide information about any of your actions or conduct that occurred anywhere in the world at any time, unless the question specifies otherwise.</p> <p>Each of these examples elicits ratings of “difficult” or “extremely difficult,” the equivalent of secondary school completion, on online readability calculators.⁶ The difficulty level of the N-400 and the instructions is thus out of alignment with the November 2023 Department of Homeland Security Language Access Plan,⁷ which specifically references “Section 508 accessibility and plain language guidelines” (page 5).</p> | |
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| | | <p>In the context of adult education, the N-400 and the instructions require interpretive reading skills at Level 4 or Level 5 of the English Language Proficiency Standards for Adult Education, particularly Standards 1, 5, and 8.8 This means that users of the N-400 and the accompanying instructions need to possess reading skills at the High Intermediate ESL or the Advanced ESL level on the National Reporting System (NRS) table of Educational Functioning Levels for ESL9 in order to complete the Form N-400 successfully pro se. Users with lower levels of reading proficiency in English are therefore likely to be intimidated not only by the length of the form, but by the scope of the reading task involved in understanding and completing it. For those without resources for assistance with form completion (such as legal aid and translation services), even with the proposed changes the N-400 still presents considerable barriers to completion. In fact, the difficulty level may well present barriers to those providing legal aid or translation support services, as well as to applicants themselves.</p> <p>NCL recommendations</p> <p>USCIS should seek to align the language level of Form N-400 with the High Beginning or Low Intermediate EFL level for ESL, to the degree that doing so is feasible given the requirements for use of legal terminology (terms of art) on the form. This would bring the N-400 more closely into alignment with the statutory descriptive language from 8 U.S.C. 1423 and the policy outlined in the DHS Language Access Plan cited above, and also with the USCIS-identified requirements for passing the speaking test portion of the naturalization interview. The strategies listed below provide recommendations for ways of adjusting the readability level of the N-400.</p> | |
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| 6. | National Coalition for Literacy | USCIS-2008-0025-0271 | USCIS should review the instructions to ensure compliance with the Federal Plain Language Guidelines. | Response: USCIS appreciates your comment. USCIS attempts to convey instructions in language that is as clear as possible. USCIS is not making further changes to the form at this time. |
| 7. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>Strategies for Increasing Language Access</p> <p>a. Vocabulary</p> <p>Provision of synonyms: Some items in Part 9 include synonyms in parentheses after more complex or less commonly used terms; for example, “advocated (supported and promoted) any of the following” in Item 5b, “conspired (planned with others)” in Item 6c, and “alimony (court-ordered financial support after divorce or separation)” in Item 17g. This is helpful, but the reason for provision of these reading aids in some places and not others is not clear. For Part 9 in particular, which contains a substantial number of low-frequency words, NCL recommends reviewing the text for additional terms where provision of similar aids would increase understanding. Synonyms and definitions could be developed based on the word lists developed for previous versions of the N-400 by community-based organizations such as the Immigrant Learning Center, Literacy Minnesota, and the Adult Learning Resource Center, using word frequency lists as guides. Part 9 would likely become unwieldy if parenthetical definitions were added in every appropriate location; an alternative would be to create a resource glossary as a study aid to be posted on the USCIS website. Such a glossary would be useful in three ways:</p> <ul style="list-style-type: none">• As a form completion aid for applicants• As a teaching aid for instructors preparing applicants for the naturalization process• As a guide and support for translators seeking to explain and provide equivalences for legal, political, and | Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. USCIS is not making further changes to the form at this time. Additionally, the suggestion to create a study aid is outside the scope of this form revision. |

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| | | | social concepts that may not occur in parallel ways in the cultures with which applicants are familiar | |
| 8. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>b. Sentence Structure</p> <p>For readers with lower levels of reading proficiency, information processing is facilitated when written material uses simple sentences rather than compound or compound-complex ones (such as this one). The instructions within the proposed N-400 often use compound structures; to increase the accessibility of the material, NCL recommends converting these to simple sentences wherever possible.</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. USCIS is not making further changes to the form at this time.</p> |
| 9. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>Text in Proposed N-400: In addition to your actual date of birth, include any other dates of birth you have ever used, including dates used in connection with any legal names or non-legal names, in the space provided in Part 14. Additional information. (Part 2, Item 6, p. 2)</p> <p>Suggested Revision: Provide your actual date of birth here. Provide any other dates of birth you have ever used for any reason in Part 14.</p> | <p>Response: There may be instances where the applicant has used different names and dates of birth in the past, and that information is needed for background checks. USCIS is not making further changes to the form based on this comment.</p> |
| 10. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>Text in Proposed N-400: If your parent (including legal adoptive parent) is a U.S. citizen by birth, or was naturalized before you reached your 18th birthday, you may not need to file Form N-400 as you may already be a U.S. citizen. (Start Here, p. 1)</p> <p>Suggested Revision: Use the version in Part 2, Item 10: Was one of your parents (including adoptive parents) a U.S. citizen before your 18th birthday? If you answered “yes,” you may already be a U.S. citizen.</p> | <p>Response: USCIS appreciates your comments regarding the introductory paragraph before Part 1. USCIS is not making further changes to the form based on this comment. In the proposed form, Part 2, item no. 10, reiterates that if the response is “yes” the applicant may already be a U.S. citizen and that U.S. citizens should not complete Form N-400.</p> |

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| 11. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>Text in Proposed N-400: Read the instructions for this Item Number before you decide whether you would like to legally change your name (Part 2, p. 2)</p> <p>Suggested Revision: First, read the instructions for this item number. Then decide if you want to legally change your name.</p> | <p>Response: USCIS appreciates your comment; however, USCIS is not making further changes to the form based on this comment.</p> |
| 12. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>Text in Proposed N-400: List where you have worked or attended school full time or part time during the last 5 years if you are filing based on the general provision under Part 1., Item Number 1.a. If you are filing based on other naturalization eligibility options, see Part 7. in the Specific Instructions by Item Number section of the Instructions for the applicable period of time for which you must enter this information. Provide information for the complete time period for all employment, including foreign government employment such as military, police, and intelligence services. Begin by providing information about your most recent or current employment, studies, or unemployment. Provide the locations and dates where you worked, were self-employed, were unemployed, or have studied. (Part 7, Item 1, page 5)</p> <p>Suggested Revision: If you are filing based on the general provision, Part 1 Item 1a, list every place where you have worked or attended school for the last 5 years. If you are filing based on other eligibility options, read Part 7 in the Specific Instructions by Item Number section to find out the time period you should use. List all employment, including foreign government employment. List your current situation (job, school or unemployment) on the top row. Then list previous jobs and studies, including the location</p> | <p>Response: USCIS appreciates your comment; however, USCIS will not make further changes to the form based on this comment as the language is necessary for clarification.</p> |

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| | | | and dates. Also list any times when you were unemployed, self-employed, or retired. | |
| 13. | National Coalition for Literacy | USCIS-2008-0025-0271 | The sequence of activities in compound sentences conjoined with “before” or “after” (for example, “Read the instructions before you complete this part”) can be difficult for users with lower reading proficiency to parse correctly. To avoid misunderstanding, use two shorter sentences as in the third example above. | Response: Please see response above. USCIS appreciates your comment; however, USCIS will not make further changes to the form based on this comment. |
| 14. | National Coalition for Literacy | USCIS-2008-0025-0271 | The use of “if...then” constructions (for example, “List where you have worked or attended school full time or part time during the last 5 years if you are filing based on the general provision under Part 1., Item Number 1.a.”) is essential in the N-400 because of the different eligibility possibilities. To facilitate reading comprehension, use a consistent construction with the “if” clause first in all sentences that use this structure. | Response: USCIS appreciates your comment; however, USCIS will not make further changes to the form based on this comment. The sentence structure used emphasizes the topic of the question to be answered. |
| 15. | National Coalition for Literacy | USCIS-2008-0025-0271 | <p>c. Formatting</p> <p>Formatting considerations, including layout, typography, and reference consistency, are key parts of the user experience with a form. They can affect the user’s ability to navigate the form effectively and complete it fully. NCL has the following observations and recommendations for formatting of the proposed Form N-400:</p> <p>Identification of “Part” and “Item:” The proposed Form N-400 has 14 parts that an applicant must complete before submission. Each part is identified by label (“Part”) and number on the form; for example, Part 1 is identified as Part 1. Information About Your Eligibility. In addition, the part headings are enclosed in a text box with grayed background. These features support an applicant in navigating through the form and ensuring that all parts are completed.</p> | Response: Thank you for your comment. All forms are formatted consistently, and the Form N-400 follows the same format. We will review your comments as part of a broader forms review, however, USCIS will not make formatting edits as part of this revision. |

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| | | | Each part contains a series of items, numbered sequentially starting at 1. In some cases, sub-items are indicated by letters (1.a., 1.b, and so on). The instructions for completing the N-400 clearly identify these as items, but the form itself does not. NCL recommends that USCIS provide further navigational support by adding the word “Item” and the part number to each item on the N-400 (for example, Item 7.1.) | |
| 16. | National Coalition for Literacy | USCIS-2008-0025-0271 | <ul style="list-style-type: none"> Check boxes with follow-up instructions: For some items, an applicant’s response involves choosing among options and then taking another action. These items are easier to navigate correctly when the follow-on action for each choice is provided next to the choice itself. For example, in Part 2, Item 12.a, the follow-on actions are listed beside the check boxes for “Yes” and “No.” By contrast, in Part 2, Item 3, the follow-on action for “No” is listed beside the check box, but the follow-on action for “Yes” is not. NCL recommends restructuring Item 3 as follows: <ul style="list-style-type: none"> o 3a. Do you want to legally change your name? § Yes (complete Item Number 3b) § No (skip to Item Number 4) <ul style="list-style-type: none"> • 3b. Type or print the new name you would like to use. <p>NCL further recommends taking a similar approach for all items with similar response options, such as Items 10 and 11 in Part 2. Doing so would have the additional advantage of reducing the need for “if...then” compound sentence structures.</p> | Response: USCIS appreciates your comment; however, USCIS will not make further changes to the form based on this comment. Where the answer to option “Yes” involves another follow-up question, or its respective instruction is longer, the form provides the instruction or instructions after the check boxes. |
| 17. | National Coalition for Literacy | USCIS-2008-0025-0271 | Typography: The proposed Form N-400 uses bolding of text in two ways: to identify sections of the form (parts, items), and to indicate emphasis in the instructions. For example, the introductory text for Part 9 bolds the phrase | Response: Please see response above. While USCIS appreciates the comment, USCIS is making no changes to the form or instructions as a result of this comment. |

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| | | | “anywhere in the world” to stress this aspect of the required response. NCL does not wish to suggest a change here, but simply to point out that applicants whose initial experience with reading was in non-Roman writing systems may not recognize the intent of bolding and similar writing conventions (italics, all caps) in English. | |
| 18. | National Coalition for Literacy | USCIS-2008-0025-0271 | 3. Content of Form N-400 NCL notes that the proposed Form N-400 does not include the section on exemption from the English Language Test that appears as Part 2, Item 13 on the existing application form. On the existing form, this item appears immediately after the question about exemption from testing due to physical or developmental disability. Although the information about exemption from the English Language Test is detailed in the Specific Instructions by Item Number (proposed instructions, page 8), its omission from the actual Form N-400 may cause some applicants, as well as those assisting with form completion, to overlook this provision for exemption. The omission also may mean that USCIS does not receive all of the information it needs about some applicants. NCL recommends that USCIS include the item about eligibility for testing exemption as Part 2, Item 12 on the proposed Form N-400. | Response: As the commenter noted, information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for these exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden. USCIS will not add the unnecessary questions. |
| | Immigrant Legal Resource Center (ILRC) | USCIS-2008-0025-0269 | Comments 19 - 22 | |
| 19. | Immigrant Legal Resource Center (ILRC) | USCIS-2008-0025-0269 | While we are appreciative of the positive changes, we still see room for improvement. Overall, we urge the agency to produce shorter, clearer forms and instructions. The Biden Administration has tasked federal agencies with reducing administrative burdens and simplifying processes to promote efficiency. The proposed N-400 | Response: USCIS continues to balance the need for responses and information with the burden on the public. Removing additional questions from the Form N-400 would lead to USCIS needing to request additional information after the filing and delaying the adjudication. |

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| | | | <p>form is 14 pages long, which is an improvement over the current version at 20 pages long, while the proposed N-400 instructions are 30 pages long compared to the current version at 18 pages. It is unreasonable to expect applicants to navigate a form and instructions of this length. Forms that are dense, confusing, and onerous are a de facto barrier to the immigration benefit associated with the application. The Biden administration has tasked the federal government with promoting naturalization, and the length of the forms and instructions associated with naturalization are contrary to that goal. We provide the following suggestions on how the N-400 form and instructions can be altered to streamline the naturalization process and reduce barriers to naturalization for eligible applicants.</p> | <p>USCIS will not be making changes as a result of this comment.</p> |
| 20. | Immigrant Legal Resource Center (ILRC) | USCIS-2008-0025-0269 | <p>II. ILRC cautions against the addition of the request for fee reduction on Form N-400</p> <p>We have concerns about the inclusion of the request for fee reduction on Form N-400. While we support the measure to alert applicants to the existence of a fee reduction and fee waiver, we worry that its inclusion on the form itself will create more complications and pitfalls for applicants. Including the fee reduction on the form has the potential to bias adjudicators against the applicant. Currently, fee waivers and fee reductions are adjudicated before the application is transferred to the relevant field office for adjudication of the naturalization application. While the agency has not provided any information on how this proposed change to the N-400 will affect the adjudication process, we see potential for negative bias to be applied by adjudicators who will see the request for a fee reduction on the application itself. Right now, a pseudo firewall is in place to ensure that different personnel adjudicate the fee-related forms and</p> | <p>Response: USCIS included the reduced fee within the Form N-400 after reviewing comments from organizations that wanted to limit the burden of filing other forms. USCIS will continue to review the request for a reduced fee at intake, before transmitting the application for adjudication of the immigration benefit. If it is determined that the applicant is not eligible for the reduced fee, the application will be rejected and returned with the fee for correction and resubmission. Adjudicators will be trained on the changes to the revised Form N-400.</p> |

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| | | | the naturalization application. This separation helps to ensure that applicants are not unjustly judged for a lack of financial means. Including this section on the application will weaken that separation to the potential detriment of the applicant. | |
| 21. | Immigrant Legal Resource Center (ILRC) | USCIS-2008-0025-0269 | <p>We do applaud the agency's inclusion of fee reduction information on the proposed form. We recommend that the agency alter Part 10 of the proposed form to include language about eligibility for both a fee reduction and fee waiver – including describing the eligibility for each and providing a link to both the Form I-942 and I-912. Including this information without soliciting information from the applicant would not elongate the form from the proposed version and would reduce the length of the proposed instructions as the list of required evidence could be eliminated. We suggest the following language to be included on the Form N-400 itself:</p> <p>Part 10. Requesting for a Fee Reduction or Fee Waiver You may be eligible for a fee reduction or fee waiver. To qualify for a fee waiver, you must meet one of the following criteria: You, your spouse, or the head of household living with you is currently receiving a means-tested benefit; Your household income is at or below 150 percent of the Federal Poverty Guidelines (to obtain information about the Federal Poverty Guidelines, visit https://www.aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines);4 or You have a financial hardship. To qualify for a reduced fee, your household income must be greater than 150 percent and not more than 200 percent of the Federal Poverty Guidelines. To apply for a</p> | <p>Response: The N-400 revision is consolidating the request for a reduced fee and discontinuing the I-942. It does not eliminate the requirement to request a fee waiver and use of the Form I-912, Request for Fee Waiver or submit a letter with evidence for the waiver. The Form I-912 is applicable to multiple immigration benefits and not limited to the N-400. Adding fee waiver requirements to the N-400 will create unnecessary length and duplication of information across multiple resources. The Form N-400 revision already includes a link to the Form G-1055, Fee Schedule, in Part 10, and the Fee Schedule contains additional information about both reduced fees and fee waivers. USCIS will not be making changes as a result of this comment.</p> |

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| | | | <p>fee waiver, visit https://www.uscis.gov/i-912 and to apply for a fee reduction, visit https://www.uscis.gov/i-942.</p> <p>4 Note: The link on the proposed instructions is not functional so we have replaced it with a link to the 2023 guidelines.</p> | |
| 22. | Immigrant Legal Resource Center (ILRC) | USCIS-2008-0025-0269 | <p>Finally, we once again urge the agency to make both the fee reduction and fee waiver forms available for online filing. Doing so will increase the number of naturalization applications filed online, which will increase agency efficiency.</p> | <p>Response: USCIS continues to explore options for adding forms available for online filing, including the I-912. This request is out of scope for this action. USCIS will not be making changes as a result of this comment.</p> |
| 23. | WhoPoo App | USCIS-2008-0025-0268 | <p>All applications for naturalization should be halted and denied immediately due to population explosion in the United States that the current infrastructure cannot maintain. The Census Bureau’s Current Population Survey (CPS) shows that the total foreign-born or immigrant population (legal and illegal) was 49.5 million in October 2023 — a 4.5 million increase since President Biden took office and a new record high. At 15 percent, the foreign-born share of the U.S. population is also the highest ever recorded in American history. As the debate rages over the ongoing border crisis, this finding is important because administrative numbers such as border encounters or even legal immigrant arrivals do not measure the actual size of the immigrant population, which is what ultimately determines immigration’s impact on the country.</p> <p>Among the findings:</p> <p>In October 2023, the CPS shows that 15 percent of the U.S. population is now foreign-born — higher than any U.S. government survey or census has ever recorded. The 49.5 million foreign-born residents (legal and illegal)</p> | <p>Response: The commenter expressed an opinion on immigration and naturalization issues generally. USCIS is making no changes to the form or instructions as a result of this comment.</p> |

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| | | <p>in October 2023 is also a new record high.</p> <p>Since President Biden took office in January 2021, the foreign-born population has grown by 4.5 million — larger than the individual populations of 25 U.S. states.</p> <p>Based on our prior estimates of illegal immigrants, more than half (2.5 million) of the 4.5 million increase in the foreign-born population since January 2021 is likely due to illegal immigration. If adjusted for those missed by the survey, the increase would be larger.</p> <p>The 4.5 million increase overall and the 2.5 million increase in illegal immigrants are both net figures. The number of new arrivals was significantly higher, but was offset by outmigration and natural mortality among the foreign-born already here.</p> <p>The foreign-born population has grown on average by 137,000 a month since President Biden took office, compared to 42,000 a month during Trump’s presidency before Covid-19 hit, and 68,000 a month during President Obama’s two terms.</p> <p>The scale of immigration is so high that it appears to have made the new Census Bureau population projections, published on November 9 of this year, obsolete. The bureau projected that the foreign-born share was not supposed to hit 15 percent until 2033.</p> <p>The largest percentage increases since January 2021 are for immigrants from South America (up 28 percent); Central America (up 25 percent); Sub-Saharan Africa (up 21 percent); the Caribbean (up 20 percent); and the Middle East (up 14 percent).</p> <p>Immigrants from all of Latin America increased by 2.9 million since January 2021, accounting for 63 percent of the total increase in the foreign-born.</p> <p>While a large share of the recent foreign-born growth is due to illegal immigration, legal immigrants still account</p> | |
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| | | <p>for three-fourths of the total foreign-born population. The flow of remittances to Venezuela is already the second largest source of foreign earnings after the country's oil revenues. Given the number of Venezuelans that Maduro has already driven away, and the number that Biden has admitted, and with both categories slated to grow massively, the regime is on its way to a golden age of remittances, as the country continues to implode.</p> <p>Central America also continues to bleed migrants who mainly see their economic future in el Norte. Most understand if they can just get there, the gringos will let them stay. Between October 2019 and March 2023, nationals from Guatemala, El Salvador, Honduras and Nicaragua accounted for almost two million encounters at the southern border. Census data indicate that over 3.8 million Central Americans currently reside in the United States, and that number likely undercounts the real total. To these would-be migrants, the Palenque summiteers portray the United States as something other than a regular nation with the right to protect its borders. By their lights, el Norte is not really a country at all, but a mere geographic zone, a vast marketplace where the world's ethnic groups are entitled to seek economic betterment. When they get in, some will work hard and send back remittances; others will find the gringo authorities, amazingly, give them money for just being there. Due to the lack of enforcement in welfare fraud, wire fraud and all of the other fraud that comes with illegal labor, the United States will see a huge drain of its federal resources to Central and South America. Title IV of PRWORA was designed to create a "national policy with respect to welfare and immigration."</p> | |
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| | | | 10 Enacted on August 22, 1996, PRWORA amended immigration law to establish an overarching set of noncitizen eligibility requirements for most federal public benefits. Subsequent amendments from 1996 through 1998 modified PRWORA's requirements to form the general framework that applies today. This law should be scrapped immediately to cut down on welfare fraud. | |
| 24. | Jennifer Gagliardi | USCIS-2008-0025-0275 | <p>Section 2:12a-c offers to update the applicant's Social Security status. If an applicant opts in to allow USCIS to share the Change of Status with the SSA, would it be possible to also contact the state and/or county Registrar of Voters so that the applicant is automatically registered as a voter. This is of particular concern because post-COVID Oath of Allegiance ceremonies do not include representatives from the local Registrars thereby negatively impacting potential New Americans who are likely to become "super voters. Two recent USCIS policy announcements support this:</p> <ol style="list-style-type: none"> 1. Access to Voter Registration Services during Naturalization Ceremonies, August 25, 2023 2. Naturalization Eligibility and Voter Registration Through a State's Benefit Application Process, May 27, 2021 By extension, is the Change of Status info shared with the local courts? This could increase the diversity of the pool of potential jurors. The inclusion of applicants opting into Voter Registration and Juror Registration increase the usefulness of the N-400 and highlight the responsibilities of U.S. citizenship. | <p>Response: USCIS systems do not interact with state and county voter and juror registration systems. However, USCIS provides access to voter registration services for the state where the field office is located at each administrative naturalization ceremony, by requesting election officials from state or local government election offices to attend naturalization ceremonies. When election officials are unavailable, USCIS offices coordinate with nongovernmental organizations to distribute and collect voter registration applications. USCIS also distributes, as part of the U.S. Citizenship Welcome Packet (Form M-771), to every naturalization candidate participating in an administrative ceremony in the U.S. a Voter's Guide to Federal Elections. New citizens also have a list of resources that serves as a guide to the next steps available for new U.S. citizens. This list includes information about registering to vote. https://www.uscis.gov/citizenship-resource-center/new-us-citizens</p> <p>USCIS will not be making changes as a result of this comment.</p> |
| | TESOL International Association | USCIS-2008-0025-0272 | Comments 25 - 27 | |

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| 25. | TESOL International Association | USCIS-2008-0025-0272 | With respect to New Americans who are MLEs and who will utilize the N-400 in the naturalization process, TESOL recommends that USCIS conduct a thorough review of the N-400 to ensure that the Application for Naturalization aligns with the National Reporting System (NRS) appropriate ESL level. Such a review, including clarity upon the allowance and use of interpreters, demonstrates further commitment to improving language access. TESOL strongly recommends alignment with ESL Level 2 of the NRS6, as this level not only addresses the intent of both Eos and subsequent Memorandum but also meets the statutory requirement of “ordinary usage” in applying for naturalization (INA 312; 8 CFR 312). | Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS is not making further changes to the form at this time. |
| 26. | TESOL International Association | USCIS-2008-0025-0272 | Consideration should also be made for the provision or allowability of translators for all aspects of the N-400 Application for Naturalization. Additionally, integral to this review and its outcomes is the inclusion of clarity both in the N-400 instructions and the N-400 form itself, identifying that the N-400 form serves as the basis for the USCIS speaking and listening exam for naturalization. This clarity underscores the necessity for the allowance of translators in completing the N-400, as the interview questions will come directly from the questions on the form. | Response: If an applicant needs an interpreter and the person qualifies for an exception to the English part of the test, the person may bring an interpreter to the interview. For additional information on who may qualify as an interpreter, see Policy Manual Volume 12, Citizenship and Naturalization, Part B, Naturalization Examination, Chapter 3, Naturalization Interview (available at www.uscis.gov/policy-manual/volume-12-part-b-chapter-3). Proposed instructional language advises “Almost all applicants for naturalization must take a naturalization test to demonstrate that they are able to read, write, speak, and understand English, and that they have a basic knowledge of civics (U.S. history and government).” The proposed Form Instructions also say, “For additional information about the test, please visit www.uscis.gov/citizenship .” This website provides the information about the test that you suggest USCIS should provide. |
| 27. | TESOL International Association | USCIS-2008-0025-0272 | Moreover, TESOL conveys its concerns that the current form of the USCIS speaking naturalization exam, while relying upon the N-400, constructs barriers and | Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than |

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| | | <p>limits access for MLEs, reducing their faith in our government systems. The language of the current form is inconsistent in its English language level, as benchmarked against the NRS ESL levels, and follow-up questions for verification are not standardized, nor leveled for language access. Utilizing an inconsistent and lengthy form for the speaking exam doubly limits accessibility for MLEs, first in understanding and completing the form and then again in the interview process. Add to this scenario that reliability and validity is in doubt when those conducting the assessment lack clear guidance on question selection from the N-400 and in language assessment from the responses. Additionally, the USCIS policy manual Volume 12, Part E, Chapter 27 states that “a naturalization applicant must only demonstrate an ability to read, write, speak, and understand words in ordinary usage,” however the language demands of the Form N-400 currently exceed that of “ordinary usage,” and thus can create a barrier for applicants with limited English proficiency. Taken together, a review of the N-400 for English language level is vital and its use as a consistent and reliable assessment should be considered and implemented for the speaking exam.</p> <p>To reiterate, TESOL recommends alignment of the N-400 instructions and form, and by extension, the speaking and listening exams, to align with and be consistent with NRS ESL Level 2. TESOL and its network of professionals and specialists can serve in this review process and would welcome the opportunity to discuss further with USCIS. Additionally, TESOL recommends that interpreters be provided for any aspects of the form N-400 that require</p> | <p>English, they may use an interpreter to help them understand the form. USCIS is not making further changes to the form at this time.</p> |
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| | | | English beyond “ordinary usage,” in the event that some aspects cannot be aligned to the appropriate NRS level to meet accessibility requirements. | |
| | NALEO Educational Fund | USCIS-2008-0025-0273 | Comments 28 – 39 | |
| 28. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>The N-400’s Length and Structure Can Determine Access to U.S. Citizenship</p> <p>NALEO Educational Fund has invested deeply in naturalization in recognition of the many benefits it affords our nation and new Americans, and because, as President Biden’s Executive Order 14012 anticipates, we have found that assistance and encouragement can determine whether or not qualified LPRs successfully complete the process. More than nine million LPRs, of whom more than four million are Latino, are already eligible to apply for U.S. citizenship, while in FY 2022, 967,500 LPRs naturalized. This is a significant and welcome achievement, but also shows that many potential new Americans have not yet been able to seek citizenship. Among other challenges, the complexity of Form N-400 – including lengthy questions, requests for minute detail, and advanced vocabulary – can be intimidating to applicants, and can also result in significant work for agency adjudicators. In administering naturalization, all interests are best served by efficient procedures and documents that streamline and minimize information collection. Accordingly, we again commend USCIS for proposing an N-400 of reduced page length in printed form, for incorporating our recommendations around elimination of questions on topics like past criminal investigations of the applicant, and for making changes that clarify the limited scope of questions about an</p> | <p>Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. USCIS is not making further changes to the form at this time.</p> |

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| | | | applicant's current spouse and children and legal voting in local elections. USCIS's addition of explanatory text regarding periods of retirement, arrests, and interpreter qualifications, as well as a summary of required evidence for paper applicants, will help more LPRs complete the form correctly and will speed processing. Our remaining comments advocate changes that will further lower hurdles, reduce workload, and encourage naturalization. | |
| 29. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Expand Eligibility for Partial Fee Waivers</p> <p>Many of the LPRs we assist with preparations for U.S. citizenship have limited financial means, and struggle with the costs associated with applying for naturalization. We very strongly support grants of full and partial waivers of naturalization application fees to reduce barriers that many people face to becoming U.S. citizens.</p> <p>We appreciate USCIS's proposal to include a section on the print N-400 that applicants can complete to simultaneously apply for a partial waiver, while also continuing to urge the agency to prioritize full digitization of Form I-912 and Form I-942. When applicants are able to request partial and full fee waivers and file accompanying N-400s online, many more individuals will use this more efficient process, and the cost and burden to USCIS of managing paper applications for citizenship will decline.</p> | Response: USCIS continues to explore options for adding forms available for online filing, including the I-912. This request is out of scope for this action. USCIS will not be making changes as a result of this comment. |
| 30. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>We have asked policymakers to grant partial fee waivers to naturalization applicants with incomes up to 250% of Federal Poverty Level, and repeat this request in connection with the addition of questions about partial waiver eligibility to the N-400. Because it fails to take into account the largest drivers of household living</p> | Response: USCIS appreciates your comments. This comment is related to fee waivers and is outside the scope of this form revision. USCIS is not making changes to the form or instructions as a result of this comment. |

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| | | | expenses, including shelter and child care, the Federal Poverty Level does not accurately measure the adequacy of income to meeting basic needs. Benefit qualification thresholds that adhere closely to Federal Poverty Level likewise do not capture all of those whose lower incomes make it challenging to pay extraordinary application expenses. | |
| 31. | NALEO Educational Fund | USCIS-2008-0025-0273 | We also ask USCIS to make adjustments to this new language on the N-400 and to the accompanying instructions to ensure their user-friendliness. We note that the draft redline Instructions contain a broken hyperlink to Federal Poverty Level tables. The tables that USCIS intended to share display Federal Poverty Level incomes by family size and state of residence. Applicants who must refer to these tables would then be required to calculate whether they qualify for the waiver. Thus, we strongly encourage the agency to instead create, if necessary, and provide a link to tables that convey partial fee waiver eligibility bands already calculated by family size and state of residence. | Response: We note the hyperlinks do work. The fee waivers are outside the scope of this revision and therefore no changes were made based on this comment. |
| 32. | NALEO Educational Fund | USCIS-2008-0025-0273 | Finally, we ask that USCIS replace Questions 5a and 5b in Part 10, which confusingly offer “yes” and “no” checkboxes as the possible answers to “Name of head of household,” with a single question, which might be phrased as, “Who is the head of your household?” Applicants would choose one answer: “Me” or “Someone else (write in name after checkbox)” followed by a blank space. | Response: Question 5b for the name of Household has a fill in the blank space, not a “yes/no.” This information would be used to identify tax records or documents of income presented. No changes were made based on this comment. |
| 33. | NALEO Educational Fund | USCIS-2008-0025-0273 | Highlight Exemptions and Accommodations in Application Materials For people who face the most barriers to naturalization, testing exemptions and accommodations in the interview and testing process are both pivotal to success, and are also the fulcrum upon which the decision of | Response: USCIS is not making changes in response to this comment. Information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the |

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| | | | <p>whether to apply often balances. In providing direct assistance, we often encounter LPRs who are not familiar with the contours of these rules, and we know that many others eligible for citizenship never solicit or receive advice, and never become aware of features that may help them feel more comfortable with and ready for the naturalization process. This is why we recommended that questions about qualification for exemptions and accommodations be grouped and highlighted to draw applicants' attention. We note that unlike the proposed print N-400, the proposed online version does take applicants through questions about disability exemptions and accommodations, counterparts to which should be included in the paper N-400 form for consistency. Because our experience continues to point to a need for consistent explanation of testing exemptions, and more frequent communications between applicants and field offices about accommodations requests, we reiterate our suggestion that each version of the N-400 form include questions about exemptions from testing and accommodations during naturalization procedures.</p> | <p>date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden.</p> <p>USCIS appreciates your comment regarding accommodations but will not make a change based on it at this time. Revisions to the form and instructions were made in consultation with the Office of Equality and Inclusion (OEI), and it was determined that the information on accommodations should be in the instructions. Placing it on the form may give the incorrect impression that an accommodation request is granted solely based on the answer on the form. Applicants with accommodation requests should contact USCIS outside of the form.</p> <p>Accommodations questions that are marked for deletion in the proposed form revision were also removed from the online screen mockups and marked for deletion in the online copy deck file.</p> |
| 34. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Leverage Existing Records and Build In Eligibility Checks Where immigration history is determinative – as it is in identifying people with enough age and time in LPR status to be exempt from an English test – USCIS has pointed out in its responses to our previous comments that it can obtain necessary information from its records. We agree, and we urge inclusion of a question about exemption eligibility to serve the critical alternate purpose of raising applicants' awareness.</p> | <p>Response: USCIS is not making changes in response to this comment. Information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden.</p> |

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| 35. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Given the agency’s ability to obtain necessary information from its records, we urge it to also use this approach to implement our recommendation that it omit proposed questions about applicants’ subjection to deportation or removal or proceedings thereon. USCIS obviously must review DHS-wide A files, which combine indelible biometric markers and information from multiple sub-agencies, for information about applicants. The most efficient process would leverage this routine check, along with automated tools that flag cases in which potentially negative history appears, to identify applicants who may not satisfy requirements.</p> <p>We reiterate our recommendation that proposed questions 20 and 21 in Part 9 be deleted, and our position that USCIS should not ask questions on the N-400 that go to re-examination of a previous grant of LPR status. INA § 318, cited in USCIS’s responses to our previous comments, requires that naturalization applicants prove their lawful admission, and critically, it cites reliance on a visa or entry document as a means of doing so. Thus, adjudicators should view and confirm records, but not investigate the propriety of the grant of entry and LPR status.</p> | <p>Response: USCIS will not make edits based on this comment as part of this revision. These questions help USCIS verify that an applicant is a lawful permanent resident, which is required under most naturalization statutes. An individual who became an LPR, and then was ordered removed, or whose status was rescinded, is no longer an LPR. Additionally, INA 318 provides that no person shall be naturalized against whom there is outstanding a final finding of deportability pursuant to a warrant of arrest, and no application shall be considered if there is a pending removal proceeding pursuant to a warrant of arrest. These questions provide information directly related to a statutory requirement, and do not only relate to whether the original grant of LPR status was lawful.</p> <p>USCIS may not be able to easily identify prior removals or removal proceedings in its systems because the applicant may have used a different name or been assigned a different A-number. The name, port of entry (POE) of removal, manner of removal (plane or land border), and reason for removal is vital information necessary for establishing applicant’s identity if a different name was used or different A-number was assigned.</p> |
| 36. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Practice Efficiency and Cross-Government Consistency in Collection of Demographic Data</p> <p>NALEO Educational Fund is a longtime advocate for accurate and complete public data collection and a past member of the U.S. Census Bureau’s National Advisory Council on Racial, Ethnic, and Other Populations, and thus we are particularly knowledgeable about how Latino applicants might respond to questions about their ethnicity and race. We recommended that USCIS include</p> | <p>Response: USCIS appreciates your comment but will not make edits based on this comment as part of this revision. The options on the form (race and weight) are based on the criteria required for background and security checks.</p> |

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| | | | <p>“Some Other Race” as an optional answer to the N-400’s question about the applicant’s race because many Latino and other respondents of color do not identify with any of the five race categories included on the proposed form, and high shares of them only answer a question like this when it offers another option. USCIS says in its responses that use of only five race categories is the standard format for conduct of background checks through sister-agencies, but we do not think this prevents addition of “Some Other Race” to better conform to the practices of some other federal agencies. For example, the decennial Census race question includes the “Some Other Race” category, and the FBI collects data that include “Some Other Race”, “Other”, or “Unknown” for other purposes.¹ In this connection, we note that the federal government has initiated a process of revising its Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity.² Formal changes that add to the answers federal agencies accept to questions about race are very likely. We urge USCIS to re-examine the N-400 after the issuance of new standards to ensure the form’s questions align with the new standards.</p> <p>We also reiterate our recommendation that USCIS omit the N-400’s request for the applicant’s weight. To our knowledge, credible background checks do not uniformly require this information³, which makes intuitive sense because of the highly mutable nature of a person’s weight. USCIS should eliminate unnecessary questions.</p> | |
| 37. | NALEO Educational Fund | USCIS-2008-0025-0273 | Continue to Simplify Vocabulary and Structures Many of the Latino and other LPRs we assist with preparing and applying for citizenship experience literacy | Response: USCIS appreciates your comment but is not making edits based on this comment as part of this revision. USCIS attempts to convey statutory |

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| | | | <p>barriers to navigating complex information requests. According to the Census Bureau’s 2022 1-year American Community Survey (ACS) data, more than 2 million adult noncitizen residents have less than a 5th grade education. More than half of all adults in the United States who are not yet citizens also speak English less than very well, according to the ACS. When people with lower literacy and people who are language minorities seek information about citizenship, they certainly are allowed to receive it in-language and with reading, interpretation and translation assistance, but the allowance does not mean that assistance will be available, and for too many people, it is not. Therefore, we continue to urge USCIS to use simple terms and phrases wherever possible to make Form N-400 accessible. In our previous comments, we encouraged USCIS to make questions 31 through 37 in Part 9 easier to understand. We continue to advocate a more intuitive structure that asks current Question 33 first, and then sets forth instructions for current Questions 31-32 and 34-37 followed by the questions themselves, for people who are able to understand and take an Oath of Allegiance. We also included a list of terms for which we recommended explanatory parentheticals, similar to those in current Question 13 in Part 9. We reiterate our recommendation that USCIS replace or explain these terms with alternate phrases, such as “required to join” for “drafted”, and “permitting” for “letting.”</p> | <p>requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form.</p> |
| 38. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Finally, we asked USCIS to indicate on Form N-400 that not every applicant need complete sections for interpreters and preparers. We continue to believe that this would be helpful, and could be accomplished without lengthening</p> | <p>Response: Content related to interpreters and preparers is standard language across USCIS information collections. Although USCIS does continuously evaluate standard language used across information collections,</p> |

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| | | | the print version, by, for example, adding “(If Applicable)” to section headings. | USCIS will not be making edits based on this comment as part of this revision. |
| 39. | NALEO Educational Fund | USCIS-2008-0025-0273 | <p>Streamline Questions about Statutory and Good Moral Character Bars</p> <p>Part 9 is the most lengthy section of the N-400, and in our experience with applicants, the most intimidating. Therefore, we previously urged USCIS to streamline inquiries about bars to naturalization as much as possible, and continue to urge additional changes to proposed Part 9 to eliminate overbroad and duplicative inquiries.</p> <p>For example, proposed questions 5.a. and 5.b., based on 8 U.S.C. § 1424, ask applicants to report actions that that statute explicitly excludes from bars and renders irrelevant to adjudication, including involuntary-only membership in a named group, and minimal membership that occurred more than a decade before submission of the N-400.</p> <p>Questions 6.a., 6.b., and 6.c., concerning terrorism-related inadmissibility grounds, do the same by failing to distinguish between, for example, intentional, voluntary support that could cause ineligibility, and coerced activities or support for sanctioned movements, neither of which is likely to be disqualifying.</p> <p>Naturalization adjudicators should not collect or consider information about juvenile convictions that connote reduced culpability, nor about arrests and charges not resulting in conviction, none of which would appear in applicants’ adult criminal records. In the interest of efficiency, the N-400 should never ask for potentially prejudicial information of the kinds we have just</p> | <p>Response: USCIS appreciates your comment but is not making edits based on this comment as part of this revision. While some questions may request information that could fall outside of a statutory bar, the applicant’s conduct (even if outside the statutory period) must be reviewed to determine whether the applicant is eligible for naturalization. USCIS adjudicators are trained to ask follow-up questions in order to correctly determine an applicant’s eligibility. Reproducing the language of the statute, with its applicable exceptions, would be more difficult for applicants to understand and would place the adjudicative determination on the applicant, rather than the adjudicator. These questions correctly place the burden on the applicant to report the requested information and allow the adjudicator to seek further information where necessary to determine eligibility.</p> <p>USCIS notes that contrary to the commenter’s assertions, Part 9, Items 6a-c cover information that directly bears on eligibility, namely whether an individual was lawfully admitted for permanent residence. Although some applicants may have been granted an exemption for particular conduct, USCIS adjudicators cannot assume statutory eligibility and must instead ask relevant follow up questions to confirm whether a particular inadmissibility existed and whether an exemption was granted. Crimes and offenses committed while the person was under 18 years of age may be relevant for good moral character determinations if the person was charged as an adult or for GMC provisions that do not require a conviction. Similarly, the conduct underlying an arrest or charge that did not result in a conviction may be</p> |

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| | | | described that does not bear on eligibility for citizenship. Any of an applicant's potentially disqualifying actions that may have been related to an arrest or charge but not resulted in conviction must be disclosed in response to other remaining questions in Part 9. | relevant for GMC provisions that do not require a conviction. |
| | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | Comments 40 - 51 | |
| 40. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>The N-400's Length and Structure Can Determine Access to U.S. Citizenship</p> <p>As advocates for naturalization and the many benefits it affords our nation and new Americans, we enthusiastically concur with the Administration's commitment to encouraging and supporting qualified lawful permanent residents (LPRs) in applying for U.S. citizenship. E.O. 14012, Section 5. We know from extensive experience providing legal and educational assistance to naturalization candidates that, as Executive Order 14012 anticipates, the complexity of forms like the N-400 can pose a barrier even to those who seek help, and particularly to those who cannot secure guidance. The number of questions, minute detail requested, and advanced vocabulary can be intimidating to applicants, and can also result in more work for agency adjudicators. In administering naturalization, all interests are best served by efficient procedures and documents that streamline and minimize information collection. Our previous and present comments center this principle.</p> <p>Accordingly, we commend USCIS for proposing an N-400 of reduced page length in printed form, for eliminating inquiry about investigations of the applicant, and for</p> | <p>Response: USCIS appreciates your comment but is not making edits based on this comment as part of this revision. USCIS attempts to convey statutory requirements in language that is as clear as possible.</p> |

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| | | | making changes that clarify the limited scope of questions about an applicant's current spouse and children. Our remaining comments concern recommendations that will further lower hurdles, reduce workload, and encourage naturalization. | |
| 41. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>Highlight Exemptions and Accommodations in Application Materials</p> <p>For people who face the most barriers to naturalization, testing exemptions and accommodations in the interview and testing process are both pivotal to success, and are also the fulcrum upon which the decision of whether to apply often balances. Many LPRs cannot or do not seek assistance with their naturalization application and know only what they can glean from the application form and instructions, which are dense. This is why we recommended that questions about qualification for exemptions and accommodations be grouped and highlighted to draw applicants' attention. We note that unlike the proposed paper N-400, the proposed online version does take applicants through questions about disability exemptions and accommodations, counterparts to which should be included in the paper N-400 form for consistency.</p> | <p>Response: USCIS is not making edits based on this comment as part of this revision. Information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden.</p> <p>USCIS appreciates your comment regarding accommodations but will not make a change based on it at this time. Revisions to the form and instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was determined that the information on accommodations should be in the instructions. Placing it on the form may give the incorrect impression that an accommodation request is granted solely based on the answer on the form. Applicants with accommodation requests should contact USCIS outside of the form.</p> <p>Accommodations questions that are marked for deletion in the proposed form revision were also removed from the online screen mockups and marked for deletion in the online copy deck file.</p> |

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| 42. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>In addition, organizations in our coalition have reported that as of Fall 2023, in some districts, cases in which there is a request for accommodation have been delayed significantly compared to cases without requests. Our experience points to the need for better advance collection and processing of accommodations requests. Disproportionate wait times for scheduling and processing seem unlikely to improve if paper applicants must take even more proactive action than at present to initiate arrangements. We reiterate our recommendation that each version of the N-400 form include questions about exemptions from testing and accommodations during naturalization procedures.</p> | <p>Response: USCIS is not making edits based on this comment as part of this revision. Information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden.</p> <p>USCIS appreciates your comment regarding accommodations but will not make edits based on this comment as part of this revision. Revisions to the form and instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was determined that the information on accommodations should be in the instructions. Placing it on the form may give the incorrect impression that an accommodation request is granted solely based on the answer on the Form. Applicants with accommodation requests should contact USCIS outside of the form.</p> |
| 43. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>Leverage Existing Records and Build In Eligibility Checks Where immigration history is determinative – as it is in identifying people with enough age and time in LPR status to be exempt from an English test – USCIS has pointed out in its responses to our previous comments that it can obtain necessary information from its records. We agree, and feel that including questions about eligibility on the form serves the critical alternate purpose of raising applicants’ awareness. Given the agency’s ability to obtain necessary information from its records, we urge USCIS to also use this approach to implement our</p> | <p>Response: USCIS is not making edits based on this comment as part of this revision. These questions help USCIS verify that an applicant is a lawful permanent resident, which is required under most naturalization statutes. An individual who became an LPR, and then was ordered removed, or whose status was rescinded, is no longer an LPR. Additionally, INA 318 provides that no person shall be naturalized against whom there is outstanding a final finding of deportability pursuant to a warrant of arrest, and no application shall be considered if there is a pending removal proceeding pursuant to a</p> |

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| | | | <p>recommendation that it omit proposed questions about applicants' subjection to deportation or removal or proceedings thereon. It is our understanding that USCIS adjudicators review records from the Department of Homeland Security, the Department of Justice and other law enforcement agencies, as well as the applicant's A-File. These files together combine indelible biometric markers and background information about an applicant. The most efficient process would leverage these routine checks, along with automated tools that flag cases in which potentially negative history appears, to identify applicants who may not satisfy requirements.</p> | <p>warrant of arrest. These questions provide information directly related to a statutory requirement, and do not only relate to whether the original grant of LPR status was lawful.</p> <p>USCIS may not be able to easily identify prior removals or removal proceedings in its systems because the applicant may have used a different name or been assigned a different A-number. The name, port of entry (POE) of removal, manner of removal (plane or land border), and reason for removal is vital information necessary for establishing applicant's identity if a different name was used or different A-number was assigned.</p> |
| 44. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>We reiterate our recommendation that proposed questions 20 and 21 in Part 9 be deleted, and our position that USCIS should not ask questions on the N-400 that go to re-examination of a previous grant of LPR status. Section 318 of the Immigration and Nationality Act, cited in USCIS's responses to our previous comments, requires that naturalization applicants prove their lawful admission, and critically, it cites reliance on a visa or entry document as a means of doing so. Thus, USCIS should afford deference to the previous determinations made by the agency and presume that the applicant's LPR status was properly granted, absent rebuttal evidence to the contrary.</p> | <p>Response: USCIS is not making edits based on this comment as part of this revision. These questions help USCIS verify that an applicant is a lawful permanent resident, which is required under most naturalization statutes. An individual who became an LPR, and then was ordered removed, or whose status was rescinded, is no longer an LPR. Additionally, INA 318 provides that no person shall be naturalized against whom there is outstanding a final finding of deportability pursuant to a warrant of arrest, and no application shall be considered if there is a pending removal proceeding pursuant to a warrant of arrest. These questions provide information directly related to a statutory requirement, and do not only relate to whether the original grant of LPR status was lawful.</p> <p>USCIS may not be able to easily identify prior removals or removal proceedings in its systems because the applicant may have used a different name or been assigned a different A-number. The name, port of entry (POE) of</p> |

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| | | | | removal, manner of removal (plane or land border), and reason for removal is vital information necessary for establishing applicant's identity if a different name was used or different A-number was assigned. |
| 45. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>Streamline Questions about Statutory and Good Moral Character Bars</p> <p>Part 9 is the lengthiest section of the N-400, and in our experience with applicants, the most intimidating. In hope of mitigating features that create hurdles for applicants, we have consistently advocated streamlining these inquiries as much as possible while obtaining sufficient information to enforce statutory and good moral character bars to citizenship. We continue to urge additional changes to proposed Part 9 to eliminate overbroad and duplicative inquiries. For example, proposed questions 5.a. and 5.b., based on 8 U.S.C. § 1424, ask applicants to report actions that the statute explicitly excludes from bars and renders irrelevant to adjudication, including involuntary-only membership in a named group, and minimal membership that occurred more than a decade before submission of the N-400. Questions 6.a., 6.b., and 6.c., concerning terrorism-related inadmissibility grounds, do the same. In the interest of efficiency, the N-400 should never ask for potentially prejudicial information that does not bear on eligibility for citizenship – in addition to the examples just cited, naturalization adjudicators should not collect or consider information about juvenile offenses for which there is reduced culpability, and that would not appear in applicants' adult criminal records. We also urge USCIS to consider combining Part 9</p> | <p>Response: USCIS appreciates your comment but is not making edits based on this comment as part of this revision. While some questions may request information that could fall outside of a statutory bar, the applicant's conduct (even if outside the statutory period) must be reviewed to determine whether the applicant is eligible for naturalization.</p> <p>USCIS adjudicators are trained to ask follow-up questions in order to correctly determine an applicant's eligibility. Reproducing the language of the statute, with its applicable exceptions, would be more difficult for applicants to understand and would place the adjudicative determination on the applicant, rather than the adjudicator. These questions correctly place the burden on the applicant to report the requested information and allow the adjudicator to seek further information where necessary to determine eligibility.</p> <p>USCIS notes that contrary to the commenter's assertions, Part 9, Items 6a-c cover information that directly bears on eligibility, namely whether an individual was lawfully admitted for permanent residence. Although some applicants may have been granted an exemption for particular conduct, USCIS adjudicators cannot assume statutory eligibility and must instead ask relevant follow up questions to confirm whether a particular inadmissibility existed and whether an exemption was granted.</p> |

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| | | | questions with overlapping scope to reduce its overall length. For example, proposed questions 5.b. and 6.a. include similar inquiries about past advocacy of and involvement in property damage and other violent acts. A single question could encompass all of the behavior that may be disqualifying, and any applicants who answer in the affirmative will be prompted to provide more detail with which officers can determine whether they are subject to bars. In this case, USCIS could replace several questions with one: “Have you, or has any group you supported or were associated with, ever supported, promoted, threatened, planned, attempted, incited, or directly caused property damage, sabotage, or harm to another person?” | Crimes and offenses committed while the person was under 18 years of age may be relevant for good moral character determinations if the person was charged as an adult or for GMC provisions that do not require a conviction. |
| 46. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | Practice Efficiency and Cross-Government Consistency in Collection of Demographic Data Many of us serve and are advocates for communities of color, and we are knowledgeable about how applicants might respond to questions about their ethnicity and race. Thus, we recommended that USCIS include “Some Other Race” as an optional answer to the N-400’s question about the applicant’s race. Many Latino and other respondents of color do not identify with any of the five race categories included on the proposed form, and high shares of them only answer a question like this when it offers another option. USCIS says in its responses that use of only five race categories is the standard format for conduct of background checksthrough sister-agencies, but we do not think this prevents addition of “Some Other Race” to | Response: USCIS appreciates your comment but will not make edits based on this comment as part of this revision. The options on the form (race) are based on the criteria required for background and security checks. |

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| | | | better conform to the practices of some other federal agencies. For example, the decennial Census race question includes the “Some Other Race” category, and the FBI collects data that include “Some Other Race,” “Other,” or “Unknown” for other purposes ¹ . In this connection, we note that the federal government has initiated a process of revising its Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity. ² Formal changes that add to the answers federal agencies accept to questions about race are very likely. We urge USCIS to re-examine the N-400 after the issuance of new standards to ensure the form’s questions align with the new standards. | |
| 47. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | We also reiterate our recommendation that USCIS omit the N-400’s request for the applicant’s weight. To our knowledge, credible background checks do not uniformly require this information ³ , which makes intuitive sense because of the highly mutable nature of a person’s weight. USCIS should eliminate unnecessary questions. | Response: USCIS appreciates your comment but will not make edits based on this comment as part of this revision. The options on the form (weight) are based on the criteria required for background and security checks. |
| 48. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | Expand Eligibility for Partial Fee Waivers Many of the LPRs our organizations assist with preparations for U.S. citizenship have limited financial means, and struggle with the costs associated with applying for naturalization. We very strongly support grants of full and partial waivers of naturalization application fees to reduce barriers that many people face to becoming U.S. citizens, and we applaud USCIS’s proposal to include a section on the print N-400 that applicants can complete to simultaneously apply for a partial waiver. In addition to ensuring that applicants are | Response: USCIS appreciates your comments. This comment is related to fee waivers and is outside the scope of this form revision. USCIS is not making changes to the form or instructions as a result of this comment. USCIS will not make edits based on this comment as part of this revision. |

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| | | | <p>alerted to the existence of a partial fee waiver, this change is likely to reduce burden on applicants and support more qualified people in being approved to pay lower fees. Many of our organizations previously have urged lawmakers and USCIS to raise the threshold for qualification for a partial waiver of naturalization application fees to at least 250% of the Federal Poverty Level, and we reiterate this request in connection with the addition of questions about partial waiver eligibility to the N-400. Because it fails to take into account some of the largest drivers of household living expenses, such as shelter and childcare, the Federal Poverty Level does not accurately measure the adequacy of income to meeting basic needs. Benefit qualification thresholds that adhere closely to Federal Poverty Level likewise do not capture all of those whose lower incomes make it challenging to pay extraordinary application expenses.</p> | |
| 49. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | <p>We also hope that USCIS will make adjustments to this new language on the N-400 and to the accompanying instructions to ensure their user-friendliness. We note that the draft redline Instructions contain a broken hyperlink to Federal Poverty Level tables. The tables that USCIS intended to share display Federal Poverty Level incomes by family size and state of residence. Applicants who must refer to these tables would then be required to calculate whether they qualify for the waiver. Thus, we strongly encourage the agency to instead create, if necessary, and provide a link to tables that convey partial fee waiver eligibility bands already calculated by family size and state of residence.</p> | <p>Response: We note the hyperlinks do work. The fee waivers are outside the scope of this revision and therefore no changes were made based on this comment.</p> |

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| 50. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | Finally, we ask that USCIS replace Questions 5a and 5b in Part 10, which confusingly offer “yes” and “no” checkboxes as the possible answers to “Name of head of household,” with a single question, which might be phrased as, “Who is the head of your household?” Possible answers – choose one: “Me” or “Someone else (write in name after checkbox)” followed by a blank space. | Response: Question 5b for the name of Household has a fill in the blank space, not a “yes/no.” This information would be used to identify tax records or documents of income presented. No changes were made on this comment. |
| 51. | Naturalization Working Group (NWG) | USCIS-2008-0025-0274 | Finally, we note that at present, processing of partial and full fee waiver requests is handled separately from adjudication of N-400s, so that officers determining qualification for citizenship do not know whether any particular individual has paid a full, partial, or no fee. This firewall prevents any potential bias against lower-income applicants. As USCIS moves forward with integrating fee waiver requests into naturalization applications, we urge it to preserve this separation of work as much as possible, and if necessary, to monitor grant rates for partial fee waivers and associated N-400s to ensure consistent decision-making, and the absence of prejudice against applicants for whom fees are waived. | Response: USCIS will continue to review the request for a reduced fee at intake, before transmitting the application for adjudication of the immigration benefit. If it is determined that the applicant is not eligible for the reduced fee, the application will be rejected and returned with the fee for correction and resubmission. Adjudicators will be trained on the changes to the revised Form N-400.. |
| | OneAmerica | USCIS-2008-0025-0276 | Comments 52 - 106 | |
| 52. | OneAmerica | USCIS-2008-0025-0276 Form | b. More streamlined questions: Some of the unnecessary questions have been thankfully removed or simplified, but we think there is more work to do, given that the English level expected of applicants for naturalization is considered to be at a fourth-grade level. There are terms that should still be defined or eliminated, or questions not needed for eligibility, or where USCIS has already adjudicated the issue multiple times during the applicants’ long immigration journeys | Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS will not make edits based on this comment as part of this revision. |
| 53. | OneAmerica | USCIS-2008-0025-0276 | Gender Marker addition. We appreciate the addition of “another gender identity” to the gender question. (Part 2 | Response: This information is provided in the instructions. The proposed form instructions state, |

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| | | Form | Q5). We recommend adding a notation that the Naturalization Certificate will include the gender marker checked on the form. | "Based on your selection, a gender of "M" (male), "F" (female) or "X" (another gender identity) will be reflected on your secure documents if your application is approved." |
| 54. | OneAmerica | USCIS-2008-0025-0276 Form | II. OneAmerica Proposes the Following Additional Changes to the Proposed N400: A. Filing under "the general provision": Specify what that is on the form. (Part 1 Q1a). | Response: Thank you for your comment. The proposed form instructions, Part 1 Item 1.A, explain that applicants should select "General Provision" if they "have been a lawful permanent resident (LPR) of the United States for at least 5 years." USCIS will not make edits based on this comment as part of this revision. |
| 55. | OneAmerica | USCIS-2008-0025-0276 Form | B. Date of birth – eliminate additional language about other birth dates used (Part 1 Q6) unless there is verbiage about how to correct earlier documents before naturalizing. | Response: Thank you for your comment; however, asking for any different date of birth used in the form assists with background checks and avoids future RFEs. Correcting other documents outside of the N-400 is out of scope for this form revision. |
| 56. | OneAmerica | USCIS-2008-0025-0276 Form | C. Countries of nationality – either add another box or eliminate language about additional countries as they are not relevant (Part 1 Q9). | Response: Thank you for your comment; however, asking for any different country of nationality used in the form assists with background checks and avoids future RFEs. Therefore, USCIS will not make edits based on this comment as part of this revision. |
| 57. | OneAmerica | USCIS-2008-0025-0276 Form | D. Eliminate the question about parents being US citizens before the applicant's 18th birthday since it is discussed already in revised Part 1 at the start. Otherwise put this question as the first one in the first section (Part 1#10). | Response: Thank you for your comment, but USCIS is not making edits based on this comment as part of this revision. This question is necessary to determine eligibility for naturalization. |
| 58. | OneAmerica | USCIS-2008-0025-0276 Form | E. Social security update – Presumably this would apply to those able to naturalize without having had a green card. As phrased, the question doesn't address why it's being asked or for whom it's intended since most LPRs already have valid social security numbers. Perhaps give a condition for answering the question; otherwise instruct to skip the the next unrelated question (Part 1 Q12). | Response: This question also refers to notifying SSA that an applicant has naturalized and is now a citizen. This can be helpful to even applicants that have a green card because SSA will correctly reflect their citizenship status, which is relevant for example for those seeking financial aid that is limited to U.S. citizens and other limited categories. Additionally, USCIS notes on the form that applicants who answer "no" on question 12a are already instructed |

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| | | | | to “Go to Part 3,” which allows them to skip 12b-c. Therefore, USCIS will not make edits based on this comment as part of this revision. |
| 59. | OneAmerica | USCIS-2008-0025-0276 Form | F. Restore the English exemption questions to the paper form. It is best that applicants see the requirements on the form itself to alleviate test and eligibility fears since the instructions can be complicated and intimidating (Part 1 former Q13). | Response: As the commenter noted, information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these questions, keeping these questions would be an unnecessary burden. USCIS is not making edits based on this comment as part of this revision. |
| 60. | OneAmerica | USCIS-2008-0025-0276 Form | G. Add “multiracial” and/or “another race” and/or “Unknown/other” in Part 4 to be more inclusive. Further, the current Hispanic/not Hispanic ethnicity question and having the race questions next are confusing as currently proposed. (Part 2 Q2). | Response: USCIS appreciates your comment but will not edits based on this comment as part of this revision. The options on the form (race) are based on the criteria required for background and security checks standard for all forms. |
| 61. | OneAmerica | USCIS-2008-0025-0276 Form | H. Eliminate the questions about height and weight as these fluctuate over time and are not needed by the time of naturalization (Part 2 Q3-4). | Response: USCIS appreciates your comment but will not edits based on this comment as part of this revision. The options on the form (height and weight) are based on the criteria required for background and security checks. |
| 62. | OneAmerica | USCIS-2008-0025-0276 Form | I. Restore the accommodations question. It takes too long to arrange accommodations with USCIS over the phone. By giving USCIS a heads up at the time of filing, this should put USCIS on notice that accommodations will be needed. Further, the accommodations and English/testing exemptions and disability waiver related questions should be near each other as they are on the electronic form (Part 3). | Response: USCIS is not making edits based on this comment as part of this revision. Information about the exemptions is covered in the instructions. Additionally, USCIS receives the necessary information to determine whether applicants qualify for the exemptions when applicants fill out the form fully. See Part 2, Item 7, which asks for the date the applicant became an LPR, and Part 2, Item 6, which asks for DOB. Therefore, as USCIS can determine whether the exemption applies without these |

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| | | | | <p>questions, keeping these questions would be an unnecessary burden.</p> <p>USCIS appreciates your comment regarding accommodations but will not make edits based on this comment as part of this revision. Revisions to the form and instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was determined that the information on accommodations should be in the instructions. Placing it on the form may give the incorrect impression that an accommodation request is granted solely based on the answer on the Form. Applicants with accommodation requests should contact USCIS outside of the form.</p> <p>Accommodations questions that are marked for deletion in the proposed form revision were also removed from the online screen mockups and marked for deletion in the online copy deck file.</p> |
| 63. | OneAmerica | USCIS-2008-0025-0276 Form | J. Reduce collection of contact information as to phone numbers. Instead, ask “Provide best phone number to contact you” with a box to check if texts can be received (Part 4 Q1-4). | Response: Content related to phone numbers is standard language across USCIS information collections. Although USCIS does continuously evaluate standard language used across information collections, USCIS will not be making edits based on this comment as part of this revision. |
| 64. | OneAmerica | USCIS-2008-0025-0276 Form | K. Address – Provide instructions for houselessness, such as “indicate homeless in the street address but provide city, state and zip code, and country” or provide a “safe” address. (Part 5 Q1). | Response: This information is provided in the instructions. The proposed instructions state, “If you are currently homeless, you can indicate “homeless” in the Physical Address field; however, you will need to provide the city or town, state, ZIP code, and province and country (if you live outside the United States) where you live. You can then use Form G-1145, e-Notification of Application/Petition Acceptance, to request notification by text or email confirming receipt of your Form N-400.” |

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| | | | | Therefore, USCIS will not make edits based on this comment as part of this revision. |
| 65. | OneAmerica | USCIS-2008-0025-0276 Form | L. Eliminate applicant's spouse's employer, date of birth, and immigration status as these are not relevant to the applicant's eligibility for naturalization. Even for the two categories of people who have to answer the spouse questions, these additional questions are irrelevant and just take up space. (Part 10 Q 5, 6, 8). | Response: USCIS appreciates your comment. The form already directs applicants to only answer Part 5, Item 8 if they are filing under Part 1., Item Number 1.d., Spouse of a U.S. Citizen in Qualified Employment Outside the United States. If someone is filing under that category, the employment of their spouse is relevant to the adjudication. USCIS further notes that there is no question asking for the spouse's immigration status, but rather confirming when and how the spouse became a citizen, which is a statutory requirement for those naturalizing under INA 319. Therefore, USCIS will not be making edits based on this comment as part of this revision. |
| 66. | OneAmerica | USCIS-2008-0025-0276 Form | M. The questions about children are not relevant to the applicant's eligibility for citizenship unless they were to marriage-based immigration bona fides or prior sponsorships by or of the applicant. Therefore, a conditional statement should go first, and if the answer is no, all Page 3 of 7 such applicants can skip the question. Further, the question about providing support for the child is not relevant. There is a later good moral character question about failing to provide support. Otherwise, the only relevant question is about potential derivatives where the question should be: "Do you have any children with LPR status who are under 18?" Yes or No. If yes, the form should provide an advisory about the potential derivative status and what to do next. (Part 11). | Response: USCIS appreciates your comment. Whether an applicant has children under 18 years of age is relevant to whether the applicant can establish good moral character, as 8 CFR 316.10(b)(3)(i) provides that unless the applicant establishes extenuating circumstances, the applicant shall be found to lack good moral character if, during the statutory period, the applicant willfully failed or refused to support dependents. Note that the table asks about whether an applicant is currently supporting a particular child, while Part 9, Item 17g asks whether an applicant has ever failed to support dependents or to pay alimony. Therefore, USCIS will not be making edits based on this comment as part of this revision. |

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| 67. | OneAmerica | USCIS-2008-0025-0276 Form | N. Amend employment history to make it shorter. Eliminate foreign government and related employment, since if there was any foreign employment, it should be listed regardless of employer type. Add “type or print ‘homemaker’ instead of indicating “unemployed” because that being a home maker (or “home engineer”) is hard work that should be recognized and respected instead of being construed as unemployed. (Part 7 (formerly Part 8)). | Response: USCIS appreciates your comment; however, USCIS is not making edits based on this comment as part of this revision. The proposed Form N-400 and Form Instructions already provide instructional guidance on providing information for the complete time period of current employment, studies, or unemployment. |
| 68. | OneAmerica | USCIS-2008-0025-0276 Form | O. While we are pleased that the proposed form clarifies the 5-year v. 3-year or other travel history required to present, the form and instructions should clarify whether the “required evidence” must be submitted with the form, or can be brought to the interview, or either. (Part 8 (formerly part 9)). | Response: USCIS appreciates your comment; however, USCIS will not be making edits based on this comment as part of this revision. This information is provided in the instructions. The proposed instructions state, “You should provide required evidence at the time of filing; however, USCIS may accept evidence you provide at your interview.” |
| 69. | OneAmerica | USCIS-2008-0025-0276 Form | P. The question, “Have you EVER claimed to be a U.S. citizen (in writing or any other way)” should be amended to say “Have you EVER knowingly claimed to be a U.S. citizen (in writing or any other way)” to be consistent with the policy manual at Chapter 12, Part 5 Part 5 https://www.uscis.gov/policy-manual/volume-12-part-f-chapter-5 (Part 9 Q1 (formally part 12)). | Response: USCIS appreciates your comment. False claims to U.S. citizenship, that were not “knowing” are relevant to determining whether an applicant was lawfully admitted to the United States for permanent residence under INA 318. Therefore, USCIS will not be making edits based on this comment as part of this revision. |
| 70. | OneAmerica | USCIS-2008-0025-0276 Form | Q. While we appreciate the form addition stating “If you lawfully voted only in a local election where noncitizens are eligible to vote, you may answer ‘No’,” we recommend additional clarifying language consistent with the USCIS Policy Manual at 12 USCIS-PM5.M(3), stating: Voting by noncitizens in federal elections is unlawful under 18 U.S.C. 611, unless the election was held partly for some other purpose, noncitizens were | Response: USCIS appreciates your comment; however, USCIS will not be making edits based on this comment as part of this revision. The proposed Form Instructions, Part 9 Item numbers 1-2, state “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. However, voting in a local election will not render an applicant ineligible for |

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| | | | authorized to vote for such other purpose under a state or local law, and voting for the other purpose was conducted independently of voting for a candidate for federal office (Part 9 Q2 (formally part 12)). | naturalization if the applicant was eligible to vote under the relevant law.” |
| 71. | OneAmerica | USCIS-2008-0025-0276 Form | R. Eliminate broadening the list of membership activities involving “sabotage,” “unlawful damage, injury or destruction of property.” These terms call for legal conclusions, are overbroad; they could call for prohibition of protected 1st amendment activities if the person did not engage in these activities, and if they did, they are addressed in the criminal history questions (Part 9 Q5). | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. The language of item no. 5.b. in Part 9 comes directly from the statutory prohibitions on naturalization listed at INA 313(a)(4)(C) and (D). |
| 72. | OneAmerica | USCIS-2008-0025-0276 Form | S. It is unclear if the former Nazi membership questions were eliminated, but if not, they should only be answered by people born prior to May 8, 1945. | Response: These questions are eliminated in the proposed form revision. |
| 73. | OneAmerica | USCIS-2008-0025-0276 Form | T. Amend the material support question to require knowledge of the group supporting prohibited activities. For example, reword to “Have you EVER been a member of, involved in, or in any way associated with, or have you EVER provided money, a thing of value, services or labor, or any other assistance to a group that you knew supported such groups?” (Part 9, Q6). | Response: USCIS appreciates your comment but will not making edits based on this comment as part of this revision. The comment’s proposed language is not consistent with the “material support” provisions in the INA. The terrorism-related inadmissibility grounds (TRIG) at INA 212(a)(3)(B) render inadmissible any individual who has engaged in activities or associations described therein, without the requirement that the individual had prior knowledge of these facts. |
| 74. | OneAmerica | USCIS-2008-0025-0276 Form | U. Eliminate references to disclosing juvenile offenses. Amend the question as follows: Include all the crimes and offenses in the United States or anywhere in the world (including Page 4 of 7 domestic violence and driving under the influence of drugs or alcohol.) Do not include juvenile adjudications or crimes committed while under | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. Crimes and offenses committed while the person was under 18 years of age may be relevant for good moral character determinations if the person was charged as an adult or for GMC provisions that do not require a conviction. Regarding traffic tickets, this |

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| | | | the age of 18 years old.” We also recommend adding, “Do not include parking tickets or traffic infractions where the fine paid was under \$500 and the infraction did not involve alcohol, drugs or property damage” (Part 9, Q15). | information is provided in the instructions. The proposed instructions state, “Note that unless a traffic incident was alcohol or drug related, led to an arrest, or seriously injured another person, you do not need to submit documentation of traffic incidents.” |
| 75. | OneAmerica | USCIS-2008-0025-0276 Form | V. Eliminate the question about having “committed a crime for which [the applicant] was not arrested” because it requires the applicant to draw a legal conclusion. Applicants will not know the individual statute or statutory elements of offenses they may or may not have committed (Part 9, Q15a). | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. Crimes and offenses committed may be relevant for good moral character determinations even when there is no conviction. USCIS does not expect applicants to draw legal conclusions but does expect that they will report unlawful conduct to the best of their knowledge. |
| 76. | OneAmerica | USCIS-2008-0025-0276 Form | W. Similarly, eliminate the expanded language of “notified that you were being investigated for a crime.” The question is overbroad as there may have been no finding or resolution impacting eligibility at the time of application (Part 9, Q15b.) | Response: This language was eliminated in the proposed form revision. |
| 77. | OneAmerica | USCIS-2008-0025-0276 Form | X. Eliminate the need to provide dates of convictions or guilty plea, which can be burdensome for offenses many years in the past where records are no longer available or the applicant cannot recall (Part 9 Q 15 Chart). | Response: USCIS appreciates your comment. However, good moral character is a requirement for naturalization under the statute. The date of a conviction or guilty plea can be critical to determining whether a bar to GMC applies based on a particular offense. For example, it may determine whether an offense falls within the statutory period for which GMC is required, or it may determine whether an offense triggers the aggravated felony bar to GMC, which is applicable only to convictions occurring on or after November 29, 1990. |
| 78. | OneAmerica | USCIS-2008-0025-0276 Form | Y. Eliminate the expansion of the drug question that asks about manufacturing, cultivating, producing drugs. This is confusing to applicants, especially pro se applicants, in states where marijuana sale and cultivation is legal. The | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. The sale and cultivation of marijuana is a federal crime even if it is legal under certain state laws. See INA 101(f)(3), which lists among bars to GMC applicants who |

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| | | | question should be the old question as amended: ..."sold or smuggled controlled substances, illegal drugs, or narcotics in violation of law? Do not include conduct that was legal in the state where and when the conduct occurred." (Part 9, Q17b). | are described in INA 212(a)(2)(A)(i)(II) (violations of any law or regulation of a State, the United States, or a foreign country relating to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). Note that marijuana is a controlled substance pursuant to that definition and that violations of U.S. law are included regardless of whether any state law was violated. |
| 79. | OneAmerica | USCIS-2008-0025-0276 Form | Z. For the selective service questions, have a preliminary question: Are you a person born as male? If yes, complete 22a-b. If no, skip to 25 (Part 9, Q22). Similarly, for question 25, have a conditional statement – if yes, answer questions 26-29; if no, skip to 31. | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. USCIS notes that there is already a preliminary question similar to the one suggested for the Selective Service questions. Additionally, the revised form already provides, "If you answered "No" to Item Number 25., go to Item Number 30.a." |
| 80. | OneAmerica | USCIS-2008-0025-0276 Form | AA. Eliminate the question about title or order of nobility (Part 9, Q30). It comes up later in the questions about whether the person is willing to take the entire oath, that includes renunciation of titles. There is no need to ask about this twice. | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. USCIS previously consolidated the questions about inherited titles or orders of nobility into two. |
| 81. | OneAmerica | USCIS-2008-0025-0276 Form | BB. Add a question about seeking a fee waiver in Part 10. It only mentions the reduced fee option. Provide a link to the federal poverty guidelines. | Response: The Form I-912 is applicable to multiple immigration benefits and not limited to the N-400. Adding fee waiver requirements to the N-400 will create unnecessary length and duplication of information across multiple resources. The revised Form N-400 revision already includes a link to the Form G-1055, Fee Schedule, in Part 10, and the Fee Schedule contains additional information about both reduced fees and fee waivers. USCIS will not be making edits based on this comment as part of this revision. |
| 82. | OneAmerica | USCIS-2008-0025-0276 Form | CC. Phone numbers again – ask to provide "best" phone number in part 11. Same for interpreter and preparer. Add a box to check if it accepts text. | Response: Content related to phone numbers is standard language across USCIS information collections. Although USCIS continuously evaluates standard language used |

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| | | | | across information collections, USCIS will not be making edits based on this comment as part of this revision. |
| 83. | OneAmerica | USCIS-2008-0025-0276 Instructions | A. Provide more information about fee waivers and reduced fee eligibility. | Response: Comment does provide any form and instruction specific changes. USCIS will not be making edits based on this comment as part of this revision. |
| 84. | OneAmerica | USCIS-2008-0025-0276 Instructions | B. Eliminate the requirement to produce all marriage, divorce and annulment decrees for cases where the applicant did not immigrate on the basis of marriage. | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. Marriage related documents are necessary to determine eligibility under the spousal provisions and to prepare a Certificate of Naturalization, which includes the applicant's marital status. The instructions provide information on who needs to provide the documents. |
| 85. | OneAmerica | USCIS-2008-0025-0276 Instructions | C. The form and instructions should clearly delineate name change options (e.g., before and during ceremonies) along with a way to determine whether the applicant's jurisdiction will have administrative or judicial oaths in order to plan the timing and name change application and local court options. | Response: USCIS appreciates your comment but will not be making edits based on this comment as part of this revision. Name changes always require a judicial oath. Please see the proposed form instructions for Part 2, Item Number 3. |
| 86. | OneAmerica | USCIS-2008-0025-0276 Instructions 10.35 | Page 5 of 7 D. Required evidence: Specify which evidence must be provided at filing v. evidence that can be submitted at filing OR at time of interview. | Response: This information is provided in the instructions. The proposed instructions state, "You should provide required evidence at the time of filing; however, USCIS may accept evidence you provide at your interview." USCIS will not be making edits based on this comment as part of this revision. |
| 87. | OneAmerica | USCIS-2008-0025-0276 Instructions | E. Leaving the US for more than six months or a year is not necessarily abandonment although these absences can affect residence for naturalization purposes. The distinction should be clear in the instructions. | Response: This information is provided in the instructions. Please see the section entitled "Continuous Residence" in the proposed form instructions for Part 8. USCIS will not be making edits based on this comment as part of this revision. |
| 88. | OneAmerica | USCIS-2008-0025-0276 | F. Give links to resources on military service periods and categories. | Response: This information is provided in the instructions. Please see the table entitled "Designated |

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| | | Instructions | | Periods of Hostilities” in the proposed form instructions for Part 9. |
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| 89. | OneAmerica | USCIS-2008-0025-0276 Instructions | G. Disability v. oath waiver – An N648 is not required for an oath waiver. See also https://www.uscis.gov/policy-manual/volume-12-part-j-chapter-3#footnote-12 | Response: The proposed Form Instructions state, “If unable to take the Oath, you may provide a completed and signed Form N-648, Medical Certification for Disability Exceptions. Alternatively, you may provide a written evaluation by an authorized medical professional.” As these Instructions already make clear, the N-648 is not necessary, but applicants may find it more convenient to just provide the one document when an exemption from the educational requirements is also necessary. |
| 90. | OneAmerica | USCIS-2008-0025-0276 Instructions | H. Biometrics – add “You may receive a notice for a biometrics appointment or a notice that USCIS will re-use your biometrics previously obtained from an earlier application.” | Response: Content related to biometrics service appointments is standard language across USCIS information collections. Although USCIS continuously evaluates standard language used across information collections USCIS will not be making edits based on this comment as part of this revision. |
| 91. | OneAmerica | USCIS-2008-0025-0276 Instructions | I. Place accommodations information more prominently at the beginning. | Response: USCIS appreciates your comment regarding accommodations but will not make a change based on it at this time. Revisions to the form and instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was determined that the information on accommodations should be in the instructions. Placing it on the form may give the incorrect impression that an accommodation request is granted solely based on the answer on the Form. Applicants with accommodation requests should contact USCIS outside of the form. |
| 92. | OneAmerica | USCIS-2008-0025-0276 Instructions | J. Provide more clarity around name changes: local courts v. naturalization/oath courts, which jurisdictions are judicial v. administrative oaths. Specify timing. | Response: This information is provided in the instructions. Please see the proposed form instructions for Part 2, Item Number 3. |
| 93. | OneAmerica | USCIS-2008-0025-0276 | K. Tax transcripts – allow signed returns with proof of filing. | Response: Tax transcripts are required as forms may be signed and not actually submitted, the copy may not be |

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| | | Instructions | | sufficient, and officers may need to request the transcripts if not provided. |
| 94. | OneAmerica | USCIS-2008-0025-0276 Instructions | L. Travel over six months – specify when tax returns are required (at submission or interview). | Response: This information is provided in the instructions. The proposed instructions state, “You should provide required evidence at the time of filing; however, USCIS may accept evidence you provide at your interview.” |
| 95. | OneAmerica | USCIS-2008-0025-0276 Instructions | M. Arrest reports are not part of a record of conviction and should not be requested. | Response: USCIS uses the arrest reports for various reasons, including reviewing conduct for unlawful acts as provided under the definition of good moral character and for determining whether the offense falls under the purely political offense exception. |
| 96. | OneAmerica | USCIS-2008-0025-0276 Instructions | N. Proof of traffic tickets: Only require evidence if they involved alcohol, drugs or property damage or the amount was over \$500. | Response: This information is provided in the instructions. The proposed instructions state, “Note that unless a traffic incident was alcohol or drug related, led to an arrest, or seriously injured another person, you do not need to submit documentation of traffic incidents.” |
| 97. | OneAmerica | USCIS-2008-0025-0276 Instructions | O. Specify that separate biometrics checks and N400 checks may be submitted, and that onecheck is not required. | Response: Thank you for your comment. As this is a general comment about all forms, it is out of scope for the N-400. No changes will be made at this time. |
| 98. | OneAmerica | USCIS-2008-0025-0276 MYUSCIS/e-file | MYUSCIS A. Drop down eligibilities should include all eligibilities. | Response: Thank you for your comment. The online version of the form includes the same eligibility options as the paper form. . |
| 99. | OneAmerica | USCIS-2008-0025-0276 MYUSCIS/e-file | MYUSCIS B. The instructions and form should match as to all eligibilities. | Response: The instructions include all the eligibility requirements. |
| 100. | OneAmerica | USCIS-2008-0025-0276 MYUSCIS/e-file | MYUSCIS C. Eliminate the term “World Communism” as well as in the paper form. It is undefined. Only membership in the Communist party is an issue, not a theology or belief system. | Response: The term “world communism” is defined at INA 101(a)(40). |

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| 101 | OneAmerica | USCIS-2008-0025-0276 Other | Other issues A. Withdraw the 2020 Policy Manual Update on re-adjudication of lawful admission to permanent residence. Re-adjudication of green card and visa applications is a waste of agency resources, especially since USCIS had multiple opportunities to evaluate the applications in years past. This policy manual section contradicts President Biden’s Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans. There are nine million eligible LPRs nationwide; 260,000-300,000 in Washington alone who could be US citizens now but for the complexity, cost, lack of information, and/or fear around naturalization. The policy manual was part of the anti-immigrant “extreme vetting” mission of the prior administration that was an intended barrier to citizenship. It also has a direct impact on applicants of color, who are less likely to have access to counsel, and who may have limited access to information or access to naturalization at all. | Response: Thank you for your comment. No changes will be made at this time as this is outside the scope of this revision. |
| 101 | OneAmerica | USCIS-2008-0025-0276 Other | B. We are pleased to see USCIS re-using biometrics whenever possible from applicants’ prior applications. | Response: Thank you for your comment. |
| 101 | OneAmerica | USCIS-2008-0025-0276 Other | C. We need the I-192 and I-942 made available for filing online along with the N400s as soon as possible, while also allowing for paper filings for those with technology issues. | Response: Thank you for your comment; no changes will be made at this time as this is outside the scope of this revision. |

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| 10 | OneAmerica | USCIS-2008-0025-0276 Other | D. We recommend that before the N-400 is finalized that it be reviewed by English language teachers to make sure the language being used is simple, accessible, and meaningful for limited English speakers who must pass the exam at a fourth-grade level. | Response: USCIS attempts to convey statutory requirements in language that is as clear as possible. Where an applicant speaks a language other than English, they may use an interpreter to help them understand the form. USCIS is not making further changes to the form at this time. |
| 10 | OneAmerica | USCIS-2008-0025-0276 Other | E. For online filing, please consider integration with Citizenshipworks, and other 3rd party software companies. Citizenshipworks is a digital product used by many nonprofit organizations working in the citizenship space. | Response: Thank you for your comment. USCIS may consider such integrations in the future. |
| 10 | OneAmerica | USCIS-2008-0025-0276 MYUSCIS/ E-file | F. For online filing, please have Public Engagement and your technology people engage with organizations like ours to discuss integration of “preparer” only for pro-se help for our workshop settings where we do not file G28s. The online system does not seem set up for this type of limited representation. | Response: Thank you for your comment. USCIS may consider a preparer account type in the future. |