

July 18, 2022

Ur Jaddou, Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave NW
Washington, DC 20529

Dear Director Jaddou,

The Naturalization Working Group (NWG) and the undersigned 87 organizations write today to respectfully urge U.S. Citizenship and Immigration Services (USCIS) to make the Form I-912, Request for Fee Waiver available for online filing. The NWG is coordinated by the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund and 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. 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. Through our extensive networks with service providers, immigration practitioners, and naturalization applicants, we have developed a profound understanding of the barriers faced by low-income individuals seeking to obtain naturalization.

USCIS's commitment to promoting and prioritizing naturalization is much appreciated, and we have been heartened by the meaningful engagement opportunities with USCIS officials on our priorities as a working group. Measures that USCIS has taken, including the recent sharing of demographic fact sheets for the eligible to naturalize population,¹ will assist NWG and NAC partners in their advocacy and achieve the goals of ensuring all who wish to naturalize are able to. We are also grateful for the work of the Interagency Working Group on Promoting Naturalization and the work done over the past year, particularly the attention given to non-profit organizations providing citizenship clinics, many of whom are members of the NWG.

In that vein, the online availability of the fee waiver form is a necessary next step to ensuring that progress continues to be made on the agency's goal of increasing online filing for naturalization applications and reducing backlogs and processing times.²

¹USCIS Fact Sheets, https://www.uscis.gov/news/all-news/fact-sheets?ddt_mon=&ddt_yr=&query=&items_per_page=50

² In its Fiscal Year 2021 Emergency Stopgap USCIS Stabilization Act report to Congress, USCIS stated that it is seeking ways to encourage naturalization applicants to file online, noting that in Fiscal Year 2020 only 49% of naturalization applicants apply online. See USCIS, Section 4103 Plan Pursuant to the

In addition to a matter of equity for applicants of varying financial circumstances, providing online filing for fee waivers is in line with the stated goals of the Biden Administration³ and the Department of Homeland Security (DHS)⁴ to restore faith in the U.S. immigration system and to promote naturalization generally. We remain supportive of USCIS's commitment to increasing efficiency through technology and online services; however, it is imperative that paper applications for both the N-400, Application for Naturalization and the Form I-912 remain available for those who do not have access to reliable internet services or representation. That being said, where online services exist, low-income applicants should have equal access. Efficiency measures should not be reserved for those of higher financial means.

Currently, low-income naturalization applicants who require a fee waiver are barred from applying for naturalization online. The unavailability of an online fee waiver application necessitates that all applicants who can't pay the fee file their applications on paper. Through agency engagement, it is our understanding that USCIS's goal in encouraging online application filing is to increase efficiency and streamline adjudicatory processes across the agency – a goal the working group shares considering the untenably long processing times for naturalization applications. However, if online filing is the mechanism by which USCIS intends to anchor efficiency measures, the lack of an online fee waiver unfairly disadvantages low-income applicants and will stymie the agency's progress in this regard.

Expanding access to the fee waiver will be even more important given the expected increase in fees via regulation later this year. Those who are unable to pay the fee now will certainly not be able to pay an increased fee after the rule is implemented and those who were barely able to afford the current fee will likely be unable to afford a higher fee. This will expand the numbers of potential applicants who will need access to a fee waiver and, without access to online filing, the numbers of naturalization applicants submitting paper applications will likely increase. A 2017 study from the Pew Research Center found that 13% of Mexican lawful permanent residents and 19% of other non-Mexican, Hispanic lawful permanent residents reported financial and administrative barriers as reasons for not naturalizing.⁵

As a matter of efficiency, if online filing results in faster processing times on the front end – i.e., receiving a receipt notice faster than you would with a paper application – those who file on

Emergency Stopgap USCIS Stabilization Act , Fiscal Year 2021 Report to Congress, September 7, 2021 at page 2, available at <https://www.uscis.gov/sites/default/files/document/reports/SIGNED-Section-4103-FY2021-Report-9-7-21.pdf>

³ Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans, February 2, 2021, available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/executive-order-restoring-faith-in-our-legal-immigration-systems-and-strengthening-integration-and-inclusion-efforts-for-new-americans/>

⁴ DHS releases Interagency Strategy for Promoting Naturalization, July 2, 2021, available at <https://www.uscis.gov/news/news-releases/dhs-releases-interagency-strategy-for-promoting-naturalization>

⁵ Pew Research Center, *Mexican Lawful Immigrants Among the Least Likely to Become U.S. Citizens*, pg. 9, June 29, 2017, available at https://www.pewresearch.org/hispanic/wp-content/uploads/sites/5/2017/06/PH_2017.06.29_Among-Lawful-Immigrants-to-US-Mexicans-Least-Likely-to-Apply-for-Citizenship_Full-Report.pdf

paper are disadvantaged in this regard as well. The receipt by USCIS puts an applicant in the queue for biometrics appointments and interviews and if a receipt notice can be generated and sent more expeditiously, it stands to reason that an applicant will be in line for the next steps of the process more expeditiously as well. There are additional advantages. For example, for LPRs who have applied for naturalization and require a receipt notice to obtain an Alien Documentation, Identification and Telecommunication (ADIT) stamp, a delay in receiving a receipt notice could have consequences for an individual's authorization to work or maintain a driver's license. Through our engagement with USCIS offices, it is our understanding that upon receipt of a paper application, USCIS staff must scan or otherwise digitize the paper application to continue processing it. Online filing eliminates this step and, subsequently, reduces processing times at receipt of the application.

Through the NWG and the NAC, providers have shared their experiences with online filing tools, and many have expressed a desire to continue to expand their use of online filing during naturalization clinics and one-on-one assistance. Being able to file all N-400s online would streamline service providers' processes, adding efficiencies to save time and removing steps and costs such as printing and mailing. However, the prohibition on filing fee waiver requests online with the naturalization application is an insurmountable barrier for many organizations who have limited resources, particularly those serving low-income, hard-to-reach populations. Many providers are reluctant to maintain both paper and online filing systems due to capacity and resource limitations and, therefore, default to paper applications to accommodate those applications that require a fee waiver. This results in the submission of paper applications even for those applicants paying the fee. The additional time and money spent on preparing and submitting paper applications could be better used to assist additional individuals to file for naturalization.

NWG and NAC partners have weathered the COVID-19 pandemic and altered practices to continue serving LPRs in their communities who are seeking to naturalize. Many organizations have provided online naturalization clinics and are continuing to do so to increase access to participants who are not able to attend in-person clinics. Access to an online fee waiver would assist organizations in continuing to provide these virtual services and increase the availability of online filing to those LPRs who would otherwise not apply given a remote physical location or inability to travel to an in-person clinic.

In short, we urge USCIS to prioritize the Form I-912 for online submission as a matter of equity and efficiency.

Please reach out to Elizabeth Taufa, etaufa@ilrc.org, with any questions. We look forward to continued engagement with your office on this matter.

Respectfully,

African Cultural Alliance of North America Inc. (ACANA)

Asian Americans Advancing Justice – Los Angeles

Asian Americans Advancing Justice – AAJC

Asian Counseling and Referral Service

Asian Pacific Islander Legal Outreach

Asian Services in Action (ASIA)

BakerRipley

Beck Immigration Law, PLLC

Boulder Valley Unitarian Universalist Fellowship Immigration
Justice Task Force

Boundless Immigration

CAIR CA

Campeños Sin Fronteras

Canopy NWA

CARECEN

CASA Inc.

Catholic Charities Dallas

Catholic Charities East Bay

Catholic Charities, Diocese of Fresno

Catholic Immigration Legal Services

Catholic Legal Immigration Network

Central American Resource Center -CARECEN- of California

Central Valley Immigrant Integration Collaborative

Centro La Familia Advocacy Services, Inc

Chinatown Service Center

Chinese Community Center

Chinese Information and Service Center (CISC)

Cleveland Catholic Charities

Coalition of Florida Farmworker Organizations

Comunidades Unidas

Dominicanos USA

Emerald Isle Immigration Center

Employee Rights Center
Entre Hermanos
Esperanza Immigration Legal Services
Florida Immigrant Coalition
Hanul Family Alliance
HIAS Pennsylvania
Hispanic Affairs Project
Hmong American Women's Association, inc.
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigration Advocates Network
ImmigraTrust Law
Interfaith Refugee and Immigration Service, Los Angeles
International Institute of Minnesota
International Rescue Committee
Jewish Family and Children's Services
Jubilee Immigration Advocates
Korean Community Center of the East Bay
Korean Community Service Center
La Raza Community Resource Center
Law Offices of Donna Echiverri-Beckham
Law Offices of Stephen C. Zollman
Lutheran Community Services NW- McMinnville
Maria I. Lopez Immigration Law LLC
Massachusetts Immigrant and Refugee Advocacy Coalition
(MIRA)
NALEO Educational Fund
National Immigration Forum
National Partnership for New Americans
National Tongan American Society
New York Legal Assistance Group
North Carolina Asian Americans Together (NCAAT)

North Suburban Legal Aid Clinic
Pars Equality Center
Pars Equality Center- Los Angeles
Project Citizenship
Promise Arizona
Proyecto Vida Digna
Public Law Center
SAAVI
SAHARA
San Francisco Pathways to Citizenship Initiative
San Joaquin College of Law – New American Legal Clinic
SEAC Village
Self-Help for the Elderly
SIREN
SOAR Immigration Legal Services, Program of Ecumenical
Ministries of Oregon
Somali Family Safety Task Force
The International Institute of Metropolitan Detroit, Inc
The Legal Project
The Traveling Immigration Attorney, LLC
TODEC
UnidosUS
Unitarian Universalist Refugee & Immigrant Services &
Education
WE RISE SF/ Labor Center for Immigrant Justice
YMCA of Metropolitan Los Angeles

CC:

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