



November 16, 2023

Samantha Deshommes  
Chief, Regulatory Coordinator  
Division Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
Department of Homeland Security

Re: Comment in Response to the DHS/USCIS Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Citizenship and Issuance of Certificate Under Section 322; Docket No. USCIS-2007-0019; OMB Control Number 1615-0087

Dear Chief Deshommes,

The 17 undersigned organizations submit the following comment in response to the Department of Homeland Security's (DHS) Agency Information Collection; Revision of a Currently Approved Collection: Application for Citizenship and Issuance of Certificate Under Section 322, published on October 17, 2023.

The undersigned organizations are members of the Naturalization Working Group (NWG), which is made up of national and local organizations committed to helping lawful permanent residents (LPRs) become U.S. citizens. The NWG strives to improve federal policies and practices related to naturalization and to educate legislators and other policymakers about the need to eliminate barriers to naturalization. Our coalition's expertise derives from its multiple member organizations that have significant experience in promoting naturalization and in assisting newcomers with the U.S. citizenship process, including immigrants who are serving in our military. The NWG is the policy complement to the New Americans Campaign (NAC), a diverse nonpartisan national network of respected immigrant-serving organizations, legal services providers, faith-based organizations, immigrant rights groups, foundations, and community leaders. The NAC transforms the way aspiring citizens navigate the path to becoming new Americans.

First, **we commend the agency for changes to the form that reduce the length and provide clarity.** A reduction in the length of the form is a welcome change that will make the form more user-friendly, particularly for pro se applicants, as well as more efficient for agency adjudicators. Additionally, the inclusion of more explanatory information on the form itself is a welcome change. We have heard reports from practitioners that the form is confusing as to who must complete and sign it. The revisions, including the conversion of the list of the eligible applicants in Part 1 to questions to be answered to assess eligibility, should provide clarity for applicants.

The agency is also to be commended for **eliminating questions that are not relevant to adjudication** of the form including the information about the marital and military history of the child's parents (current Form, Part 3, Question 13-14) and biographic and immigration information about the child's legal guardian (current Form Part 6). We also commend the agency for removing the requirements that applicants provide unnecessary contact information for applicants, interpreters and preparers.

While these changes are commendable, the agency can still improve upon the form. **USCIS should include on the form a way to alert application processors and adjudicators that the child at issue for the N-600K is about to turn 18 years old** such that those applications can be given priority before the child loses eligibility. Given the current USCIS backlogs, N-600K applicants about to turn eighteen will be unfairly disadvantaged if their cases are not prioritized. Processing times across the board for the form N-600K are inconsistent. USCIS reports a historic case processing time for the N-600K as seven months.<sup>1</sup> However, current processing times, which vary by field office, exceed that estimate; substantially in some cases.<sup>2</sup> Without a process for prioritization, applicants would need to submit their application several months or even years before their 18<sup>th</sup> birthday, which will not be possible for all applicants.

In addition to amending the form itself, USCIS should update the Policy Manual at 12 USCIS-PM H to include language prioritizing these applications. Previous guidance by the Immigration and Naturalization Services (INS) instructed local USCIS offices that immediate priority should be given to § 322 applications for children approaching their eighteenth birthdays.<sup>3</sup> We encourage USCIS to add similar language in USCIS Policy Manual in Volume 12, Part H, Chapter 5 (citations omitted):

*H. Citizenship Interview and Waiver*

*In general, an applicant must appear in person for an interview before a USCIS officer after filing an Application for Citizenship and Issuance of Certificate Under Section 322 (Form N600K). This includes the U.S. citizen parent or parents if the application is filed on behalf of a child under 18 years of age. USCIS, however, waives the interview requirement if all the required documentation necessary to establish the applicant's eligibility is already included in USCIS administrative records or if any of the following documentation is submitted along with the application. **Adjudicators should give immediate priority to § 322 applications for children approaching their eighteenth birthdays.***

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<sup>1</sup> USCIS, Historical National Median Processing Time (in Months) for All USCIS Offices for Select Forms By Fiscal Year, accessed Nov. 2, 2023, <https://egov.uscis.gov/processing-times/historic-pt>.

<sup>2</sup> Processing times vary widely between field offices, however most processing times exceed the 90 day parameter listed on the form. On November 2, 2023, processing times for Form N-600K for some field offices included 39 months for Washington, DC, 22 months for San Francisco, CA, 48.5 months for New York City, 16 months for Jacksonville, FL, 13 months for Cleveland, OH, 17.5 months for Boston, MA, 51.5 months for El Paso, TX, 21.5 months for Oklahoma City, OK and 10 months for New Orleans, LA. USCIS, Check Case Processing Times, accessed Nov. 2, 2023, <https://egov.uscis.gov/processing-times/>.

<sup>3</sup> See INS, Expedited Naturalization Procedures for Certain Children Pursuant to Revised Section 322 of INA (July 7, 1995).

In addition, **USCIS should amend the form to include an option for nonbinary gender identities.** The agency has made strides in this area by allowing nonbinary gender markers in other proposed forms including the Form I-485, Application To Register Permanent Residence or Adjust Status, and the Form N-400, Application for Naturalization. Adding an option for those who do not identify as male or female is consistent with these changes and should be incorporated into the proposed N-600K as well.

Finally, we want to note that as strong advocates for access to the benefits of U.S. citizenship, many of our organizations previously have expressed our opposition to the \$215 fee increase proposed for Form N-600K in USCIS's Fee Schedule, published at 88 FR 402 on Jan. 4, 2023. The present filing cost of \$1,170 already poses a significant hurdle to potential applicants not qualified for full waivers. We urge USCIS to give appropriate weight to the importance of citizenship in its fee-setting process, and to reconsider the elevated fees it charges N-600K filers.

In short, we commend the agency for changes made to the Form N-600K as they will overall provide clarity for applicants. We further encourage the agency to ensure that eligibility is not lost due to processing delays for children turning 18 years old or unaffordability, and to provide gender neutral markers for nonbinary applicants.

Please do not hesitate to reach out to [etaufa@ilrc.org](mailto:etaufa@ilrc.org) if you have any questions.

Sincerely,

Immigrant Legal Resource Center  
Asian Americans Advancing Justice Southern California  
Asian Law Alliance  
BONDING AGAINST ADVERSITY  
Boulder Friends Meeting  
Boulder Valley Unitarian Universalist Fellowship  
CARECEN  
Catholic Charities Dallas  
Catholic Legal Immigration Network, Inc. (CLINIC)  
Chinese Information and Service Center (CISC)  
City of Seattle Office of Immigrant and Refugee Affairs  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Legal Resource Center  
Korean Community Service Center  
NALEO Educational Fund  
Proyecto Vida Digna  
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