

July 15, 2022

*Submitted via Federal eRulemaking Portal*

Samantha L. Deshommes  
Chief, Regulatory Coordination Division  
Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
20 Massachusetts Avenue, NW  
Washington, DC 20529–2140

RE: USCIS-2008-0025; OMB Control Number 1615-0052; Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Naturalization

Dear Chief Deshommes:

On behalf of UnidosUS, we respectfully submit this comment in response to the U.S. Citizenship and Immigration Services (USCIS) notice of a proposed extension of a currently approved collection of information, Form N-400, Application for Naturalization (“N-400”, “Form”, or “Application”).

UnidosUS, previously known as the National Council of La Raza, is the nation’s largest Hispanic civil rights and advocacy organization. Through its unique combination of expert research, advocacy, programs, and an Affiliate Network of nearly 300 community-based organizations across the United States and Puerto Rico, UnidosUS simultaneously challenges the social, economic, and political barriers to the success and well-being of Latinos at the national and local levels. For more than 50 years, UnidosUS has united communities and different groups seeking common ground through collaboration and that share a desire to make our country stronger. UnidosUS is a partner of the New Americans Campaign and the Naturalization Working Group, a coalition of national and local advocates and service providers that have significant experience in promoting U.S. citizenship and assisting eligible permanent residents with the naturalization process. Through the New Americans Campaign, UnidosUS provides funding and technical assistance to eleven of our Affiliates to expand and strengthen their existing citizenship application assistance programs, thus UnidosUS and our Affiliates have a vested interest in improving the Form N-400 application form by reducing its length and complexity.

USCIS Should Reduce the Length and Complexity of the N-400 Form

We urge USCIS to take this opportunity to revise and shorten the N-400. UnidosUS and our affiliates work to identify and address barriers to citizenship and to promote immigrant integration. We encourage USCIS to honor its mission to uphold America’s promise as a nation

of welcome and possibility by ensuring that as many qualified immigrants as possible are accepted and integrated into our communities as citizens, without erecting unnecessary barriers.

The form's length creates an undue burden for applicants, intimidating and discouraging applicants from pursuing U.S. citizenship, and thus denying individuals and their communities the well-documented benefits of citizenship. Additionally, the length of the form slows the pace of work of qualified immigration legal service providers and reduces the number of clients that they can assist. By having a form that takes longer than necessary to complete, appointment slots with qualified service providers fill up and they are forced to establish waitlists. When applicants are told they are on a waitlist, that can be discouraging to their goal of becoming U.S. citizens, and they may turn to an unqualified source of assistance resulting in forms that may have errors. This leads to requests for additional evidence and contributes to backlogs and long processing times. If individuals on waitlists turn to a notario, they may fall prey to immigration scams. This is contradictory to the USCIS messaging to immigrant communities about avoiding immigration scams.

Conversely, by shortening the length of the form and eliminating unnecessary questions, applicants will be empowered to complete the form on their own and will allow qualified legal service providers to focus their limited resources on questions of eligibility and on complex cases. A shorter form would also reduce the adjudicatory burden for USCIS and would lessen the burden on agency staff and would help to alleviate backlogs and processing times.

Questions that require information that is not relevant to eligibility for naturalization should be altered or eliminated. On the whole, USCIS should eliminate questions that request applicants disclose information from their entire history. On the application, instead of asking if the applicant has EVER engaged in the activity in question, the application should only ask about the time since the applicant became a Lawful Permanent Resident.

- Part 10, Information About Your Marital History: Questions in Part 10 should be revised and shortened significantly.  
An applicant's marital history is not relevant to an application for citizenship, particularly if that applicant did not apply for permanent residence on the basis of marriage to a U.S. citizen or LPR. For applicants whose permanent residence is based on marriage, these questions serve to re-adjudicate the validity of that marriage. This is redundant and a waste of resources as USCIS had the opportunity to assess the bona fides of the marriage at the time of I-485, Application to Register Permanent Residence or Adjust Status adjudication and, in some cases, again at the I-751, Petition to Remove Conditions on Residence adjudication. By including these questions again at the naturalization stage, USCIS is wasting agency resources by directing officers to search for marriage-based fraud, sometimes for the third time, even when there has been no indication of fraud.

For naturalization applications where the underlying permanent residence is not based on marriage, Part 10 should be eliminated entirely. An applicant's marital status and history are irrelevant to naturalization eligibility. For naturalization applicants where the underlying permanent residence is based on marriage, USCIS should eliminate the burdensome and irrelevant questions related to the applicant's spouse, prior spouses, and

prior spouse of current spouse. Specifically, USCIS should eliminate the following questions:

Question 4, Questions D, F, and G, Questions 5-7, Information About Current Spouse: These questions are irrelevant to any inquiry relating to naturalization. USCIS should only collect additional information about an applicant's spouse if there is an indicator of irregularity or fraud, not as a matter of practice.

Questions 8-9, Information about Your Prior Spouse and Your Current Spouse's Prior Spouse: As with the previous questions, USCIS should, as a matter of practice, collect only the minimum information for individuals other than the applicant, including the applicant's prior spouse and the applicant's current spouse's prior spouse. USCIS should limit the inquiry on prior spouses to name and date of marriage and can issue an RFE if there is an indicator of fraud, rather than collecting an invasive amount of information from all applicants.

In the same vein, USCIS should eliminate Part 11, Information About Your Children, unless a minor child will be deriving citizenship from the applicant parent or where a naturalization applicant intends to petition for a child abroad. For all other instances, information about an applicant's children is not needed because in any subsequent petitions or applications, the parent-child relationship will be adjudicated there, rendering this information collection for the N-400 redundant. As such the disclosure of this information should be voluntary and the form and instructions should be revised to indicate that those applicants who will either petition for their children in the future or those who have LPR minor children in their custody who will derive citizenship as a result of the applicant's naturalization.

- Part 12 should include the following changes:  
Question 1: This question should be revised to reflect the language of the USCIS Policy Manual regarding false claim to U.S. citizenship. The question should make it clear that the false claim must be knowing and with the intent to obtain a benefit.

Question 22: This question should be eliminated entirely. The question is vague and the chances that an applicant will answer in the affirmative by mistake are high and will take an adjudicator additional time to clarify and increases the risk of erroneous RFEs and denials.

Questions 22-29: For crime-related questions in Part 12, the form and instructions should include language that juvenile adjudications are not considered convictions for immigration purposes and should not be included in the answers to Questions 22-29. Additionally, the form should specify that speeding tickets and traffic offenses should not be included in the applicant's answers to Questions 22-29.

Questions that require unnecessary contact information should be eliminated. The requirement for the interpreter's mailing address, phone number and email address should be eliminated. The requirement for the preparer's mailing address, phone number and email address should be eliminated.

If you require further information, please do not hesitate to contact Laura Vazquez at [lvazquez@unidosus.org](mailto:lvazquez@unidosus.org). Thank you for the opportunity to submit comments on the proposed extension.

Sincerely,

Laura Vazquez  
Associate Director, Immigrant Integration  
UnidosUS