PROJECT CITIZENSHIP
11 Beacon Street, Suite 1210
Boston, MA 02108
(617) 694-5949 | Fax: (617) 859-9993
www.projectcitizenship.org

July 7, 2025

Submitted via Federal eRulemaking Portal

Jerry Rigdon
Acting Chief, Regulatory Coordination Division, Office of Policy and Strategy
United States Citizenship and Immigration Services
Department of Homeland Security

Re: Proposed Information Collection Requests with OMB Control Number 1615-NEW, Docket ID USCIS-2025-0006.

Dear Acting Chief Rigdon:

Project Citizenship respectfully submits this comment to U.S. Citizenship and Immigration Services ("USCIS") in response to the proposed notice titled Generic Clearance for the Collection of Certain Biographic and Employment Identifiers on Immigration Forms published in the Federal Register on May 29, 2025, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0006 (the "Notice").

Project Citizenship is a nonprofit organization that helps lawful permanent residents residing in New England overcome barriers to U.S. citizenship. Since 2014, Project Citizenship has helped over 13,000 prospective Americans apply for citizenship. Given this, Project Citizenship has unique expertise in the application process for naturalization. Project Citizenship submits these comments to address the impact of the Notice on Form N-400, Application for Naturalization ("Form N-400"), and the naturalization process.

The Notice arises in response to Executive Order 14161 of January 20, 2025, titled "Protecting the United States From Foreign Terrorists and Other National Security and Public Safety Threats." USCIS proposes to collect six data elements across immigration forms, including Form N-400, purportedly to enhance vetting and assess eligibility for immigration benefits, including naturalization. The Notice states that the six new data elements would:

- Establish enhanced screening and vetting standards and procedures to enable USCIS to assess an immigrant's eligibility to receive an immigration related benefit; and

- "Help validate an applicant's identity and to determine whether such grant of a benefit poses a security or public-safety risk to the United States."

The six data elements include: (1) the social security number of the applicant; (2) the social security number of the applicant's family members (including parents, children, spouse, and siblings); (3) business/employer name; (4) business/employer physical address; (5) business/employer mailing address; and (6) business federal employer identification number.

The Notice follows two other notices published by USCIS on the Federal Registry on March 3, 2025 (Generic Clearance for the Collection of Certain Information on Immigration Forms, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0002) and March 5, 2025 (Generic Clearance for the Collection of Social Media Identifier(s) on Immigration Forms, OMB Control Number 1615-NEW, Docket ID USCIS-2025-0003). Those notices significantly increase the information that USCIS seeks to collect from prospective citizens. Should USCIS implement the notices, prospective citizens will be required to provide all social media handles, identifiers, or usernames used on social media over the past five years and 24 data elements including, among others, (1) telephone numbers and email addresses used by an applicant for naturalization in the last five and ten years, respectively; (2) names of parents, spouses, siblings, and children, their dates and places of birth, their addresses and phone numbers used in the last five years; (3) business telephone numbers for the last five years; (4) business email addresses for the last ten years; (5) points of contact in the United States if the applicant is abroad; (6) current passport information; and potentially (7) information on expired documents and passports containing a U.S. visa.

On April 30, 2025, Project Citizenship submitted comments in response to those notices and urged USCIS to withdraw the collection of the above-mentioned information.

In this case too, Project Citizenship strongly opposes the proposed collection of new information for naturalization applicants outlined in the Notice.

The proposed changes are unlawful, arbitrary and capricious, and contrary to the governing statutes and public policy. They violate the Immigration and Nationality Act by seeking irrelevant information for naturalization and impose unreasonable burdens on applicants in violation of the Paperwork Reduction Act.

These changes would not meaningfully enhance vetting, but would instead erect unnecessary barriers for peaceful, hardworking immigrants—including veterans and military personnel—seeking to become U.S. citizens. The practical effect of these burdens, particularly on low-income, elderly, disabled, and limited-English-proficiency applicants, will discourage otherwise eligible individuals from applying for citizenship.

Project Citizenship respectfully urges USCIS to withdraw the proposal and not require prospective Americans to provide information that has no bearing on their eligibility for naturalization. Whatever impact the Notice might have on other forms related to immigration, it should not be applied to applicants seeking to become naturalized American citizens using Form N-400.

1. **The Proposed Collection of New Data Elements is Unlawful Under the INA.**

The Immigration and Nationality Act (INA), at 8 U.S.C. § 1443(a), states that the scope and nature of the examination of applicants for naturalization as to their admissibility to citizenship "shall be limited to inquiry concerning the applicant's residence, physical presence in the United States, good moral character, understanding of and attachment to the fundamental principles of the Constitution of the United States, ability to read, write, and speak English, and other qualifications to become a naturalized citizen as required by law, and shall be uniform throughout the United States."
By enacting § 1443(a), Congress explicitly circumscribed the kinds of information USCIS may seek from applicants. Nothing in the INA authorizes USCIS to demand disclosure of the social security numbers of an applicant's relatives, or a business federal employer identification number. Requiring applicants to

disclose this information on Form N-400 is not only unnecessary to assess whether an applicant is eligible to naturalize, but also unwarranted under the INA. The Notice fails to explain how this new information would further any of the statutorily required criteria for naturalization. It also provides no evidence that the current vetting process under Form N-400 is deficient. Without such justification, the proposed expansion is not only unnecessary but also contrary to the governing statute.

2. <u>The Proposed Collection Violates the Paperwork Reduction Act</u>.

The Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3521, is intended to enhance the utility of information collected by the government, improve government efficiency, and minimize the paperwork burden on the public. Specifically, the PRA seeks to:

- Minimize the "time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency." 44 U.S.C. § 3502(2);
- Improve the productivity, efficiency, and effectiveness of government programs, including by reducing information collection burdens and improving service delivery. 44 U.S.C. § 3501(3); and
- Enhance the integrity, quality, and utility of the information collected. 44 U.S.C. § 3501(4).

Further, under 44 U.S.C. § 3506(c)(3), federal agencies must ensure that information collections are necessary, not duplicative, and minimize burdens on respondents to the greatest extent practicable.

The proposed changes to Form N-400 conflict with each of these core purposes of the PRA in multiple ways:

a. *The Notice Increases the Burden on the Public and Prospective Americans.*

By requiring information that is not relevant to assess a person's eligibility for naturalization, the Notice imposes significant new paperwork burdens on applicants by increasing the time, efforts, and financial resources needed to file a Form N-400. Should USCIS request the six new data elements in addition to social media identifiers and the 24 data elements outlined in the notices published in March 2025, the impact would be to create barriers to citizenship and further exacerbate the burden on applicants.

That is especially true given the nature of the information sought:

- Many applicants may no longer have access to business records or family members' information.
- Elderly applicants and those with disabilities who qualify for Form N-648 waivers may face insurmountable obstacles recalling or retrieving details that have no bearing on their eligibility for citizenship.
- Some applicants may be forced to submit Freedom of Information Act (FOIA) requests to obtain copies of their immigration records hoping to find some of the required information, delaying the citizenship application process.

USCIS estimates that the additional burden on applicants would amount to two hours (to be added to the burden deriving from the collection of information set out by the notices published in March 2025). This

estimate underestimates the actual time and effort required and does not account for the increased efforts to obtain the new information sought. The estimated time burden disregards the difficulties associated with collecting complex information and preparing an application for naturalization.

The Notice also asserts that "no additional costs to the public are anticipated." Again, this assertion ignores real-world consequences: applicants may have to hire private attorneys to collect the new information, or face economic losses caused by delays in naturalization that affect eligibility for benefits like Social Security. The Notice's finding that the proposed collection will not increase the financial burden on applicants is unconscionable and out of touch with the reality of many prospective Americans.

Although framed neutrally, the burdens resulting from the proposed collection of information fall almost exclusively on naturalization applicants. Imposing unnecessary, heightened scrutiny on this population raises serious equal protection concerns and is inconsistent with longstanding American principles of fairness and inclusion. It bears emphasis that these burdens would also fall disproportionately on the applicants least able to bear them: elderly immigrants, individuals with limited literacy, and applicants from disrupted or traumatic backgrounds. Many such applicants may be unable to retrieve the proposed information. The Notice does not acknowledge or account for this disparate impact.

Finally, the increased burden on the public is disproportionate to any claimed security benefit. Lawful permanent residents seeking naturalization have already undergone rigorous background checks, including fingerprinting and vetting through interagency systems. Imposing these additional requirements is redundant and unjustified.

b. *The Notice Would Decrease, Not Increase, Government Efficiency.*

Rather than improve productivity or efficiency, the proposed changes will slow the processing of naturalization applications. Applicants struggling to collect the newly sought information may submit incomplete forms, resulting in issuance of Requests for Evidence (e.g., Form I-14). Adjudicators will spend additional time reviewing duplicative or irrelevant information and conducting background checks of applicants who were fully vetted at the time that they obtained their green card. USCIS may experience longer interview times and greater administrative backlogs, thus increasing the overall naturalization processing time.

c. *The Notice Would Decrease, Not Increase, Information Quality.*

The PRA requires that information collected be useful, accurate, and of high quality. The Notice does nothing to improve the utility of the information collected. The Notice does not explain how the new information, such as a sibling's social security number, meaningfully enhances vetting or identity verification. Indeed, applicants may make innocent, good-faith mistakes, leading to needless inaccuracies and erroneous denials of citizenship. The Notice thus lays the foundation for increased risks of errors and inconsistencies with data previously obtained by USCIS, thus not improving the quality of the information collected.

Further, effective national security screening requires focus on credible threats. By requiring adjudicators to review marginal, irrelevant, or outdated information, the Notice risks overwhelming vetting systems and diverting attention from genuine security risks. Overcollection undermines, rather than enhances, national security efforts.

Fingerprinting and existing interagency background checks already serve as reliable, accurate means of confirming and vetting identity. The addition of tangential information only increases the risk of error without adding any information useful in the vetting process.

3. The Proposed Changes Are Arbitrary and Capricious.

USCIS has not provided a reasoned explanation connecting the proposed new information to the eligibility criteria for naturalization or to legitimate vetting needs. The agency has offered no explanation of how the new information, including relatives' social security numbers or an applicant's employer identification number, serves the purpose of ascertaining the identity of applicants, that they are not "a security or public safety risk" and are eligible for U.S. citizenship. As part of the naturalization process, USCIS collects fingerprints, photos, and other biometrics information to confirm an applicant's identity and conduct background checks. Those background checks follow thorough vetting performed by the government at the time of admission or adjustment of status.

Furthermore, it does not appear that USCIS has meaningfully considered whether its stated goals could be achieved through narrower, more targeted measures, such as requesting additional information only from applicants flagged in preliminary security checks.

Moreover, USCIS mentions that the data elements will be used by USCIS and its screening partners to "help confirm or disprove a relevant association between an applicant and information of interest and the strength of that association in the context of underlying information." The meaning of this sentence is unclear and confusing. What is the underlying information? Is it the information provided by the applicant on their Form N-400 or different information that USCIS has access to? These vague supposed justifications for the proposed collection lack clarity, failing to meet the standards of the Plain Writing Act of 2010, which requires federal agencies to communicate in clear, accessible language. Without clear and specific explanations, applicants and stakeholders cannot understand or meaningfully comment on the agency's proposal, further compounding the arbitrary and capricious nature of this rulemaking.

In summation, USCIS proposed changes to Form N-400 serve no purpose but to create cumbersome paperwork that will create administrative obstacles and dissuade eligible immigrants from naturalizing. Without clear justification, the sweeping new data collection is arbitrary, capricious, and contrary to law.

4. <u>If Adopted, the Changes Must Include a Meaningful Grace Period for Acceptance of the Existing Form N-400</u>.

If USCIS nonetheless proceeds with implementing changes to Form N-400 despite the serious concerns outlined above, it must—at a minimum—adopt a reasonable grace period during which the agency will accept both the prior version and new version of Form N-400.

Granting a grace period is necessary for several reasons. *First*, many lawful permanent residents begin preparing their naturalization applications months in advance. Applicants who have already substantially completed the current Form N-400, or who are awaiting supporting documents, should not be penalized for their diligence by being required to start over because of sudden procedural changes. *Second*,

applicants, legal service providers, and community organizations need adequate time to learn about the new requirements, train staff, and adjust application preparation processes. Abrupt changes would cause widespread confusion and risk discouraging or disadvantaging otherwise eligible applicants. *Third*, historically, USCIS has provided transitional periods after significant changes to major immigration forms, recognizing the logistical realities faced by applicants and service providers. *See, e.g.*, USCIS Issues Final Rule to Adjust Certain Immigration and Naturalization Fees (Jan. 30, 2024) ("USCIS will accept prior editions of most forms during a grace period from April 1, 2024, through June 3, 2024."). Continuing that practice here would align with principles of fairness and good governance. *Fourth*, and finally, providing a grace period ensures that applicants have clear, understandable, and reasonable notice of the new requirements, consistent with basic principles of due process.

***

For all the reasons set forth above, Project Citizenship respectfully urges USCIS to withdraw the proposed Notice. The changes outlined would unlawfully expand the scope of inquiry for naturalization applicants, impose unjustified and duplicative burdens, and deter eligible lawful permanent residents from pursuing citizenship, all without advancing the agency's stated goals. At a minimum, if USCIS proceeds, it must allow for a meaningful grace period to protect applicants currently preparing to naturalize. We stand ready to assist USCIS in developing policies that honor the law's purpose of promoting full and fair access to citizenship.

Sincerely,

Gail Breslow
Executive Director