



LITERACY VOLUNTEERS

CHARLOTTESVILLE / ALBEMARLE

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December 11, 2020

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director
Camp Spring, MD 20529

RE: Volume 12: Citizenship and Naturalization, Part E, English and Civics Testing and Exceptions, Chapter 2 English and Civics Testing

Dear Mr. Cuccinelli,

Literacy Volunteers of Charlottesville/Albemarle is pleased to join literacy programs and other immigrant-serving organizations in providing comments on the Policy changes to the Civics Educational Requirement for Purposes of Naturalization (PA 2020-20).

We are a small, community-based non-profit that provides English-language and citizenship instruction to immigrants and refugees in our greater community. Our organization has worked with thousands of students over our 35+ year history. We have been a recipient of USCIS grant funding in the past. Over the course of this summer and fall, we have been serving approximately 100 students who are working toward citizenship through our classes, one-on-one tutoring, and instructional resources. Since the pandemic forced us to end our in-person services, we have invested extensive resources in transitioning to remote instruction. We continue to take on additional initiatives focused on building digital literacy skills among our student and volunteer populations so that we can expand the reach of our instructional services, in hopes of returning to the level of our pre-pandemic student population.

During this time of intense organizational challenges, shared by organizations like ours across the country, we face the daunting prospect of preparing ourselves, our volunteer tutors and our students for a significantly different and longer citizenship test. This task is particularly challenging due to the immediate nature of the change. We suddenly have to divide our current students into those who have already applied for citizenship prior to December 1st and those who are applying this month or preparing to apply in the coming months. Those two groups now need to receive different courses and curricula, one set of which will need to be significantly longer, and currently has no available textbooks or supporting USCIS educational resources.

We are struck by how different the process and timeline are for this revision as compared to the last time the citizenship test was changed. In September, 2008, the Migration Policy Institute published a description of that process (https://www.migrationpolicy.org/pubs/BR6_NatzTest_092908.pdf). According to MPI's 2008 report, the revision process was launched in 2000, stakeholder input was solicited beginning in 2002, a working group was formed including 10 stakeholder organizations, and USCIS consulted

with the National Academies and the American Institutes for Research. After extensive pilot testing, including 64 adult education sites around the country, the new test was released by USCIS in September 2007 and went into effect for individuals who submitted applications beginning in October 2008, a full year after the new test was released. The Catholic Immigration Legal Network (CLINIC), one of those 10 stakeholder organizations, shares that USCIS had indicated in September of 2007 that the pilot at that time had included more than 6,000 students over a six-month period (<https://cliniclegal.org/resources/federal-administrative-advocacy/clinic-submits-comments-opposition-uscis-new>).

This time, USCIS announced the revision process in July, 2019, and at the time indicated that there would be two rounds of pilot testing – one in the fall of 2019 and one in the spring of 2020. In announcing the new policy last month, USCIS now indicates that there was only one round of pilot testing, in July/August of 2020. Rather than responding to the constraints that a pandemic put upon a fulsome pilot testing program by delaying implementation, USCIS actually released the new test earlier than had previously been announced. And rather than provide a one-year window prior to the test impacting new applicants as had been done in 2007, USCIS provided only two weeks between the release of the new test and the date it would go into effect for new applicants. During a summer webinar for educators on July 30, 2020, USCIS staff indicated that there would be a window during which applicants could choose between the old test and the new test, but that option is not being provided.

It was particularly surprising for us that this expedited revision process culminated in a test that is longer in terms of the number of questions that our students need to learn (and that we need to teach), and the total number of questions they will be asked and have to answer correctly. Since 1986, the civics portion of the naturalization test has consisted of 100 questions, with applicants needing to answer 6 out of 10 questions correctly. Between June and September of this year, our organization attended 7 USCIS webinars and stakeholder meetings. At no time was it suggested that the new test would include any increase in the number of questions.

The burdens of this new test and its implementation timeline on organizations like ours, and of course on our students, are extensive. We strongly urge USCIS to withdraw the new civics test and associated policy changes pending more extensive pilot testing of new questions and further stakeholder input on the test questions, the number of items on a revised test, and the timeline for implementation.

Thank you for your consideration of our concerns.

Sincerely,



Catherine E. McCall
Citizenship Coordinator
Literacy Volunteers of Charlottesville/Albemarle