

## Form N-400-012 Revision Responses to 60-day FRN Public Comments

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

60-day FRN Citation (federalregister.gov): [88 FR 24438](#)

Publish Dates: April 20, 2023 – June 20, 2023

Comment #/Topic	Commenter ID	Comment	USCIS Response
1.		<b>Commenter: Jean Publee</b>	
1	<a href="#">0232</a>	this country has accepted far far too many illegal immigrants into citizenship. these people have no understanding of obeying laws and come here and violate every law under the sun. they have guns and they murder and kill. they have a history of bribing govt which is certainly not good to introduce to any country., they are given no understanding that we have laws that citizens must follow. they are brutes who come here and we have to suffer from the criminal ways they act. i amnot in favor of issuing naturalization papers to these brutes and unlawful people who violate every law in the book to stream across our borders.the biden administration is on a path to destroy this country from these tens of millions of illegal brutes who stream across the border. they bring nothing with them at all to help us. we are sufferingand going under as a country under this wholesale illegal immigration that this rotten joe biden has promoted. we all need to fight baCk against this rottetn president determined to kill this country with his rotten presidency.	<b>Response:</b> The commenter expressed an opinion on immigration issues generally. USCIS is making no changes to the form or instructions as a result of this comment.
2.		<b>Commenter: Xuan Luo</b>	

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2	<a href="#">0231</a>	N-400 Part 9 item 15.b asks, "Have you EVER been arrested, cited, detained or confined by any law enforcement officer, military official (in the U.S. or elsewhere), or immigration official for any reason, or been charged with a crime or offense, or notified that you were being investigated for a crime?" It should be clarified whether an applicant who received a traffic citation, without being arrested or being in an accident, should select Yes or No for this question.	<b>Response:</b> An applicant should respond "yes" in Part 9 item no. 15.B. if they have a traffic citation even if they were not arrested, detained, confined or charged. All crimes and offenses should be reported in Form N-400, Part 9 Table, including traffic citations. The Form N-400 Instructions for Part 9 provide information about the evidence required for crimes and offenses and specify 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 for traffic fines and incidents that did not involve an actual arrest if the only penalty was a fine of less than \$500 and/or points on your driver's license.
3.		<b>Commenter: Standley Calixte</b>	
	<a href="#">0234</a>	USCIS could allowed residents people over 60 years old who's been living in this country for a minimum of 10 years to get access to a translator when passing the test	<b>Response:</b> USCIS is unable to make such a change; it would require Congressional action. Under INA 312, exemptions based on age and residency are limited to applicants who are 50 years old and have 20 years of residency or 55 years old and 15 of residency. USCIS cannot create an additional exception to the statutory requirement by policy or regulation.
4.		<b>Commenter: David D. Murray</b>	
	<a href="#">0235</a>	I practiced Immigration Law for more than 40 years before retiring at the end of 2022.  I have written extensively on the subject of Immigration and Nationality Law and have been the speaker at many immigration-related events during the 1980s and 1990s. I am familiar with the history of the INS and its successor, the USCIS. I have seen little positive change in the law or in the policies of the INS or USCIS during my tenure. For this, I place the blame first on the US Congress who view US immigration as a political issue and on the INS/USCIS and related agencies for their	<b>Response:</b> While USCIS appreciates the comment, it relates to the previous version of Form N-400. The number of pages of the proposed Form N-400 is being reduced by streamlining questions, deleting redundant questions, and incorporating tables to further condense information and shorten the form length.

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	<p>bureaucratic, rather than realistic approach to making the US Immigration System work smoothly.</p> <p>I want to wholehearted support and concur with the comments of the American Immigration Lawyer's Association: file:///C:/Users/wangd/Dropbox/My%20PC%20(DESKTOP-509A7CO)/Downloads/CLINIC%20and%20AILA%20comments%20to%20N-400%202-15-13.pdf relating to the revision of Form N-400.</p> <p>In my opinion this is simply more bureaucratic government bloat, following in the footsteps of the G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, which went from one simple page to 4 pages plus, simply to notify the government that a lawyer or authorized entity is representing an alien in their applications, a prime example of governmental bloat, waste of time a disservice to the United States of America.</p> <p>AILA's concerns and recommendations are real and accurately reflect the problems with unnecessarily increasing the N-400 Application for Naturalization, and other forms which DHS has created in the past few years, asking for more and more information, redundancy, and repetitiousness instead of creating a workable forms system where when certain forms are required for an application or petition, they are included in ONE FORM, instead of spreading the information gathering over several forms.</p> <p>The US Immigration System WILL not work if the System CANNOT work. And thanks to an incompetent and uncommitted Congress, and a bureaucratic and lethargic DHS/USCIS/DOS/DOL/DOJ leadership, it has NOT worked over the 40+ years in which I have been involved as an immigration</p>	
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		<p>lawyer. . . And THAT is why America finds itself with a crisis at the Southern Border and seemingly pointless political wrangling and finger pointing by both the Republican and the Democrat parties, all of which are part of the problem.</p> <p>It is time to make the Immigration System work and it is up to the leadership of the Department of Homeland Security - YOU - to make it work, not to overburden aliens, lawyers, and the USCIS with forms so long you could pave a highway from New York to Los Angeles with them.</p> <p>Americans need their immigration system to serve America's interests and its employers critical interests, not to stand in the way through piles of burdensome paperwork such as a 22-page Application for Naturalization.</p> <p>I suggest y'all admit your misguided mistake, go back to the drawing board and come up with a form that addresses the necessities and re-propose your revision of the N-400. . . . and while you're at it, work with DOS and revise the horrendous G-28 back to a one page document that speaks to the purpose of the form.</p>	
<b>5.</b>		<b>Commenter: Evaristo Santiago</b>	
	<a href="#">0236</a>	<p>I think that questions 20 and 21 of part 12 of the N-400 should be re-written again.  Question 20: enlist, conscript... and use...?  Question 21: did you ever use any person 21...?</p> <p>They are very simiiar.</p>	<b>Response:</b> This comment is referring to the previous version of Form N-400. These questions have since been revised. USCIS is making no changes to the form or instructions as a result of this comment.
<b>6.</b>		<b>Commenter: William Pawis</b>	
	<a href="#">0233</a>	<p>Does it matter anymore. USCIS cant even bother to get anything done unless its in the spot light of the media. Ive been waiting almost 20 years for USCIS and its previous entity to complete a</p>	<b>Response:</b> USCIS is making no changes to the form or instructions as a result of this comment, as they relate to

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		<p>simple Naturalization application process. Finger prints done, Finally over 2 years ago I got a temporary card, a piece of card stock paper with a photo literally taped to it, looks like something a 4 year old can create in a art class.</p> <p>If i was a part if the attention grabbing media influence, my case would be closed.</p> <p>So my comment to you USCIS as a hole entity.....KMA and yes its the acronym of which you think it stands</p>	<p>fingerprints and other subjects that are outside the scope of this form revision.</p>
<b>7.</b>		<b>Commenter: Welcome to America Inc</b>	
	<a href="#">0238</a>	More space needed for children and trips information.	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information.
<b>8.</b>		<b>Commenter: David Gengoux</b>	
	<a href="#">0237</a>	<p>As a teacher in a small rural northern California community, access to reliable internet, a computer and a printer is often a challenge for my students. Also, I have no way to easily scan documents right now. The price of the application is too high to be paid by credit card online by most of my students. Therefore, the online application process is not possible at this time. So, I usually print out and copy the N-400 application and then I have my students complete it in pencil first. Once that is done, I'll check it and have them type it on the computer. We, then, print it and I submit it via USPS' certified mail.</p> <p>My questions are:</p> <p>1. Regarding Page 3, Part 5 Information About Your Residence A. Would it be possible to add a box for "Space". Many of my students live in mobile home parks and their address includes a space, not an "apartment", a "suite" or a "floor" B. #1, A, B, C, D, E; On the computerized/Adobe version, the computer sends a pop up asking for a Zip Code+4. Many rural</p>	<p><b>Response:</b> USCIS will consider the suggestion to add a box for “Space” in a future revision.</p> <p>Applicants may use the Street Number and Name field to enter the “space” information.</p> <p>USCIS will update the Zip Code automatic pop-up to remove the +4 content.</p>

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		communities do not have the "+4". Could that be optional and not generate an automatic pop up reminder?	
		2. Regarding Page 7, Part 9, Time Outside the United States Would it be possible to add a few more lines (2 or 3) to the box where an applicant has to list the various times they were out of the US.	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information.
		3. Regarding Page 7, Part 10, #3 Information About Your Marital Status A. Would it be possible to add a sentence like, "including your current marriage"? B. "Marriage to the same person"? What does that mean? Is that "current marriage"?	<b>Response:</b> This comment is referring to the previous version of Form N-400. USCIS appreciates your comment, proposed Form N-400 (Part 5, Information About Your Marital History) and Form Instructions clarify that the response should include the current marriage. USCIS has made changes to address the concerns and removed the phrase "marriages to the same person" from the instructions.
		4. Regarding pages 9, 10 and 11, Part II, Information About Your Children Would it be possible to have the computerized/Adobe version N-400 have a few more spaces for the applicants children? In other words would it be possible to add "Child 5", "Child 6".... If that is a possibility online then why isn't it in the Adobe world	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information.

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		5. As mentioned in question number 5 above, sometimes, my students have more than four children (or more trips out side the country or more jobs in the last five years or have lived in more places...) so we then print out a second page and hand write at the top of that page, "Page 2" knowing that the bar code at the bottom of that page has not been changed. Would it be possible to have that option added to the page in question? Perhaps "Page 10a and 10b" or does that matter since the application will be scanned anyhow? Is that option available when submitting an application online? Could it be available in the Adobe world?	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information. The online version allows adding more children in the application.
		6. Currently, if someone types in a punctuation mark in the N-400 answer boxes (specially the phone number section) on the computer, one get a pop up message stating that only numbers or letters are allowed. Why?	<b>Response:</b> Entering only digits in these fields provides a more effective way of collecting information in our systems.
<b>9.</b>		<b>Commenter: Marie Alice Valmont</b>	
	<a href="#">0239</a>	Résidence permanente	<b>Response:</b> USCIS is making no changes to the form or instructions as a result of this comment.
<b>10.</b>		<b>Commenter: Chantal Mucyo</b>	
	<a href="#">0240</a>	In my personal opinion, I appreciate the simplified form, as it's been made one page shorter, and more languages available for the instructions will be very helpful for our clients. However, the raised fee has been postponed since the pandemic hit, and I feel like people are not fully recovered from the financial crisis caused by the pandemic to afford any fee raise, considering the current high cost of living.	<b>Response:</b> USCIS appreciates your comments. This comment is related to fees and is outside the scope of this form revision. USCIS is making no changes to the form or instructions as a result of this comment.
<b>11.</b>		<b>Commenter: Daniel McCall</b>	

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	<a href="#">0246</a>	<p>Part 9. Time Outside the United States</p> <p>It would make more sense to have the applicants complete the table in question 3 before they answer question 1.</p>	<p><b>Response:</b> This comment is referring to the previous version of Form N-400. USCIS is making no changes to the form or instructions as a result of this comment.</p>
<b>12.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	<p>myUSCIS Copydeck: Interactive Forms, Page #2. File a Form N-400 <a href="#">Drop Down Menu</a>: AILA appreciates and understands that it is USCIS' goal is to make the immigration process more transparent for applicants. We are uncertain, however, that adding only general eligibility requirements at the beginning of the myUSCIS version of Form N-400 will create transparency for the applicant and believe, rather, that it will create confusion and potentially deter eligible applicants from filing. For example, the general eligibility requirements listed under the N-400 form description describe the most common pathway to citizenship for those individuals who meet the lawful permanent residence and continuous residence requirements for 5 years. Unfortunately, the listed general requirements do not address the special circumstances of the three-year pathway for spouses of U.S. citizens or VAWA applicants and may lead to confusion for applicants, even though they are addressed in the eligibility tool and explained in the instructions.</p> <p>Given the nuances of immigration law and requirements, listing only general eligibility requirements in writing when downloading the application, particularly for those who do not follow this general pathway, will likely create confusion, and may lead to those individuals not filing the applications because they do not meet these general requirements, which we realize is not USCIS's intent.</p> <p>3 As the general requirements are also listed in the instructions, which also includes the special circumstances, we suggest</p>	<p><b>Response:</b> USCIS has updated the MYUSCIS Copy desk accordingly and included instructions as appropriate.</p>



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		referring to the instructions in the header for the general requirements at the time of downloading the form or leaving the current header intact.	
<b>13.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	Part 1. AILA greatly appreciates that USCIS has further delineated, and thus clarified, the various bases under which an applicant may qualify for naturalization. While the instructions had referred to these categories, we believe this is a much cleaner and clearer approach.	<b>Response:</b> Thank you for your comment.
<b>14.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	<p>Part 2, Question 3 and accompanying instructions. AILA also appreciates that this part draws clearer attention to the effect of requesting a name change during the naturalization process, as many applicants do not realize that a name change will require a judicial ceremony and may delay the application significantly. We also appreciate that USCIS has more directly flagged the issue of citizenship by derivation directly on the form.</p> <p>a. Question 12a, b and c. In connection with the overarching goal of shortening the form, we are uncertain why the questions related to the issuance of a social security number have been added to the form as it would seem that, other than an anomalously small percentage of applicants, anyone who is applying for naturalization, as opposed to deriving citizenship, would have typically obtained an SSN years earlier. In addition, AILA questions whether it is reasonable for USCIS to timely and adequately make these requests and changes with the Social Security Administration given the significant and enduring backlog with respect to reporting updates and changes to the SAVE database. As we believe these questions unnecessarily add length to the form while only providing limited intrinsic value, we recommend that USCIS delete the questions relating to the assignment of a social security number and merely request that</p>	<p><b>Response:</b> Thank you for your comment regarding Part 2, item no. 3 and accompanying instructions.</p> <p>USCIS appreciates your comments regarding the item nos. 12.a, 12.b, and 12.c, but will make no changes. The instructions in the form, instruct an applicant who answers “no” to 12.a., to go to Part 3. The inclusion of 12.a-12.c allow USCIS to electronically transmit to SSA enumeration data for applicants who want an original or replacement card and updated immigration status as part of the USCIS benefit process. This is a value to the applicant to be able to automatically update their status with SSA and avoid future delays to benefits and burdens of contacting SSA after naturalization.</p>

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		the applicant confirm whether they request issuance of a replacement social security card with updated information on their immigration status.	
15.		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	<p>Part 5. We note that there are no instructions providing guidance on completion of Part 5 other than the information included directly on the form. We recommend that USCIS provide a brief explanation in its instructions confirming the scope of the term “foreign government employment” newly added to the list of occupations that require listing of all employment experience. While it is more reasonable to understand the request for information with respect to all police, military or intelligence service, asking applicants to list all foreign government employment experience without qualification is likely to elicit an excessive amount of information that is irrelevant to eligibility for naturalization. Without any guidance, the question as proposed will require applicants to provide information relating not only to federal employment but also local or provincial 4 employment in all capacities and at any age. For example, the question will now require listing of temporary or part time employment, including Summer or college internships and jobs in maintenance, clerical or teaching roles, in which the employer is a foreign government entity. In addition to our reservations about the scope of this additional requirement, there is the related concern that an inadvertent failure to list short term foreign government employment from decades ago could delay or negatively impact processing of the naturalization application. Accordingly, we recommend that USCIS provide guidance that clarifies and narrows the scope of the term foreign government employment to require listing employment information related specifically to a ground of ineligibility.</p>	<p><b>Response:</b> USCIS appreciates your comment. USCIS has made changes to address the concerns and clarified in the Part 7, Information About Your Employment and Schools Attended (formerly Part 5), instructions on the form the relevant educational and employment information and statutory time period.</p>
16.		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	

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	<a href="#">0245</a>	Part 6. The changes to this section are beneficial. Pro se applicants and even some attorneys and accredited representatives do not fully comprehend the difference between, and significance of, the physical presence and continuous residence requirements and this part of the form effectively focuses attention on the issue.	<b>Response:</b> Thank you for your comment.
<b>17.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	0245	Part 7. We commend the additional information at Questions 3 and 7 as it rephrases prior language and incorporates materials previously found in the instructions so that it more effectively clarifies the parameters of these questions.	<b>Response:</b> Thank you for your comment.
<b>18.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	<p>Part 8. Please see our earlier general comment questioning the relevance of Part 8, Information About Your Children. For example, at Part 8, Information About Your Children, there are multiple questions about the applicant's children. There is no statutory requirement linking naturalization with an applicant's children, where they live, whether they are alive or deceased and the relationship (biological, step, or adopted child) and it is unclear why this information is required on a naturalization application for all applicants.</p> <p>If this section is retained, we believe the explanatory information ("Valid Options") is helpful as there has historically been confusion about the universe of "children" that fall within this question.</p>	<b>Response:</b> USCIS appreciates the comment and has made changes to address it. The changes to Part 6, Information about Your Children (formerly Part 8) include requiring a list of only children who are under 18 years of age and not requiring inclusion of deceased children. USCIS also made changes to the table in Item no.2, deleting the columns request A-number and Country of Birth for listed children and adding a new column to the table (Are You Providing support for this child? (Yes/No)) regarding whether the applicant is providing support for their children. The remaining questions are relevant to the applicant's moral character, as an applicant who willfully failed or refused to support dependents during the statutory period may be found to lack good moral character. See 8 CFR 316.10(b)(3)(i).
<b>19.</b>		<b>Commenter: American Immigration Lawyers Association (AILA)</b>	
	<a href="#">0245</a>	Part 9. While we appreciate the clarification of what is meant by the term "EVER" at the introduction to Part 9, as well as the additional detail provided in the Selective Service series of questions, we have concerns about the scope of several of the questions in Part 9. In a likely attempt to generate more clarity	<b>Response:</b> USCIS appreciates your comment and has made some changes based on it, such as removing the language in Part 9, question no. 15 about being "notified that you were being investigated. and removing the word "teaches" from question 5.b. and deleting question 5.c. However, the

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	<p>by breaking a number of questions into subparts, USCIS has inadvertently created ambiguity and structured some questions in a manner where a “Yes” answer under current law would not constitute disqualifying conduct or lead to the discovery of disqualifying conduct.</p> <p>a. Question 5b and c. It is entirely unclear what is meant by “World Communism.” The term does not – to our knowledge – have a specific legal meaning and appears to refer to a general philosophy or ideology. We believe a better way to ask the question is to simply revert to the prior form’s question inasmuch as communist party membership is what is potentially disqualifying, not belief in an ideology, which is protected behavior under the U.S. Constitution. Further, Question 5c potentially catches within its ambit anyone who legitimately teaches these concepts</p> <p>5 as part of a history or political science curriculum – again, doing so in and of itself is not disqualifying, particularly when linked to the legally non-specific concept of “World Communism.” This proposed version of the question has the potential to confuse, scare and intimidate applicants, which we do not believe to be USCIS’s goal with this revision.</p> <p>Question 14 and 15b. AILA believes that in both sections, the question asking whether an applicant has ever been notified that they were being investigated is outside the scope of the potentially disqualifying conduct addressed in the question at large. Absent a “yes” answer to any of the remaining sub-parts of this question, answering this question in the affirmative will not lead to an inquiry that would otherwise disclose disqualifying conduct.</p>	<p>phrase “world communism” will remain as its definition is found in INA 101(a)(40).</p> <p>USCIS added the definition of “world communism” in the Form Instructions to address the commenter’s concern.</p> <p>USCIS also further consolidated the questions about inherited titles or orders of nobility into two.</p>
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		c. Question 30.b and c. AILA questions the validity and redundancy of a renunciation of a title or order of nobility on the N-400 form as the individual has already noted that they are willing to give up their title or order of nobility at a naturalization ceremony. For example, the three questions (30.a, b and c) could be shortened and simplified as follows: o “If you currently have a hereditary title or an order of nobility in any foreign country, are you willing to give up the inherited titles or orders of nobility at your naturalization ceremony? (Y/N)”	
<b>20.</b>		<b>Commenter: Daniel McCall</b>	
	<a href="#">0244</a>	Part 7, question 2 on "race" lists African American, American Indian, Alaska Native, and Native Hawaiian. These people are all Americans and would not apply for U.S. citizenship.	<b>Response:</b> This comment is referring to Part 7, in the previous version of Form N-400. USCIS appreciates your comment but will not make changes to Part 3, Biographic Information (formerly Part 4), item no. 2, based on it at this time. The options on the form are based on the criteria required for background and security checks.
<b>21.</b>		<b>Commenter:Neighborhood Defender Service of Harlem (NDSH)</b>	
	<a href="#">0243</a>	First, the proposed Part 9, Item Number 15 – questions relating to crimes and offenses – is overbroad in that it requests information not necessary or relevant for making a determination on Naturalization. Section 316.10 of the Immigration and Nationality Act (“INA”) enumerates the requirements for a showing of “good moral character” for the purposes of naturalization. The INA lays out the specific instances in which a criminal act may support a finding of good moral character. Specifically, an applicant will be found to lack good moral character if the applicant has been convicted of murder at any time, or convicted of an aggravated felony on or after November 29, 1990. INA § 316.10(b)(2). Additionally, a lack of good moral character based on the commission of a crime will	<b>Response:</b> USCIS has removed language in Part 9, item no. 15 about being “notified that you were being investigated.”

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	<p>be found if, during the statutory period, the applicant: (1) Committed one or more crimes involving moral turpitude, other than a purely political offense, for which the applicant was convicted; (2) Committed two or more offenses for which the applicant was convicted and the aggregate sentence actually imposed was five years or more, provided that, if the offense was committed outside the United States, it was not a purely political offense; (3) Violated any law of the United States, any State, or any foreign country relating to a controlled substance, provided that the violation was not a single offense for simple possession of 30 grams or less of marijuana; (4) Admits committing any criminal act covered by the preceding, for which there was never a formal charge, indictment, arrest, or conviction, whether committed in the United States or any other country; (5) Is or was confined to a penal institution for an aggregate of 180 days pursuant to a conviction or convictions (provided that such confinement was not outside the United States due to a conviction outside the United States for a purely political offense). INA § 316.10(b)(2).</p> <p>The proposed revisions retain language from the current version of the N-400 application that requests information outside the scope of what is necessary to complete the determination of good moral character as provided in the INA. In particular, the proposed revisions require the applicant to disclose whether they have ever been notified they were the subject of an investigation for a crime. This question is superfluous in that it is not an enumerated basis for finding a lack of good moral character, and it does not provide any information which may be useful toward making a determination of good moral character. The mere investigation of a crime is completely non-probative of whether, a person has “committed” a crime. While the same can be said of a mere arrest – particularly in the context of our expansive</p>	
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		<p>law enforcement systems – an investigation without charge indicates there is not even probable cause to believe an individual committed the alleged crime. Answering the affirmative to this question due to merely having been the subject of an investigation will simply lead to inevitable requests for information and an increased administrative burden on USCIS as well as the applicant, with little probative value. Moreover, any commission of a crime without an attendant charge or conviction is also covered by the application’s proposed question 15a, “Have you ever committed, agreed to commit, asked someone else to commit, helped commit, or tried to commit a crime or offense for which you were NOT arrested?”. As such, the additional question of whether a person has been investigated for a crime but never charged is redundant and non-probative of an applicant’s good moral character.</p>	
<b>22.</b>		<b>Commenter: Neighborhood Defender Service of Harlem (NDSH)</b>	
	<a href="#">0243</a>	<p>Second, some of the proposed revisions to the criminal history chart in Part 9 are also confusing and create an unnecessary burden. The proposed form contains the following columns on the chart:</p> <ul style="list-style-type: none"> <li>• What was the crime or offense?</li> <li>• Date of the Crime or Offense</li> <li>• Date of your conviction or guilty plea (if applicable)?</li> <li>• Place of Crime or Offense</li> <li>• What was the result or disposition of the arrest, citation, or charge? (no charges filed, convicted, charges dismissed, detention, jail, probation, etc.)</li> <li>• What was your sentence? (For example, 90 days in jail, 90 days on probation)</li> </ul> <p>In contrast, the current form lists the following:</p>	<p><b>Response:</b> USCIS appreciates your comment and has made the following changes to Part 9, item no. 15 table, to address the concerns: clarified relevant information needed to Column 1 (What was the crime or offense? If convicted, provide crime of conviction. If not convicted, provide crime or offense listed in arrest, citation, or charging document, or crime committed), clarified relevant specific time period in Column 2 (Date of the Crime or Offense), and clarified applicability in Column 6 (What was your sentence (if applicable)).</p> <p>USCIS did not change the date of the crime or offense to the date of arrest because the date of the crime or offense is necessary to know for purposes of determining good moral character (GMC). For example, certain crimes are</p>

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	<ul style="list-style-type: none"><li>• Why were you arrested, cited, detained, or charged?</li><li>• Date arrested, cited, detained or charged.</li><li>• Where were you arrested, cited, detained, or charged?</li><li>• Outcome or disposition of the arrest, citation, detention, or charge (no charges filed, charged dismissed, jail, probation, etc.)</li></ul> <p>The proposed language is confusing and creates an additional unnecessary burden on the applicant. First, the question “What was the crime or offense?” does not make clear whether the information sought is with respect to the crime of arrest or the crime of conviction, which can often differ significantly. This can lead to confusion and the inadvertent provision of incorrect information, particularly for pro se applicants, and may ultimately lead to unnecessary requests for evidence and additional administrative burden for both USCIS and applicants. Second, the “Date of Crime or Offense” is information that can be difficult to readily identify or recall, particularly if the arrest occurred at a later time than the alleged or actual offense; identifying this information is often only possible with the request of documents such as criminal court complaints or police reports which, at least in New York City, can take weeks or even months to procure. This is in contrast to a certificate of disposition which may be readily available at the court clerk’s office and identifies clearly the date of an arrest (though not the date of the alleged conduct).</p> <p>If the date of the actual commission of a crime, as opposed to arrest, becomes a significant factor in the good moral character analysis, this information is best sought through a Request for Evidence along with any additional information needed. This will ensure applicants are only faced with the administrative burden of collecting this additional and less available information when it becomes actually pertinent to USCIS’s analysis. Third, the</p>	<p>only disqualifying for GMC purposes if committed during the statutory period. See INA 101(f)(3).</p> <p>USCIS did not incorporate the term “alleged” to the table. USCIS is not assuming that the applicant committed the crime if the applicant was not convicted but needs to obtain information from the arrest that may have an impact on the GMC determination.</p>
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		<p>proposed form requests sentencing information, yet very often no sentence is imposed; for clarity, the form should indicate this information is required only if applicable. Fourth and finally, the proposed revisions should adopt language that recognizes the reality that very often, individuals are accused of committing a crime without basis. The form should adopt the presumption of innocence imbedded in our country's laws and values and include caveats reflecting such. For example, if the first column in the proposed revisions is not changed as discussed here, it could at least state "What was the crime or offense alleged?", or "Date of alleged Crime or Offense." Changing the language in this manner will not alter USCIS's ability to collect pertinent information, but will ensure that non-citizens are afforded a presumption that contact with the criminal legal system does not equate to guilt or a blemish on their character.</p>	
<b>23.</b>		<b>Commenter: Celinda Martinez</b>	
	<a href="#">0241</a>	<p>I have been teaching citizenship classes for the past 16 years. I preferred when the N-400 application was only 10 pages. We're now up to 20 pages which I feel is too lengthy. I would like to see the application streamlined back to the initial 10 page application it used to be. Additionally, I feel the vocabulary on the current N-400 form is difficult. The terminology/vocabulary was easier when the N-400 application was only 10 pages long. If you must keep the N-400 application at its current length, can we at least modify the vocabulary to simplify it? Examples of terminology: advocate, genocide, habitual, procured, persecuted, recission, etc.</p> <p>Additionally, perhaps on part 12 of the N-400 application question 13 which is asking for information from 1933 - 1945 should state if you were born after 1945 skip to question 14.</p> <p>Additionally, questions 14-28 could be better streamlined/grouped together so that should anyone answer yes then go to question below to further explain (as question 29 is set up)</p>	<p><b>Response:</b> USCIS notes that the revised form contains 14 pages, not 20. With regards to the difficult vocabulary, USCIS emphasizes that the terminology mentioned in the comment is required by the law. Applicants are able to complete the N-400 with an interpreter.</p> <p>The new form revision has streamlined multiple existing questions into single questions. Additionally, USCIS deleted the question that previously asked for information from before 1945. Also, USCIS has provided instructions when to skip questions, as seen in Part 9, item no. 25.</p> <p>Questions regarding the fees are outside the scope of this revisions and the fee rule provides information about fee changes.</p>

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		<p>instead of making everyone have to answer each broken down question. In all my years teaching, I've never had anyone answer yes to those questions. On part 12 #37 which asks if you've ever served in the U.S. armed forces it would help if you add in parenthesis (if your answered no, skip questions 38 - 43 and start back up with question 44) to avoid the additional questions that follow.</p> <p>The current fee of \$725.00 is already a financial hardship for most of my students, raising fees would only make it more difficult for them to be able to send in their application for citizenship. I would appreciate your consideration of not raising the fee.</p> <p>Thank you for allowing us to give input on the N-400 application. I appreciate it.</p>	
<b>24.</b>		<b>Commenter: Gary Weissbrot</b>	
	<a href="#">0242</a>	<p>I see that the answers to 17A&amp;B and 18A&amp;B can now be Yes with an explanation.</p> <p>Question 49 on the original version, "Are you willing to take the full Oath of Allegiance to the United States?" has been eliminated.</p> <p>Question 48 does not give the option for a religious exemption.</p>	<p><b>Response:</b> This comment, regarding Part 12, item nos. 17 and 18, is referring to the previous version of Form N-400. USCIS is making no changes to the form or instructions as a result of this comment.</p> <p>This comment, regarding Part 12, item nos. 47 and 48-50, is referring to the previous version of Form N-400. USCIS is making no changes to the form or instructions as a result of this comment. In the proposed form, former item nos. 47 and 48-50 were not deleted; they can be found in Part 9, item nos. 34 and 35-37. Guidance on oath modifications and waivers can be found in the proposed Form N-400 Instructions, under the heading "Oath of Allegiance."</p>
<b>25.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Part 2</p> <p>USCIS should consider restoring the questions about English language exemptions found at Question 13 on the current N-</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. USCIS has determined that the information about exemptions to the</p>

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		400. Having these questions on the form is helpful to pro se applicants who may not be aware of the exemptions. Further, this is a useful tool for volunteers at naturalization clinics and workshops. We acknowledge that the information on English language exemptions is included in the N-400 instructions. However, the inclusion on the form itself heightens the possibility that those eligible will be alerted to the exemption. The N-400 instructions are voluminous and those with limited English capabilities who qualify for an exemption may not be able to find this information in the instructions.	English language requirements based on age and length of residency are best placed in the Form Instructions. Whether those exemptions apply can be calculated automatically. This also helps reduce burden for most applicants who do not meet those exceptions and shortens the form.
<b>26.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	Part 2 Similarly, USCIS should reconsider the deletion of Part 3 of the current Form N-400, “Accommodations for Individuals with Disabilities and/or Impairments.” Even though information on accommodations is provided in the instructions, there should be some indication of the existence of accommodations on the form itself to alert applicants completing the form. Testing anxiety is one of the main barriers for many naturalization applicants and alerting them to the possibility of exemptions, accommodations and waivers on the form may encourage more eligible applicants to apply.	<b>Response:</b> USCIS appreciates your comment 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 venue.
<b>27.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	Part 4 Question 2: USCIS should include an option for “multiracial” or “another race” in order to be more inclusive of the applicant’s racial identity as well as an option to decline to provide that information. “Unknown/other” is an option for other biographical questions and the same should be made true for the question about a person’s race.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form are based on the criteria required for background and security checks.
<b>28.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	

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	<a href="#">0249</a>	<p>Part 4</p> <p>Question 3: USCIS should eliminate the requirement that a person disclose their height and weight. In addition to not being relevant to naturalization eligibility, this question invites inconsistent answers. An adult’s weight – and to a certain extent, their height – can fluctuate over time and as, such, answers to these questions may not be consistent in an immigration process that can span years from initial admission to the United States to the completion of the naturalization process.</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form (including height and weight) are based on the criteria required for background and security checks.</p>
<b>29.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Part 5</p> <p>The form should be amended to include “retired” as an option in addition to employed and unemployed. As it stands now, the only option for retired applicants is “unemployed” which may cause confusion and offense for older applicants who have worked for many years and do not equate retirement with unemployment. Adding this option for applicants is more inclusive and respectful of older applicants.</p>	<p><b>Response:</b> USCIS took your comment under consideration and made appropriate changes. The new form now includes instructions about entering “retired” as an option.</p>
<b>30.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Part 9</p> <p>Question 2: This question and the accompanying instruction should be revised to reflect that non-citizen voter registration and voting in local elections has gained a foothold in various jurisdictions and continues to expand. The questions should match the updated language in the USCIS Policy Manual to make clear that “voting in a local election is not unlawful voting if the applicant is eligible to vote under the relevant law.” 3 Failure to change this language and provide more clarification on both the form and instructions could create a chilling effect for LPRs who have lawfully voted in local elections. Further, this question could cause confusion for applicants and lead to incorrect or inconsistent responses, which in turn will</p>	<p><b>Response:</b> USCIS took your comment under consideration and made appropriate changes to address the issue of lawful voting. Clarifications were added in the Form N-400 and Form Instructions stating that voting in a local election will not render an applicant ineligible for naturalization if the applicant was eligible to vote under the relevant law.</p>

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		lead to more agency resources being used to clarify. The form should allow for a clarification between unlawful voting and lawful voting.	
<b>31.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	Part 9 Question 22: USCIS should provide more clarification on “people born as male” who must register for the Selective Service. Further clarification is provided on the Selective Service System web site according to guidance proffered by the U.S. Office of Personnel Management. <sup>4</sup> USCIS should consider incorporating this official guidance into the form and instructions to avoid any confusion for those applicants who identify as transgender or non-binary.	<b>Response:</b> USCIS appreciates your comment but will not make any changes. The relevant information is found in the Selective Service System website. Adding that same information on the N-400 Form and Instructions will not only make the forms longer but potentially require frequent revisions based on future changes made on the Selective Service System website.
<b>32.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	Part 9 Question 33: This question should be eliminated as it is confusing and repetitive. Before and after this question on the proposed form are questions asking if the applicant understands and is willing to take the Oath of Allegiance (Oath). Additionally, the proposed instructions indicate that those who cannot take the Oath must complete Form N-648, Medical Certification for Disability Exception. The N-648 is intended for those who need a waiver of the English and Civics tests requirements of the naturalization process. There are different statutory provisions <sup>5</sup> with different criteria for those who need an oath waiver and those who need a waiver of the English and Civics tests. A Form N-648 is not required to request an oath waiver, neither is it dependent upon a certain medical diagnosis, as it is for those who are seeking a waiver of the English and Civics tests.	<b>Response:</b> USCIS appreciates your comment and updated the form instructions to make it clearer that applicants who are unable to take the Oath of Allegiance because of a physical or developmental disability or mental impairment may submit either an N-648 or a written evaluation by an authorized medical professional in order to obtain an oath waiver. See the section entitled “Required Evidence - Legal Guardian, Surrogate, or Designated Representative” for updated language. As a result, USCIS determined that Part 9, item no. 33 will remain.
<b>33.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	Furthermore, these instructions further institutionalize a requirement for oath waivers that we argue is in violation of the	<b>Response:</b> USCIS appreciates your comment but will not make changes to Form N-400 based on it. USCIS will

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		<p>statute. The requirement of a court-ordered representative or certain U.S. citizen relatives is an unnecessary barrier to naturalization for persons seeking oath waivers that was added to the USCIS Policy Manual. We have previously urged USCIS to drop this requirement and instead allow applicants to have “any trusted individual” substitute for them in the oath waiver process.<sup>6</sup> The instructions and form need to make clear that these are separate waivers with separate requirements to avoid confusion and unnecessary filings of oath waivers by applicants.</p>	<p>continue to review the policy regarding who may assist and respond for an applicant to maintain the protection of the applicant and integrity of the N-400 process. Some additions were made to the form instructions that clarify that applicants who are unable to take the oath of allegiance may submit either the Form N-648 or a written evaluation by an authorized medical professional.</p>
<b>34.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Instructions USCIS should consider providing more information about an applicant’s potential eligibility for a fee waiver in the N-400 instructions. The proposed form gives detailed information about potential eligibility for fee reductions but does not provide the same level of detail for fee waivers. Adding more information about the eligibility for the fee waiver on the form instructions could encourage more eligible people to apply. The instructions should be revised in the following way: You may be eligible for a fee waiver under 8 CFR 103.7(c). if: You, your spouse, or the head of household living with you, are currently receiving a means-tested benefit. Your household income is at or below 150 percent of the Federal Poverty Guidelines at the time you file. You are currently experiencing financial hardship that prevents you from paying the filing fee, including unexpected medical bills or emergencies. If you believe you are eligible for a fee waiver, complete. Form I-912, Request for Fee Waiver (or a written request) and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at <a href="http://www.uscis.gov/feewaiver">www.uscis.gov/feewaiver</a>.</p>	<p><b>Response:</b> USCIS appreciates your comment and made appropriate changes to the form. Where to find information about fees, fee waivers and fee reductions was added to the Form Instructions and an item about fee reduction was added to the Form N-400 at Part 10, Fees.</p>

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<b>35.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>III. USCIS should further reduce the amount of information requested to only that information that is necessary to determine eligibility for naturalization.</p> <p>In line with the positive changes mentioned above, USCIS should further reduce the collection of information on Form N-400 to include only those questions that speak to the applicant's eligibility to naturalize. The over-collection and storage of personal information does nothing to increase adjudicatory efficiency, but only serves to aid the agency in its extreme vetting practices. We offer the following suggestions for removal of information that is not germane to naturalization eligibility.</p> <p>Part 2</p> <p>❑ Question 6: USCIS should eliminate the requirement added to request additional dates of birth for the applicant. The collection of this information is unnecessary to the eligibility for naturalization and will only serve to intimidate and confuse applicants, particularly for those applicants who do may not have had an official date of birth recorded due to country conditions at their time of birth.</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. The date of birth, as well as any other dates of birth ever used, are vital information necessary for establishing applicant's identity and for purposes of background and security checks.</p>
<b>36.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Part 2</p> <p>Question 9: The issue of citizenship for other countries is not relevant to an applicant's eligibility for naturalization. It is not uncommon for individuals to have multiple citizenships and to obtain passports from the countries where they are citizens. Additionally, having multiple citizenships and passports is not a bar to naturalization. Collecting this information is, again, an overstep that bears no relevance to the inquiry at hand – the applicant's eligibility for naturalization.</p>	<p><b>Response:</b> USCIS appreciates the comment but will not make changes to the form based on it. Having multiple citizenships does not bar naturalization; however, it is important for background checks.</p>
<b>37.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	

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	<a href="#">0249</a>	<p>Part 7</p> <p>As noted above, we appreciate the removal of the requirement that a complete marital history be disclosed where the basis of lawful permanent residence is not marriage to a U.S. citizen; we also ask USCIS to further reduce the information required of applicants' marital histories. In particular, the requirement that all naturalization applicants produce marriage, divorce, and annulment decrees is unnecessary and redundant. This information is not relevant to a naturalization applicant's eligibility if the basis of lawful permanent residence was not marriage. Further, the requirement of disclosure of the applicant's spouse's employer – as well as their place of birth and other immigration information – is irrelevant as to the applicant's eligibility for naturalization.</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. The evidence of marital status is needed because it is printed on the certificate of naturalization. See INA 338.</p> <p>Also, the employer of the applicant's spouse is required only when relevant for an applicant eligible based on being the spouse of a U.S. citizen in qualified employment outside the United States. See instruction on form for Part 5 (formerly Part 7), item no. 8 stating "Only answer Item Number 8. if you are filing under Part 1., Item number. 1.d., Spouse of U.S. Citizen in Qualified Employment Outside the United States."</p>
<b>38.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>IV. USCIS should reconsider and amend many of the questions in Part 9 pertaining to good moral character and criminal history. Question 5: We are concerned by the broadening of categories to be considered in disclosure of membership in a group engaged in the enumerated list of activities. In particular, the addition of "unlawful damage, injury or destruction of property" is concerning as it is overly broad and could be used to retaliate against activists. USCIS should remove this criterion from Question 5.b.</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. The language of item no. 5 in Part 9 is directly related to statutory requirement in INA 313(a)(4)(C). USCIS has provided additional definitions in the instructions.</p>
<b>39.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Question 6: USCIS should consider amending the language proceeding Question 6 regarding the provision of material support to certain groups. As written, the provision is overly broad and will entrap many eligible applicants who provided goods or services to these groups unwittingly. The language should be amended in the following way:</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. 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.</p>



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		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 and supported the fact that:"	
<b>40.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Question 15:  USCIS should eliminate the language preceding Question 15 related to juvenile adjudications. Juvenile adjudications are not convictions for the purposes of immigration law and many states bar the use of juvenile records or their disclosure. Juvenile justice systems across the United States recognize the significant developmental differences between children and adults and that juvenile proceedings are largely geared toward early intervention, community-based resources, and restorative efforts. Even the Supreme Court has recognized that youthful violations of the law may not be indicative of adult character and behavior. See <i>Roper v. Simmons</i> 543 U.S. 551, 570 (2005). It is therefore contrary to the purpose of juvenile justice systems to use juvenile adjudications to deny immigration benefits. The language in Part 9 should be amended not only to exclude juvenile adjudications in the naturalization eligibility assessment but should also affirmatively state that juvenile adjudications should not be considered. Specifically, the language should be amended in the following way:  Include all the crimes and offenses in the United States or anywhere in the world (including domestic violence and driving under the influence of drugs or alcohol. Do not include juvenile adjudications or crimes committed while under the age of 18 years old.", and crimes and offenses while you were under 18 years of age) which you EVER:</p>	<p><b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. Crimes and offenses committed while the person was under 18 years of age could still be relevant for the good moral character determinations if the person was charged as an adult or for GMC provisions that do not require a conviction.</p>
<b>41.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Question 15.a should be eliminated entirely and USCIS should also reconsider the revisions in the language proceeding</p>	<p><b>Response:</b> USCIS has taken your concern about the language involving "investigation" into consideration and</p>

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		<p>Question 15 and Question 15.b and amend these questions to ensure that applicants are not asked to draw legal conclusions. By asking applicants if they committed a crime for which they were not arrested, the agency requires that applicants understand state and federal penal codes. By including the language “notified that you were being investigated for a crime,” the agency asks applicants to disclose information that may not have resulted in any finding whatsoever. The revised Questions 15 broaden the scope for applicants, further muddying the waters and relying on the over-inclusion of potentially irrelevant information, rather than tailoring the inquiry to the information needed to make an eligibility determination. Questions like these are particularly harmful to pro se applicants and are, at best, over-broad and, at worst, an attempt to trap applicants into revealing something that will require a request for evidence.<sup>7</sup> There is also the risk that applicants will unintentionally omit something that should be disclosed due to confusion about what should be included and will later be found to have committed fraud or false testimony when asked about it at an interview. This is an inefficient use of agency resources as well as an unnecessary burden on applicants.</p>	<p>removed language in Part 9, item no. 15 about being notified of criminal investigations. The objective of Part 9, item no. 15 is to identify topics for further review at the applicant’s interview. However, USCIS understands that an applicant will not report that they committed a crime for which they were not arrested if they are unaware that their conduct was in violation of law.</p>
<b>42.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Question 15 Chart: USCIS should revert back to the information requested on the current N-400. Specifically, requiring applicants to disclose the dates of offenses and convictions may prove difficult for applicants whose criminal history was years in the past. For many applicants, court, police, or other official records may no longer exist if the time between the occurrence and the naturalization application is many years. Further, requiring a date of “conviction or guilty plea” is redundant when the applicant is also being asked for the date of crime or offense, disposition, and sentence. Finally, the requirement that the</p>	<p><b>Response:</b> USCIS appreciates your comment and will make minimal changes to the table headers based on it. However, please note that some of the questions that were eliminated from the existing form and are required to make a proper GMC determination were transferred to the table. Good moral character is a requirement for naturalization under the statute. The sentence length can be critical to determining whether a bar to GMC applies based on a particular offense.</p>

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		<p>applicant provide the exact sentence may be confusing, particularly for pro se applicants, who may have been subject to pre-trial detention (for which they may or may not have received credit) or may not remember the exact sentence imposed (as it often varies from the time served). Requiring this information is not only burdensome on applicants, but results in unnecessary RFEs for information that is no longer available from official avenues. Questions such as these are contrary to President Biden’s Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans which specifically instructs agencies to promote naturalization. By relying on these extreme vetting practices, the agency runs the risk of intimidating eligible applicants and creating a chilling effect on naturalization applications.</p>	
<b>43.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>Question 17.b – USCIS should return to the simplified version of this question on the current N-400 (“Sold or smuggled controlled substances, illegal drugs, or narcotics”) in lieu of the proposed question, which is much broader and vague. It is concerning that the proposed question seems to target the legal cultivation and sale of marijuana in states that have legalized these activities. USCIS should ensure that this question distinguishes legal conduct from illegal conduct and the N-400 form and instructions should make that distinction clear. Question 17.b should be amended as follows: “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.”</p>	<p><b>Response:</b> USCIS appreciates your comment but will make no changes based on it. 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 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.</p>
<b>44.</b>		<b>Commenter: Immigrant Legal Resource Center (ILRC)</b>	
	<a href="#">0249</a>	<p>USCIS should withdraw the policy manual sections used to re-adjudicate underlying LPR applications for naturalization applicants. The N-400 contains many questions that aim to re-</p>	<p><b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Naturalization provisions require</p>

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	<p>adjudicate the underlying permanent residence application in its entirety. This is an onerous and unnecessary task for applicants and practitioners. Pro se applicants are particularly disadvantaged as the number of questions may discourage them from filing the applications without representation. For practitioners – particularly non-profit providers – these questions necessitate an onerous, unnecessary investigation of a client’s past and puts a strain on resources creating an unnecessary burden and reducing the numbers of clients that the practitioners can represent.</p> <p>Further, re-adjudicating the permanent residence application is a waste of agency resources. At the naturalization stage, USCIS has had the opportunity to adjudicate these issues – sometimes multiple times – and has already engaged in a full analysis of any inadmissibility issues pre-dating the permanent residence application. By engaging in yet another full analysis re-covering time periods and questions that have already been asked, the agency wastes adjudicator time and resources, potentially issues redundant or erroneous requests for evidence, and causes delays which further exacerbate existing backlogs and long processing times. In addition to altering the N-400 to eliminate or revise these questions, we urge USCIS to withdraw the sections on “extreme vetting” in the USCIS Policy Manual, specifically 12 USCIS-PM D.2(d) which directs USCIS officers “verify” the underlying lawful permanent residence (LPR) status in all naturalization cases, even where no question about eligibility is raised, in essence re-adjudicating an individual’s LPR status. This practices not only wastes agency resources but disproportionately affects low-income, vulnerable, and unrepresented naturalization applicants who may not have the resources to hire legal representation to respond to requests for documentation from decades in the past, which are often requested because of re-adjudication. For</p>	<p>verification and determination that an applicant has been properly admitted for permanent residence. See INA 318.</p>
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		these reasons, we ask USCIS to withdraw 12 USCIS-PM D.2(d) in its entirety and replace language in the Policy Manual to make such an inquiry voluntary, not mandatory, for USCIS officers.	
<b>45.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<p><b>I. Equity Improvements</b></p> <p>The estimated public reporting burden for the information collection of the paper Form N-400 is 8 hours and 40 minutes compared to 3 hours and 51 minutes for an electronically filed Form N-400. As low-income applicants are required to file for naturalization on paper because fee waiver and reduced fee requests are not available with electronically filed naturalization applications, this substantial difference appears to be a time tax on the less wealthy. USCIS should work to decrease the estimated public reporting burden for the paper Form N-400 significantly and increase access to the electronic Form N-400 by allowing fee waiver and reduced fee requests to be filed electronically.</p> <p>It is unclear why naturalization applicants cannot request certificates of citizenship for children who will derive U.S. citizenship from a parent's naturalization on the Form N-400. Historically, in prior versions of the naturalization form, this option and language existed. In 1973, for example, the form said, "I (Do) (Do Not) desire certificates of citizenship for those of my children under age 16 named below who, according to Instruction No. 7, will become citizens through my naturalization. (Enclose \$10 for each child only if certificates are desired; otherwise, send no fee with this application.)" Adding an option like this (along with an additional fee and required evidence) would not eliminate the existence of the Form N-600 because some parents would not choose the option to request a certificate of citizenship for their children, and children who have already derived, for example, from the other U.S. citizen parent, would not be affected by this change. However, this</p>	<p><b>Response:</b> USCIS appreciates your comment but will make no changes based on it. USCIS continues to work towards allowing fee waivers and requests for reduced fees to be submitted online and has made changes to the form to incorporate the request for a reduced fee into the Form N-400.</p> <p>The reason why naturalization applicants cannot request a certificate of citizenship for their LPR children at the time of filing for naturalization is that current regulations require that an applicant for a Certificate of Citizenship be eligible at time of filing and children are not eligible until the parent becomes a U.S. citizen. <i>See</i> 8 CFR 103.2(b)(1). USCIS notes that U.S. citizen parents can request a U.S. passport for their children after they naturalize.</p> <p>Regulations also require a handwritten signature unless the benefit request is filed electronically as permitted by the instructions to the form, in which case a signature in an electronic format is permitted. <i>See</i> 8 CFR 103.2(a)(2).</p>

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		change would help an enormous number of families who now must navigate a Form N-600 for each child after a parent naturalizes. In this substantive revision of the naturalization application, we strongly encourage USCIS to make it simpler for naturalizing parents to obtain evidence of their minor children's U.S. citizenship by allowing applicants to request certificates of citizenship for their children directly in the Form N-400. The proposed Form N-400 form inexplicably requires handwritten signatures. It is unclear why this requirement exists and persists, in this time, when electronic signatures are commonplace, accomplish millions of legal transactions, and printers may be inaccessible, especially for low-income applicants.	
<b>46.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>The order of the information requested does not flow logically. For example, it is confusing that biographic information (Part 4) is requested after residences and before schools and employment. Such information should be moved after Part 2 of the form "Information about you."</li> </ul>	<b>Response:</b> USCIS appreciates your suggestion and has made changes to reflect it. Part 4, Biographic Information has been moved up to be Part 3 now.
<b>47.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>It would be helpful if the form offered the applicant an option to change their gender marker.</li> </ul>	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The proposed form instructions state that the applicant is free to indicate their gender identity of choice; therefore, the option has been provided to the applicant. The gender marker the applicant checks on the form will appear on the Naturalization Certificate regardless of the gender marker(s) on the applicant's supporting documents.
<b>48.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>Why does the form require applicants to answer antiquated ethnicity and race categorizations? For example, it</li> </ul>	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the

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		may be difficult for applicants who identify as Latinx/Hispanic or of mixed descent to select the relevant race box in the form. USCIS should eliminate these categorization requirements or include “other” or “mixed” options for both the ethnicity and race questions.	form are based on the criteria required for background and security checks.
<b>49.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>The current Form N-400 requires applicants to specify if they have taken any trips outside the U.S. in the last five years which have exceeded 6 months, and to total the number of days they have been absent from the U.S. In effect, this makes applicants aware of the continuous residence and physical presence requirements, in the form itself. The proposed form eliminates these fields, and instead, applicants must proactively find information about continuous residence and physical presence requirements on page 4 of the 27 pages of instructions. We believe this simplification to the form will do more harm than good. We urge USCIS to maintain these fields in the proposed Form N-400.</li> </ul>	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Removing the information about the total number of days each foreign trip has lasted and the total days spent outside the United States during the relevant period reduces the time burden on applicants. USCIS is able to calculate the time period automatically.
<b>50.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>The proposed form requires applicants to provide copies of their spouse’s prior divorce decrees, annulment decrees, and death certificates of their prior spouses, if applicable. This new requirement will serve as an unnecessary barrier to applicants who do not readily have access to these documents because, for example, they have been lost, are difficult or not possible to obtain, or expensive to have translated. This new requirement will also be duplicative for many applicants who have previously submitted these documents to USCIS at the time of their visa application or adjustment. This change will require attorneys and accredited representatives and applicants to submit many more Freedom</li> </ul>	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. The requirement to provide a photocopy of the current marriage certificate, divorce, annulment decree, or death certificate of former spouse is not a new requirement but is present in the Required Evidence section of the current Instructions for Application for Naturalization. Marital evidence, including divorce, annulment, or death certificates, is required to determine the marital status of the applicant. See INA 338. Further, for applicants filing as the spouse of a U.S. citizen, it is necessary to request evidence of the termination of the U.S. citizen spouse’s prior marriages to verify the validity of

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		of Information Act requests to USCIS than they already do, to obtain copies of these documents from applicants A files, to resubmit to USCIS with naturalization applications.	the marriage between the applicant and the U.S. citizen spouse.
<b>51.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>The language of proposed question 15b in part 9 is much broader than the current language of questions 23 and 24 in part 12 of the current form, in that it requires disclosure of any notifications of criminal investigations. The proposed instructions provide no guidance as to what explanation or documentation is required if the applicant has been notified that they were being investigated for a crime in the past. It seems unlikely that applicants will be able to obtain documentation from law enforcement entities showing that they are no longer under investigation.</li> </ul>	<b>Response:</b> USCIS appreciates your comment and has made appropriate changes. USCIS has removed the language in Part 9, item no. 15 regarding notifications about being subject of criminal investigations.
<b>52.</b>		<b>Commenter: Project Citizenship (PC)</b>	
	<a href="#">0247</a>	<b>II. Logistical Improvements</b> <ul style="list-style-type: none"> <li>In our experience, mailed naturalization applications are scanned and uploaded when received by USCIS. The Form N-400 is adjudicated on a computer and using an iPad at USCIS field offices. No adjudicator or applicant signs any page of a paper Form N-400 during an interview. In this context, page 14 of the proposed Form N-400 is superfluous and could be replaced by the text of the Oath of Allegiance alone.</li> </ul>	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Under the Paperwork Reduction Act (PRA) any data collection or questions that is on an online version of a form must also be on a paper form. The signature block on the paper form reflects the same signature that must be provided online.
<b>53.</b>	<a href="#">0248</a>	<b>Commenter: Welcome to America Inc. (WA)</b>	
		More space needed for children and trips. Everything else is great!	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information. The online version allows adding more children in the application.
<b>54.</b>		<b>Commenter: Mass Law Reform Institute (MLRI)</b>	
	<a href="#">0254</a>	Make the form clearer by re-ordering sections: Some of the questions or required information are confusing or difficult to understand. By clarifying portions of the form, applicants are	<b>Response:</b> USCIS appreciates your comment and has made the following changes - Part 3, Information About Your Residence (formerly Part 4), Part 5,



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		less likely to provide inaccurate information, which in turn would save USCIS from unnecessary work. The current order of questions does not seem to be ordered in a way that makes it easy for an applicant to move from one question to the next by placing employment questions ahead of family background/ marital status, and by placing biographical information in between address and employment. Similarly, a small suggestion is that contact information is not separated from “Part 2: information about you.”	Information About Your Marital History (formerly Part 7); Part 6, Information About Your Children (formerly Part 8), Part 7, Information About Your Employment and Schools You Attended (formerly Part 5); and Part 8, Time Outside the United States (formerly Part 6).
<b>55.</b>		<b>Commenter: Mass Law Reform Institute (MLRI)</b>	
	<a href="#">0254</a>	Biographic Information: Due to the various ways of understanding race and ethnicity across countries, questions regarding identity by race or ethnicity are confusing and burdensome.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form are based on the criteria required for background and security checks.
<b>56.</b>		<b>Commenter: Mass Law Reform Institute (MLRI)</b>	
	<a href="#">0254</a>	Part 10: Information About Marital History: To the extent that the application seeking naturalization based on marriage to a U.S. citizen, information about marital history is relevant and important; if previously married, a requirement is to demonstrate that all of your and your spouse’s previous marriages were lawfully terminated. However, when an applicant is not applying based on their spouse, then no spouse information should be required. In either case, USCIS should limit questions regarding past spouses and a current spouse’s prior spouse, to only what is required by the law to qualify for naturalization at this stage. Of particular concern in either of these situations is the negative impact and harmful implications that collecting such information may have on domestic violence survivors. Forcing or even inadvertently suggesting that a survivor is required to contact a formerly abusive partner to obtain such information could be dangerous and may be retraumatizing. This places a needless burden on applicants, especially where in many instances, that information is not	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Marital evidence, including divorce, annulment, or death certificates, is required to determine the marital status of the applicant. See INA 338. Additionally, USCIS already made changes to this Part 5, Information About Your Marital History (formerly Part 7) to provide that only applicants filing as the spouse of a U.S. citizen are required to answer Item Numbers 4.a. -8. If an applicant does not provide the requested evidence of marital status, USCIS will clarify at the interview whether certain documents are unavailable for reasons such as domestic violence. For example, an applicant whose lawful permanent resident status is based on the Violence Against Women Act (VAWA) is not required to provide documentation about a spouse who subjected them to battery or extreme cruelty.

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		necessary for their naturalization process. Alternatively, survivors of domestic violence could be afforded the opportunity to explain why such information may not be readily available or easily obtained.	
<b>57.</b>		<b>Commenter: Mass Law Reform Institute (MLRI)</b>	
	<a href="#">0254</a>	<p>Questions regarding residence and travel: The questions regarding residence must be clear since the substantive requirement of meeting continuous presence and physical presence can be the most problematic parts of correctly filing an N-400. With the requirement that an applicant shows that they have lived and been physically present in the United States for at least half of their five years of permanent residence, along with showing that they have maintained that residence without breaking it with long absences such as more than six months, which would raise a presumption that the continuous presence has been broken by living in another country, the calculations of qualifying for naturalization can be detailed and complicated. As well, there is the smaller three-month minimum of time in a particular state within the United States or a particular USCIS service district before applying to naturalize (unless of course, an applicant moves to a new state covered by the same "service district" over which one USCIS office has jurisdiction). Given how critical information about physical presence and residence in the US is to naturalization applications, we make the following recommendations to ensure applicants are able to easily submit adequate and complete information: a. Information about your Residence: Add language to demonstrate whether an applicant needs to provide evidence of continuous residence with their application or at a later interview. b. Time outside of the United States: Clarify the relationship between questions about trips over 24 hours and questions concerning total days spent outside of the United States</p>	<p><b>Response:</b> USCIS appreciates your comment but will make no changes based on it. The instructions in Part 8, Time Outside the United States (formerly Part 6) of the Form clearly state that evidence should be submitted for trips that lasted more than 6 months outside the United States. Moreover, the Instructions contain a section entitled Continuous Residence and Physical Presence Requirements that provides clear instructions about continuous residence and physical presence. USCIS notes that the proposed revision does not request information about the total number of days spent outside the United States altogether and on each trip. Removing the information about the total number of days reduces the time burden on applicants.</p> <p>USCIS has added clarification to the Evidence section of the Instructions, under General Instructions for Filing Form N-400, to indicate that an applicant should provide Required Evidence at the time of filing; however, USCIS may accept evidence at the interview.</p>
<b>58.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	

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	<a href="#">0253</a>	Keep questions about exemptions for the naturalization examination together in one place and label them clearly. Questions 12 and 13 in Current Part 2 have that information, and we recommend keeping these inquiries together in the same place in the form, as well as labeling them specifically as to the type of exemption they pertain to. With respect to information about the exemptions for older applicants with lengthy periods of lawful permanent residency, we prefer the specificity of Question 13 in Current Part 2 over solely including that specific information in the Proposed Instructions.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. USCIS has determined that the information about exemptions to the English language requirements based on age and length of residency are best placed in the Form Instructions. USCIS can calculate whether those exemptions apply to a particular applicant automatically. This also helps reduce burdens for most applicants who do not meet those exceptions and shortens the form.
<b>59.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Include an option for “Some other race” in Question 2 in Proposed Part 4. 2  2 As of this writing, the Office of Management and Budget is considering revising the standards for the collection of federal data on race and ethnicity, and expects to complete any revision by Summer 2024. Should this revision change the wording and format of questions on race and ethnicity, USCIS should revise the questions on the Form N-400 to comply with the new standards.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form are based on the criteria required for background and security checks.
<b>60.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	The explanatory introductory text for Proposed Part 5 should include “retired” as an entry option, as it will be better understood by applicants rather than listing themselves as “unemployed” after they have retired.	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes. The new form now includes instructions about entering “retired” as an option.
<b>61.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Eliminate Question 4 in Proposed Part 4 about an applicant’s weight	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form (including height and weight) are based on the criteria required for background and security checks.
<b>62.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	

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	<a href="#">0253</a>	Eliminate Question 8 in Proposed Part 7 about the employer of an applicant's current spouse.	<b>Response:</b> The only applicants instructed to answer this are applicants who are applying for naturalization based upon their marriage to a U.S. citizen spouse in qualified employment outside the United States. See INA 319(b). USCIS has moved down the instruction to make it more visible.
<b>63.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Provide more lines for entry in questions that collect information in tables, especially for Question 2 in Proposed Part 8, Information About Your Children, so that applicants do not have to list as many remaining children or other entries in Proposed Part 13, Additional Information. We believe that additional lines can be added to the tables without significantly increasing the overall length of the form.	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information. USCIS is concerned that adding additional lines to the tables would result in too great an increase to the length of the form. The online version allows adding more children in the application.
<b>64.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Question 2 in Proposed Part 9 and its accompanying instructions should distinguish between lawful and unlawful voting, explicitly referencing the increasing number of jurisdictions that have begun allowing non-citizens to register and vote in local elections.	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes to address the issue of lawful voting. Clarifications were added in the Form N-400 and Form Instructions stating that voting in a local election will not render an applicant ineligible for naturalization if the applicant was eligible to vote under the relevant law.
<b>65.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	We appreciate the elimination of Question 7.A. and combining of Questions 7.B. and 8 in Current Part 12 into Question 4 in Proposed Part 9; however, we recommend rewriting Proposed Question 4 so that it is less confusing for applicants.	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes to align with IRS terminology.
<b>66.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Eliminate "the unlawful damage, injury, or destruction of property" from Question 5.b. in Proposed Part 9.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The language of the question is required by statute. See INA 313(a)(4)(C). USCIS has provided additional definitions in the instructions.
<b>67.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	

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	<a href="#">0253</a>	Eliminate questions collecting information about conduct that does not result in a conviction in Question 15 in Proposed Part 9. Conduct that is the subject of an arrest or charge should not be held against a person who is not convicted of that charge, and to ask naturalization applicants to disclose interactions that did not lead to conviction is unnecessarily prejudicial to an adjudicator's impression of an applicant's character. We are especially concerned by the questions' inquiry into conduct for which an applicant was investigated. We understand that adjudicators must know whether the applicant has broken the law and not been convicted, but that can be accomplished by instead asking, "Have you ever committed, assisted in committing, or attempted to commit, a crime or offense for which you were not convicted?"	<b>Response:</b> USCIS appreciates your comment; however, inquiry about conduct that led to an arrest or charge may be relevant for GMC determinations even if the applicant was not convicted of that charge. The definition of "conviction" for immigration purposes is found in INA 101(a)(48)(A). Nevertheless, USCIS has taken your concern about the questions involving "investigation" into consideration and has removed this language from item no. 15.
<b>68.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Eliminate juvenile adjudications from the information asked to be disclosed in the explanatory text for Question 15 in Proposed Part 9.	<b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. Crimes and offenses committed while the person was under 18 years of age could still 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.
<b>69.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	With respect to the table which collects information about an applicant's arrests, citations, or criminal charges, we prefer the format of Question 29, Current Part 12, as opposed to the format in Proposed Part 9, Question 15.	<b>Response:</b> USCIS appreciates your comment and will make minimal changes to the table based on it. However, please note that some of the questions that were eliminated from the existing form and are required to make a proper GMC determination were transferred to the table.
<b>70.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Retain the language of 30.C. in Current Part 12, rather than using the language of Question 17.b. in Proposed Part 9.	<b>Response:</b> USCIS appreciates your comment, however, the question was rewritten to be more specific of the requirements and for clarity. The question now better captures the full range of conduct that is relevant to GMC determinations. To the extent the opposition is based on

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			the legalization of marijuana in certain states, federal law still prohibits the manufacture, cultivation, production, distribution, dispensing, sale, and smuggling of marijuana. See 21 U.S.C. 841(a) (“unlawful for any person knowingly or intentionally...to manufacture, distribute, or dispense, ... a controlled substance.”)
<b>71.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	We appreciate the elimination of Questions 34 and 36 in Current Part 12 from Proposed Part 9, but also recommend eliminating Questions 20 and 21 in Proposed Part 9. USCIS officers will already obtain information about an applicant’s immigration history while reviewing the file for each applicant, and asking these questions on the Form N-400 is unnecessary.	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Proposed questions 20 and 21 are relevant to the requirements for naturalization that the applicant was lawfully admitted for permanent residence and 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 for naturalization shall be considered if there is a pending removal proceeding pursuant to a warrant of arrest. See INA 318.
<b>72.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Correct Page 8 of the Proposed Instructions so that it no longer directs those who cannot take the Oath to complete Form N-648. By statute, requesting an oath waiver does not require completing Form N-648.3  3 See Letter from ILRC to Ms. Amanda Baran, USCIS (Jun. 16, 2022), <a href="https://www.ilrc.org/sites/default/files/resources/final_june_16_2022_ilrcv_letter_on_designated_rep.pdf">https://www.ilrc.org/sites/default/files/resources/final_june_16_2022_ilrcv_letter_on_designated_rep.pdf</a>	<b>Response:</b> USCIS appreciates your comment and updated the form instructions to make it clearer that applicants who are unable to take the Oath of Allegiance because of a physical or developmental disability or mental impairment may submit either Form N-648 or a written evaluation by an authorized medical professional. See the section entitled “Required Evidence - Legal Guardian, Surrogate, or Designated Representative.”
<b>73.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	The Instructions should contain more detailed information about the types of accommodations that applicants with disabilities can request, similar to what appears on Page 6 of the Current Instructions.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. Revisions to the form instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was

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			determined that applicants with accommodation requests should contact USCIS outside of the form venue.
<b>74.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	On page 8 of the Proposed Instructions, include language setting forth the qualifications for interpreters which appears in Volume 12, Part B, Chapter 3, Section (A)3 of the USCIS Policy Manual, and indicate that family members or friends who meet those qualification can serve as interpreters.	<b>Response:</b> USCIS has added information about interpreters in the “Naturalization Testing and Exceptions” section of the Instructions.
<b>75.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	The Proposed Form should present required evidence in summary form, similar to the approach in the Proposed Online Filing Tool	<b>Response:</b> USCIS will provide a summary of required evidence in its form webpage. <a href="#">Uscis.gov/n-400</a>
<b>76.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	We appreciate the inclusion of a short statement about the availability of fee waivers and links to Forms I-912 and I-942, but to fully realize efficiencies from online filing, we urge USCIS to make online versions of the Forms I-912 and I-942 available to applicants as soon as possible. Because applicants who wish to obtain a fee waiver or reduced fee can only do so by submitting paper forms, they cannot submit their accompanying Form N-400 online. Thus, for these applicants, USCIS does not realize the efficiencies that online filing provides the agency.	<b>Response:</b> USCIS is continuing its efforts to put all forms including Form I-912 online. Additionally, USCIS has made changes to the form to incorporate the request for a reduced fee into the Form N-400 and will work toward making online filing available for applicants who request a reduced fee.
<b>77.</b>		<b>Commenter: Naturalization Working Group (NWG)</b>	
	<a href="#">0253</a>	Eliminate questions which collect information which essentially re-adjudicate an applicant’s application to obtain LPR status. USCIS should withdraw 12 USCIS-PM D.2(d) of the Policy Manual, which directs adjudicators to verify an applicant’s LPR status.	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Naturalization provisions require verification and determination that an applicant has been lawfully admitted for permanent residence. See INA 318. USCIS will continue to review its policy.
<b>78.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Eliminate Question 4 in Proposed Part 4 about an applicant’s weight.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the form (including height and weight) are based on the criteria required for background and security checks.

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79.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Eliminate Question 8 in Proposed Part 7 about the employer of an applicant's current spouse.	<b>Response:</b> USCIS appreciates your comment. The only applicants instructed to answer this are applicants who are applying for naturalization based upon their marriage to a U.S. citizen spouse in qualified employment outside the United States. See INA 319(b). USCIS has moved down the instruction to make it more visible.
80.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Keep questions about exemptions for the naturalization examination together in one place and label them clearly. Questions 12 and 13 in Current Part 2 have that information, and we recommend keeping these inquiries together in the same place in the form, as well as labeling them specifically as to the type of exemption they pertain to. With respect to information about the exemptions for older applicants with lengthy periods of lawful permanent residency, we prefer the specificity of Question 13 in Current Part 2 over solely including that specific information in the Proposed Instructions.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. USCIS has determined that the information about exemptions to the English language requirements based on age and length of residency are best placed in the Form Instructions. USCIS can calculate whether those exemptions apply to a particular applicant automatically. This also helps reduce burdens for most applicants who do not meet those exceptions and shorten the form.
81.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Revise the Proposed Form so that Questions 31 through 37 in Proposed Part 9 are arranged in a more intuitive way. First, the explanatory text that proceeds these questions is extremely confusing – it instructs the applicant who answers "No" to any of the Questions in 31-37, except Question 33, to refer to Page 8 of the Proposed Instructions. Additionally Question 33 appears to screen for applicants who would need a full waiver from taking the oath of allegiance, while the other questions generally pertain to applicants who would want to take a modified form of the oath. Question 33 should be asked in a more separate manner from the questions pertaining to applicants who may wish to take a modified oath. Additionally, Question 33 should be revised, along with the related language on Page 8 of the Proposed Instructions, so that it no longer erroneously directs	<b>Response:</b> USCIS appreciates your comment and updated the form instructions to make it clearer that applicants who are unable to take the Oath of Allegiance because of a physical or developmental disability or mental impairment may submit either Form N-648 or a written evaluation by an authorized medical professional.



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		those who cannot take the Oath to complete Form N-648. By statute, requesting an oath waiver does not require completing Form N-648  See Letter from ILRC to Ms. Amanda Baran, USCIS (Jun. 16, 2022), <a href="https://www.ilrc.org/sites/default/files/resources/final_june_16_2022_ilrcv_letter_on_designated_rep.pdf">https://www.ilrc.org/sites/default/files/resources/final_june_16_2022_ilrcv_letter_on_designated_rep.pdf</a>	
<b>82.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	NALEO Educational Fund appreciates the elimination of Question 7.A. and combining of Questions 7.B. and 8 in Current Part 12 into Question 4 in Proposed Part 9, but recommends rewriting the resulting question so that it is clearer and less confusing for applicants	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The language of the question is directly related to 8 CFR 316.5(c)(2).
<b>83.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Retain Question 1 from Current Part 9 (“Time Outside the United States”) in Proposed Part 6. This question allows non-profit community organizations to more easily determine whether an applicant meets the physical presence requirement when assisting them in filling out the form.	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Removing the information about the total number of days each foreign trip has lasted and the total days spent outside the United States during the relevant period reduces the time burden on applicants.
<b>84.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	To further reduce complexity, USCIS should provide additional entry lines in the tables for Proposed Parts 3 (“Physical Addresses”), 5 (“Information About Your Employment and Schools You Attended”), 6 (“Time Outside the United States”), and 8 (“Information About Your Children”). Adding additional lines would reduce the need to use Proposed Part 13 (“Additional Information”), reducing the possibility of errors in entering the requested information	<b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information. While USCIS appreciates that there may be an increased risk of errors in entering information in Part 14, USCIS is concerned that adding additional lines to the tables would result in too great an increase to the length of the form.
<b>85.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Include an option for “Some other race” in Question 2 in Proposed Part 4. As of this writing, the Office of Management and Budget is considering revising the standards for the	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. The options on the

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		collection of federal data on race and ethnicity, and expects to complete any revision by Summer 2024. Should this revision change the wording and format of questions on race and ethnicity, USCIS should revise the questions on the Form N-400 to comply with the new standards. NALEO Educational Fund strongly urges the collection of data on race and ethnicity in a combined question format that also includes a category of “Middle Eastern, North African.” <sup>6</sup> NALEO Educational Foundation, Comment on OMB-2023-0001, Initial Proposals For Updating OMB’s Race and Ethnicity Statistical Standards 4 (Apr. 27, 2023), <a href="https://www.regulations.gov/comment/OMB-2023-0001-19477">https://www.regulations.gov/comment/OMB-2023-0001-19477</a>	form are based on the criteria required for background and security checks.
<b>86.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	The explanatory text for Proposed Part 5 should include “retired” as an entry option, as it will be more intuitive to applicants than listing themselves as “unemployed” after they have retired	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes. The new form now includes instructions about entering “retired” as an option.
<b>87.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Question 2 in Proposed Part 9 and its accompanying instructions should distinguish between lawful and unlawful voting, explicitly referencing the increasing number of jurisdictions that have begun allowing noncitizens to register and vote in local elections	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes to address the issue of lawful voting. Clarifications were added in the Form N-400 and Form Instructions stating that voting in a local election will not render an applicant ineligible for naturalization if the applicant was eligible to vote under the relevant law.
<b>88.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Terms used in Proposed Part 9 should be clarified with an explanatory parenthetical or substituted where the meaning of a term would not be immediately apparent to an LEP applicant or is susceptible to multiple meanings, increasing the chance of prompting an erroneous response. The following is a list of such terms: • “Totalitarian” in Question 5.a. and 5.b. • “Sabotage” in Question 5.b. • “Genocide” in Question 7.b. • “Letting” as used in “Not letting someone practice their religion?” in Question 7.f.	<b>Response:</b> With regards to the difficult vocabulary, USCIS emphasizes that the terminology mentioned in the comment is required by the law. Applicants are able to complete the N-400 with an interpreter.

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		<ul style="list-style-type: none"> <li>• “Suspended sentence”, “Clemency”, “Amnesty”, and “Pardon” in the explanatory text of Question 15.</li> <li>• “Public Benefit” in Question 17.h.</li> <li>• “Drafted” in Question 23</li> <li>• “Noncombatant Services” in Question 26</li> <li>• “Court-martialed” in Question 27</li> <li>• “Hereditary Title”, “Inherited Title”, and “Order of Nobility” in Question 30</li> <li>• “Bear arms” in Question 35</li> <li>• “Work of national importance under civilian direction” in Question 37</li> <li>• “Stateless” on Page 18 of the Proposed Instructions</li> </ul>	
<b>89.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Clarify explicitly, at the beginning of Proposed Parts 11 (Interpreter’s information) and 12 (Preparer’s information), that both are to be completed only as needed and not by every applicant. For example, explanatory text in Proposed Part 11 might read, “Provide the following information only if an Interpreter helped you complete this form,” and in Proposed Part 12, “Provide the following information only if someone helped you prepare and write your answers to the questions on this Form.	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. USCIS determined that the information about when to fill out the interpreter and preparer sections should remain in the instructions, where it is currently located under “Specific Instructions by Item Number.” Placing that information on the form will make it longer and increase burden on applicants.
<b>90.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Form and Instructions. Specifically, USCIS should consider presenting required evidence in the Proposed Instructions in summary form, similar to the Proposed Online Filing Tool. We also appreciate the inclusion of a short statement about the availability of fee waivers and links to Forms I-912 and I-942, but to fully realize efficiencies from online filing, we urge USCIS to make online versions of the Forms I-912 and I-942 available to applicants as soon as possible. Because applicants who wish to obtain a fee waiver or reduced fee can only do so by submitting paper forms, they cannot submit their accompanying Form N-400 online. Thus, for these applicants, USCIS does not realize the efficiencies that online filing provides the agency	<b>Response:</b> USCIS is continuing its efforts to put all forms including Form I-912 online. Additionally, USCIS has made changes to the form to incorporate the request for a reduced fee into the Form N-400 and will work toward making online filing available for applicants who request a reduced fee.
<b>91.</b>		<b>Commenter: NALEO Educational Fund</b>	

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	<a href="#">0255</a>	Eliminate the explanatory text of Question 3 in Proposed Part 7 directing applicants to provide documentary evidence of termination of a spouse's prior marriages. This evidence is only relevant to applicants applying for naturalization based on having a U.S. citizen spouse and should not extend to applicants not applying on this basis. Furthermore, where the evidence is relevant, a similar direction as the explanatory text for Question 8 in Proposed Part 7 could be included.	<b>Response:</b> USCIS appreciates your comment but will not make changes to Question 3 in Proposed Part 5, Information About Your Marital History (formerly Part 7). USCIS already removed the requirement to provide information about a spouse's prior marriages where the applicant is not filing for naturalization based on being the spouse of a U.S. citizen. However, evidence of marital status is needed because marital status is printed on the certificate of naturalization. See INA 338.
<b>92.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Narrow the scope of the information requested about membership in groups and activities unrelated to an applicant's eligibility for naturalization in Questions 5 and 6 in Proposed Part 9. We still believe that a fair amount of the information asked for in those questions is overbroad and confusing. For example, USCIS should eliminate "the unlawful damage, injury, or destruction of property" from Question 5.b. in Proposed Part 9.	<b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. The language of the question is directly related to INA 313(a)(4)(C). USCIS has provided additional definitions in the instructions.
<b>93.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Add a specific intent qualification to Question 6 in Proposed Part 9.	<b>Response:</b> Item 6.a. already provides an intent element: "Used a weapon or explosive <i>with intent</i> to harm another person or cause damage to property."
<b>94.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Eliminate juvenile adjudications in the explanatory text for Question 15 in Proposed Part 9. A juvenile "guilty verdict, ruling, or judgment" is not a conviction for the purposes of immigration law. <sup>7</sup>  7 12 USCIS-PM F.2(C)(2) (citing Matter of Devison-Charles, 22 I&N Dec. 1362, 1365 (BIA 2000)) ("We have consistently held that juvenile delinquency proceedings are not criminal proceedings, that acts of juvenile delinquency are not crimes, and that	<b>Response:</b> USCIS appreciates your comment but will not make changes to the form based on it. Crimes and offenses committed while the person was under 18 years of age could still 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.

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		findings of juvenile delinquency are not convictions for immigration purposes.”).	
95.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	With respect to the table which collects information about an applicant’s arrests, citations, or criminal charges, we prefer the format of Question 29, Current Part 12, as opposed to the format in Proposed Part 9, Question 15. For example, the table for Question 15 in Proposed Part 9 adds a column for requesting the sentence, which is duplicative of the column asking for the result or disposition	<b>Response:</b> USCIS appreciates your comment and will make minimal changes to the table in Part 9, item no. 15, based on it. However, please note that some of the questions that were eliminated from the existing form and are required to make a proper GMC determination were transferred to the table. USCIS notes that the column asking for the result or disposition is requesting different information than the column asking for the sentence. For example, the result could be “charges dismissed” or “convicted,” while the sentence could be “probation” or “90 days in jail.”
96.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Eliminate questions collecting information about conduct that does not result in a conviction in Question 15 in Proposed Part 9. Conduct that is the subject of an arrest or charge should not be held against a person who is not convicted of that charge, and to ask naturalization applicants to disclose interactions that did not lead to conviction is unnecessarily prejudicial to an adjudicator’s impression of an applicant’s character. We are especially concerned by the questions’ inquiry into conduct for which an applicant was investigated. We understand that adjudicators must know whether the applicant has broken the law and not been convicted, but that can be accomplished by instead asking, “Have you ever committed, assisted in committing, or attempted to commit, a crime or offense for which you were not convicted?”	<b>Response:</b> USCIS appreciates your comment; however, inquiry about conduct that led to an arrest or charge may be relevant for GMC determinations even if the applicant was not convicted of that charge. The definition of “conviction” for immigration purposes is found in INA 101(a)(48)(A). Nevertheless, USCIS has taken your concern about the questions involving “investigation” into consideration and removed language in Part 9, item no. 15 about being notified of being subject of criminal investigations.
97.		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	Retain the language of 30.C. in Current Part 12, rather than using the language of Question 17.b. in Proposed Part 9. The language of the Proposed Question unnecessarily expands the scope of	<b>Response:</b> USCIS appreciates your comment, however, the question was rewritten to be more specific of the requirements and for clarity. The question now better

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		the question to capture the legal cultivation and sale of marijuana in certain jurisdictions where it is allowed. This runs contrary to the President’s statements and actions about the Federal Government’s “failed approach to marijuana.” <sup>8</sup> Statement from President Biden on Marijuana Reform, The White House (Oct. 6, 2022), <a href="https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/06/statement-from-president-biden-on-marijuanareform/">https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/06/statement-from-president-biden-on-marijuanareform/</a>	captures the full range of conduct that is relevant to GMC determinations. To the extent the opposition is based on the legalization of marijuana in certain states, federal law still prohibits the manufacture, cultivation, production, distribution, dispensing, sale, and smuggling of marijuana. See 21 U.S.C. 841(a) (“unlawful for any person knowingly or intentionally...to manufacture, distribute, or dispense, ... a controlled substance.”)
<b>98.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	We appreciate the elimination of Questions 34 and 36 in Current Part 12 from Proposed Part 9, but also recommend eliminating Questions 20 and 21 in Proposed Part 9. USCIS officers will already obtain information about an applicant’s immigration history while reviewing the file for each applicant, and asking these questions on the Form N-400 is unnecessary.	<b>Response:</b> USCIS appreciates your comment but will make no changes based on it. Proposed Part 9, item nos. 20 and 21 are relevant to the requirements for naturalization that the applicant was lawfully admitted for permanent residence and 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 for naturalization shall be considered if there is a pending removal proceeding pursuant to a warrant of arrest. See INA 318.
<b>99.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	The Instructions should contain more detailed information about the types of accommodations that applicants with disabilities can request, similar to what appears on Page 6 of the Current Instructions	<b>Response:</b> USCIS appreciates your comment but will not make a change based on it at this time. Revisions to the form instructions were made in consultation with the Office of Equality and Inclusion (OEI) and it was determined that applicants with accommodation requests should contact USCIS outside of the form venue.
<b>100.</b>		<b>Commenter: NALEO Educational Fund</b>	
	<a href="#">0255</a>	On Page 8 of the Proposed Instructions, the Instructions should include the qualifications for interpreters from 12 USCIS-PM B.3(A)(3) and indicate that family members or friends who meet those qualifications can serve as interpreters	<b>Response:</b> USCIS took your comment under consideration and made appropriate changes, adding information about interpreters in the “Naturalization Testing and Exceptions” section of the Instructions.
<b>101.</b>		<b>Commenter: Norbert Wendlandt</b>	

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	<a href="#">0250</a>	<p>Please consider changing Application for Naturalization USCIS Form N-400 Part 12. Additional Information About You Question 7.</p> <p>change Pt 12, Question 7. Currently it is - "Have you EVER not filed a Federal, state or local tax return since you became a lawful permanent resident?"</p> <p>Suggested change - "Have you EVER failed to file a federal, state or local tax return since you became a lawful permanent resident?"</p> <p>A "no" answer to the revised question keeps it in line with all the other "EVER" questions where "no" is the expected answer and "yes" requires more details; it also eliminates the confusion the current form of the question has by the use of "not" in the question.</p>	<p><b>Response:</b> This comment is referring to the previous version of Form N-400. This question has since been revised. USCIS is making no changes to the form or instructions as a result of this comment.</p>
<b>102.</b>		<b>Commenter: Rajinder Kaur</b>	
	<a href="#">0251</a>	<p>Please add one more sheet to N-400 for additional information. For example; form I-912 (fee waiver) has an extra page at the end and it's really convenient to add information about children, residence addresses, trips, etc. Also, the parents' information is not needed on N-400. It's not relevant to most of the applicants. Thank you.</p>	<p><b>Response:</b> Additional space is available in Part 14 (formerly Part 13), Additional Information. Additionally, please note that the revised form has only one question about the applicants' parents, located at Part 2, item no. 10.</p>
<b>103.</b>		<b>Commenter: Immigration Equality; ACLU; Los Angeles LGBT Center; Santa Fe Dreamers Project; Oasis Legal Services; InReach</b>	
	<a href="#">0252</a>	<p>The corresponding Form N-400 instructions should be updated to provide additional clarity. On page 17, Item Number 5 of the instructions, we recommend that USCIS add language to explain that selection of "Another Gender Identity" will result in the appearance of an "X" gender marker on the Naturalization Certificate. It should also make clear that an applicant may select this, or any other gender designation, regardless of the</p>	<p><b>Response:</b> USCIS has added the additional clarification in the instructions.</p>

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		gender marker on birth certificates or other documents. USCIS can use language similar to the Department of State passport form: <i>Gender: The gender markers used are “M” (male), “F” (female) and “X” (another gender identity). The gender marker that you check on this form will appear on your Naturalization Certificate regardless of the gender marker(s) on your supporting documents</i>	
<b>104.</b>		<b>Commenter: Executive Office</b>	
	<a href="#">0256</a>	Yaseen AlJamal General Services Administration	<b>Response:</b> Comment and 20 associated attachments are out of scope.
<b>105.</b>		<b>Commenter: Anonymous</b>	
	<a href="#">0257</a>	Yaseen AlJamal Response To Executive Office/ OMB General Services Administration	<b>Response:</b> Comment and 20 associated attachments are out of scope.