

United States Senate

WASHINGTON, DC 20510

April 27, 2020

Kenneth Cuccinelli
Senior Official Performing the Duties of Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, DC 20529

Dear Mr. Cuccinelli:

We write to express our serious concern that U.S. Citizenship and Immigration Services's (USCIS) decision to suspend live interviews and U.S. Citizenship Oath of Allegiance Ceremonies during the coronavirus (COVID-19) pandemic will delay eligible immigrants from being granted citizenship if alternative measures that comply with guidance from public health experts are not implemented, effectively denying those who have followed the law the citizenship they have earned and potentially preventing some from exercising a primary right of all citizens—the right to vote.¹ While public health guidelines make clear that in-person contact should be limited to slow the further spread of the coronavirus, we urge USCIS to design and implement technological solutions that will allow immigrants who have played by the rules to complete the last steps on their path to citizenship.

The naturalization process is reserved for immigrants who have been green card holders for 3 to 5 years or meet certain requirements for military service who then submit a naturalization application, demonstrate knowledge of U.S. civics during a naturalization interview, and then complete the process by reciting an Oath of Allegiance to become a U.S. citizen. As a result of USCIS's March 18 freeze on oath ceremonies alone, over 100,000 people who have been approved for naturalization may be prohibited from taking their oaths and may therefore not be able to exercise their right as citizens to vote in November.²

Although the Deputy Director for Management at the Office of Management and Budget urged federal agencies to “use the breadth of available technology capabilities to fulfill service gaps and deliver mission outcomes” in a March 22 memo,³ USCIS has so far not taken measures to enable those who have done their part to follow the process to obtain citizenship to complete essential steps in the naturalization process. Accordingly, we urge USCIS to immediately design and implement means to conduct remote interviews at applicants' request, remotely administer oaths, and grant administrative naturalization in appropriate circumstances consistent with the need to protect USCIS employees and the public from the COVID-19 pandemic. In addition, we request answers to the following questions no later than May 8, 2020:

¹ <https://www.uscis.gov/about-us/uscis-response-coronavirus-2019-covid-19>

² Aleaziz, Hamed, “The Coronavirus Has Derailed The Citizenship Oath For Thousands Of Immigrants Who Are Anxious To Vote” (April 8, 2020), BUZZFEED NEWS, <https://www.buzzfeednews.com/article/hamedaleaziz/coronavirus-derails-citizenship-oath-immigrants> (last accessed April 27, 2020, 11:00 AM).

³ <https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-19.pdf>

1. How many applicants with approved naturalization applications have had their oath ceremonies deferred?
2. Has USCIS determined it cannot administer naturalization oaths telephonically or via videoconference even though many federal agencies have administered oaths of office for political appointees telephonically, even before the onset of the COVID-19 pandemic? Does USCIS need additional authority to take such actions?
3. Will USCIS make a determination as to whether remotely administering oaths of allegiance constitutes an “emergency service” during the COVID-19 pandemic?

Thank you for your attention on this important matter.

Sincerely,



Amy Klobuchar
UNITED STATES SENATOR



Cory A. Booker
UNITED STATES SENATOR



Catherine Cortez Masto
UNITED STATES SENATOR



Mazie K. Hirono
UNITED STATES SENATOR



Edward J. Markey
UNITED STATES SENATOR



Robert Menendez
UNITED STATES SENATOR



Richard Blumenthal
UNITED STATES SENATOR



Richard J. Durbin
UNITED STATES SENATOR



Kamala D. Harris
UNITED STATES SENATOR

/s/ Jack Reed

Jack Reed
UNITED STATES SENATOR


Elizabeth Warren
UNITED STATES SENATOR


Charles E. Schumer
UNITED STATES SENATOR


Jacky Rosen
UNITED STATES SENATOR


Jeanne Shaheen
UNITED STATES SENATOR


Sherrod Brown
UNITED STATES SENATOR