



Project Citizenship

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April 10, 2020

U.S. Citizenship and Immigration Services
John F. Kennedy Federal Building
15 New Sudbury Street, Room E-160
Boston, MA 02203

Via Email: Denis.C.Riordan@uscis.dhs.gov and Mark.Koumans@uscis.dhs.gov

Dear USCIS District Director Riordan and Acting USCIS Director Koumans,

We write to express our concern about the impact of the coronavirus (COVID-19) public health emergency on the administration of the Oath of Allegiance to individuals approved for naturalization.

On March 18, 2020, U.S. Citizenship and Immigration Services (USCIS) temporarily suspended routine in-person services through at least May 3, 2020, to help slow the spread of coronavirus (COVID-19). USCIS staff continue to perform mission critical duties that do not involve contact with the public and provide emergency services for limited situations.

We call on USCIS to issue additional guidance so that individuals approved for naturalization may naturalize during this time.

Tens of thousands¹ of people, including 293 of our clients, have had their previously scheduled oath ceremonies cancelled since March 18, 2020, or are waiting for their oath ceremonies to be scheduled. These individuals must now wait indefinitely to become U.S. citizens. Although their applications for naturalization have been approved, they may not register to vote, or apply for certain jobs or benefits, or travel abroad indefinitely. This is the case even though regulations require naturalization ceremonies to be conducted at regular intervals as frequently as necessary to ensure timely naturalization.²

Existing law, regulations, and policy guidance allow for USCIS to excuse the personal appearance of individuals approved for naturalization at oath ceremonies and to consider special circumstances of a compelling or humanitarian nature when deciding when and how to administer the Oath of Allegiance.³ This national state of emergency, in which, to date, 483,600 people have been diagnosed and 17,947 have died, certainly constitutes compelling and humanitarian circumstances. Government agencies, including USCIS, and courts have recognized these extraordinary circumstances and waived previously required in person appearances and original signatures.⁴

¹ One estimate is 126,000. Suzanne Gamboa, *Coronavirus may stop hundreds of thousands from becoming citizens in time to vote in November*, NBC NEWS, Apr. 7, 2020, https://www.nbcnews.com/news/latino/coronavirus-may-stop-hundreds-thousands-becoming-citizens-time-vote-november-n1178541?cid=sm_npd_nn_tw_np.

² 8 CFR § 337.2(a).

³ INA § 337(c); 8 CFR § 337; 12 USC-PM J.4.

⁴ *USCIS Announces Flexibility in Submitting Required Signatures During COVID-19 National Emergency*, Mar 20,

Many parts of government, businesses, and nonprofits have quickly adapted to remote work and USCIS must follow suit. USCIS has the ability to conduct home visits and oaths in hospitals, and must creatively address this crisis. We respectfully request USCIS begin administering the Oath of Allegiance to individuals approved for naturalization remotely.

Sincerely,

Project Citizenship

International Institute of New England

Rosie's Place

Massachusetts Law Reform Institute

Justice Center of Southeast Massachusetts

Northeast Justice Center

Agencia ALPHA

Children's Law Center

HarborCOV

Ascentria Care Alliance's Immigration Legal Assistance Program

2020, <https://www.uscis.gov/news/alerts/uscis-announces-flexibility-submitting-required-signatures-during-covid-19-national-emergency>; *SJC Order authorizing use of electronic signatures by attorneys and self-represented parties*, Apr 6, 2020, <https://www.mass.gov/doc/supreme-judicial-court-order-authorizing-use-of-electronic-signatures-by-attorneys-and-self/download>.