

# THE CITIZENSHIP TEST

The U.S. citizenship test is based on immigration law and regulations that require applicants for citizenship to demonstrate: 1) an ability to read, write, and speak basic English; and 2) a knowledge of U.S. history and civics.

Specifically, the law states that the applicant must be able “to read and write simple words and phrases to the end that a reasonable test of his literacy shall be made and that no extraordinary or unreasonable condition shall be imposed upon the applicant.” As to history and civics, the law states that the applicant must demonstrate “a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States” (Immigration and Nationality Act § 312).

The law allows some exceptions to the English requirement for those meeting both age and long-term residency demands. The English requirement is waived for applicants who, on the date of filing the naturalization application, are either: (1) age 50 or older and a lawful permanent resident for 20 years or more; or (2) age 55 or older and a lawful permanent resident for 15 years or more (I.N.A. § 312(b)(2)). These applicants are permitted to take the test on U.S. history and civics in their native language, using an interpreter.

The immigration regulations (8 C.F.R. § 312.1 and 312.2) provide further details on how applicants’ knowledge of English and U.S. history and civics will be tested. With regard to English, the regulations state that the applicant must be able to read, write, and speak “words and phrases in ordinary usage in the English language.” The regulations also say that verbal skills will be tested through the applicant’s responses to “questions normally asked in the course of the examination” and that reading and writing skills will be tested using excerpts from the “Federal Textbooks on Citizenship written at the elementary literacy level.”

Regarding history and civics, the regulations state that the exam will be given orally in English (unless the applicant is exempt from English) and will be “limited to subject matters covered in the Service authorized Federal Textbooks on Citizenship.” The regulations further say, “In choosing the subject matters, in phrasing questions, and in evaluating responses, due consideration shall be given to the applicant’s education, background, age, length of residence in the United States, opportunities available, and efforts made to acquire the requisite knowledge, and any other elements or factors relevant to an appraisal of the adequacy of the applicant’s knowledge and understanding.” This clause is commonly called the “due consideration requirement.”

Since the late 1980s, the U.S. Citizenship and Immigration Services (USCIS) and its forerunner the Immigration and Naturalization Service (INS) have used a list of approxi-

mately 100 (currently 96) questions as the basis for the history and civics portion of the test. INS officials developed these questions based on the Federal Textbooks on Citizenship. The questions, which could be easily photocopied and distributed, were more accessible to applicants than the Federal Textbooks, which were lengthy and complex and had to be ordered from the Government Printing Office for a fee. The questions were also easier for USCIS officers to use, as they provided guidelines for test questions.

## Problems with the Current Test

Administration of the citizenship test has long been beset with problems. Citizenship service organizations, such as the Catholic Legal Immigration Network, Inc. (CLINIC), have mainly criticized USCIS for its lack of consistency in administering the citizenship test, both among different USCIS district offices and among different officers in the same office. They have called on USCIS to strengthen and standardize the current test to address the inconsistency problem. Service organizations never complained that the test lacked meaningfulness or called for the creation of a new citizenship test.

The lack of standardization means that the test’s level of difficulty has varied greatly among district offices and officers. For example, until recently officers were free to either choose history and civics questions on their own or use random questions generated by USCIS’s computer software program, CLAIMS-4. Some district offices gave a written test of history and civics, while others gave an oral test. For the written test, some offices used multiple choice history and civics questions and some used open-ended questions.

Officers currently use different materials for the reading and writing portion of the test. Some use a prescribed list of sample sentences, some make up their own sentences, and still others draw sentences directly from the Federal Textbooks. Some offices use history and civics-related sentences for the reading and writing test, while others use

sentences about daily life. These discrepancies have resulted in a citizenship test that is unfair because there are widely varying degrees of difficulty and no standard way to test and evaluate applicants' knowledge. Applicants do not know what to expect or how best to prepare for the test. Citizenship instructors try to balance the need to teach broad naturalization and citizenship information with the vagaries of USCIS district office styles.

Moreover, some officers are not familiar with the due consideration requirement or do not apply it as required by the regulations. One USCIS naturalization supervisor at a local district office told citizenship service organizations that his officers used randomly generated history and civics questions from the computer, and could not deviate from these questions. This practice conflicted with existing USCIS policy guidance at that time that required officers to review the randomly generated questions and determine if any were too advanced for the applicant.

## Reasons for Test Revision

The U.S. Commission on Immigration Reform, as mandated by the Immigration Act of 1990, produced a report about immigration and citizenship in 1997 entitled, *Becoming an American: Immigration and Immigrant Policy*. In its report, the commission criticized the citizenship test for not adequately assessing whether applicants have a “meaningful knowledge” of U.S. history and civics and an ability to communicate in English. The commission noted that the civics test “relies on memorization of discrete facts rather than on substantive understanding of the basic concepts of civic participation.” The commission also criticized the test’s “lack of uniform standards” and called on USCIS to develop a new citizenship test with the assistance of professional educators, pedagogical experts, and standardized test providers. In addition, the commission recommended separating the English portion of the test from the interview to reduce applicant anxiety and increase officers’ efficiency. The commission also recommended that Congress reduce the years of residency required to qualify for the age and residency-based English exemption.<sup>1</sup>

## Role of Citizenship Test Preparation Classes

While citizenship service organizations generally agree with the commission’s criticism that the test lacks uniform standards, most do not agree that it lacks inherent meaning. The lack-of-meaning argument has been promoted chiefly by social conservatives, who believe the current test lacks key concepts and encourages memorization.

Service organizations and those who work directly with immigrants preparing for the citizenship test have noted that the process of preparing for the test is very meaningful, particularly for those who attend test preparation classes. The scope of the classes usually goes far beyond memorizing the 96 questions to include substantive lessons about constitutional freedoms, key historical figures, and the rights and responsibilities of citizenship. It is noteworthy that the immigrants who attend test preparation classes and therefore experience a more “meaningful” citizenship test are typically those who are low-income, have low literacy, and speak limited English. In other words, they need to take a class in order to pass the test. For those higher income immigrants who are well-educated and able to prepare for the test without assistance by memorizing the 96 questions, the test may, indeed, not be as meaningful. Many citizenship service organizations suggest that the best solution for any lack of meaningfulness in the test is modification of the current list of 96 questions, more funding to expand the availability of citizenship classes, or mandatory attendance of citizenship classes in lieu of a test.

## USCIS Testing Guidance

In an effort to respond to the criticisms of the commission, USCIS issued policy guidance in December 2000 that sought to standardize the citizenship test by describing in detail how the test would be administered and how pass rates would be determined (Policy Memorandum No. 73). The guidance states that the applicant’s ability to speak English will be deemed sufficient if the applicant “can respond meaningfully to questions relevant to the determination of eligibility.” The applicant is not required to “understand every term, word, or phrase on the N-400 application” and the officer is required to repeat and rephrase questions for the applicant as necessary.

For the English reading test, the guidance strongly encourages officers to use sentences drawn from an official list, called “Sample Sentences for Written English Testing.” The applicant should be given the opportunity to read up to three sentences if necessary, and will pass the reading test if he or she can read “one sentence in a manner suggesting to the officer that the applicant appears to understand the meaning of the sentence at a general level.”

For the English writing test, the guidance encourages officers to use sentences from the same list as the reading test. Each applicant should be given up to three opportunities to write a sentence if necessary, and the officer should repeat each sentence clearly if asked. The applicant will pass the writing test if he or she can write “one sentence that would be understandable as written to a reasonable person.” The guidance states that the applicant should not be failed because of spelling, capitalization, or punctuation errors “unless the errors would prevent a reasonable person from understanding what the sentence means.”

For the U.S. history and civics test, the guidance states that applicants should be given ten questions and encourages officers to draw questions from the official list of 96 questions. The applicant must answer at least six of the ten questions correctly for a passing score.

Citizenship service organizations that had criticized the test's lack of standardization were generally pleased with the December 2000 policy guidance and encouraged USCIS to strengthen the guidance by making it binding. However, USCIS has not turned the guidance into regulation, and instead has treated it as a temporary fix until the citizenship test can be overhauled and revised, as recommended by the U.S. Commission on Immigration Reform.

## USCIS Efforts to Revise the Citizenship Test

USCIS began to work intensively on the redesign of the citizenship test in 2002, and contracted with MetriTech, a company experienced in designing standardized tests for schools and motor vehicle departments, to design a new test and study guide. USCIS invited citizenship service organizations to participate in the redesign process in June 2002, when MetriTech conducted a stakeholder survey on what content should be included in the test and what level of difficulty or understanding should be required of applicants. Many service organizations complained that the number of respondents was limited because the survey was not widely distributed and did not give enough turnaround time for them to participate. Survey results were presented at a July 2002 meeting with service organizations. The main topics identified for inclusion in the test included the Constitution, the Bill of Rights, the Declaration of Independence, democratic principles and values, key colonial figures and their contributions, the separation of powers, and the amendment process.

In July 2002 USCIS invited citizenship service organizations to attend a bias review of sample test questions and a draft study guide. The proposed test in the bias review was significantly longer and more difficult than the current test, with 20 multiple choice questions on history and civics, 16 multiple choice questions on reading comprehension, four writing tasks, and two speaking tasks. Service organizations were alarmed by the level of difficulty of the test questions, and raised serious concerns with USCIS staff working on the redesign. However, the staff did not indicate a willingness to consider these concerns or change course. As a result, many organizations sent letters to the USCIS director of operations in August 2002 expressing their concerns about the test redesign process.

## Formation of the Stakeholder Working Group

The director of operations responded by reassigning responsibility for the test redesign process to a different staff person who had extensive experience working with service organizations. The new project leader formed a stakeholder working group with citizenship service organizations and began meeting with them regularly. The initial working group was small and consisted of about ten organizations, including CLINIC, the National Association of Latino Elected and Appointed Officials, the New York Immigration Coalition, the Illinois Coalition for Immigrant and Refugee Rights, and the Hebrew Immigrant Aid Society. Most of the organizations represented national or state networks of citizenship service providers. The group also included ethnic-based service organizations and state immigration coalitions. The USCIS test redesign project leader sought the input of other professionals as well. In order to determine the body of knowledge to be used for the history and civics test, the project leader created a panel of U.S. history and civics experts from academia and think tanks, representing the political spectrum. The panel was also tasked with drafting a study guide for the history and civics test.

## The First Pilot of the Test

At the same time, USCIS proceeded with plans to pilot the proposed English test material in six USCIS offices. The first phase of the pilot included only the English reading, writing, and speaking portions of the test, and not the history and civics section. Participation was voluntary, and the pilot questions were asked after the interview and had no bearing on applicants' citizenship eligibility. Data collected from the first pilot was to be used to redesign the English materials and to set up scales for grading the English test. The first pilot was conducted from March to June 2003 in Sacramento, Atlanta, Newark, and two sites in Los Angeles—Bellflower and El Monte.

In August 2003 the working group received a draft copy of the pilot results. Among the findings of concern to service organizations was that 10 percent of those who passed the current test performed poorly on the pilot test. Reading and speaking were the most difficult portions of the pilot. In addition, data indicated that poor performers on the pilot were more likely to report Spanish or Vietnamese as their native language. Following discussions of the results with the working group, USCIS agreed to obtain additional input on the proposed redesigns from educators working with low-literate students by expanding the working group and to test alternative formats in the second phase of the pilot, planned for late 2003.

In late 2003 the panel of U.S. history and civics experts produced a draft study guide that service organizations widely criticized for being “poorly written, poorly organized, and filled with cultural and political bias.”<sup>22</sup> In addition, service organizations agreed that the guide was written at too high a reading level and lacked content on civic participation. Calling the study guide “fatally flawed,” they wanted USCIS to discard it and start over. USCIS refused to discard the draft study guide, but agreed with the service organizations’ request to contract with an expert on English as a second language (ESL) to rewrite it at a lower reading level that would be accessible for applicants who speak basic English, and also to have a panel of ESL experts review the redesigns and provide additional feedback.

On January 14 and 15, 2004, USCIS organized a national stakeholder conference to gather input on the test content, format, and study guide. Approximately 125 people attended, including USCIS officers, ESL and citizenship teachers, and representatives from community-based and service organizations assisting immigrants in the naturalization process. It was a unique gathering of people and organizations that had not met before. The agenda included breakout sessions on: item formats for testing English reading, writing, and speaking skills; item formats for U.S. history and civics; the structure of the study guide; and U.S. history and civics content; and it provided opportunities for group feedback and discussion. Service organizations were generally pleased with the quality and productivity of the discussion, and the representative mix of attendees. However, USCIS did not feel that there was adequate consensus in participant feedback, so the staff compiled a list of recommendations collected at the conference and asked attendees to complete a survey, responding to the recommendations.

## Role of the National Academy of Sciences

By spring 2004 USCIS and working group members had reached a general agreement that the methodology of test design and assessment was of great importance and was not within the expertise of the group or the USCIS staff working on the redesign. As a result, and at the request of the working group, USCIS contracted with the National Academy of Sciences (NAS) to study and guide the test redesign process. Specifically, NAS was asked to assess the validity, reliability, and fairness of a redesigned test and provide guidance on the redesign process.

NAS formed a steering committee of 18 experts in ESL, adult education, U.S. history and civics, and psychometrics. The committee was co-chaired by Lorraine McDonnell, Department of Political Science, University of California, Santa Barbara, and Barbara Plake, Buros

Center for Testing, University of Nebraska, Lincoln. NAS collected stakeholder input in a series of meetings and organized a conference in Washington, D.C., on December 15, 2004, that drew about 50 stakeholders from across the country. A few days before the conference, NAS produced an interim report with recommendations on the test development process.

The NAS report had four key recommendations:

- 1) USCIS should put in place an advisory structure to advise the agency in making important decisions about the naturalization test redesign.
- 2) Aided by a technical advisory panel, USCIS should create a detailed plan for test development, to be reviewed by an oversight committee. The research and test development plan should comply with testing standards and include all of the necessary steps for developing a valid, reliable, and fair test.
- 3) Work on developing the content frameworks, including publishing the history and civics framework in the Federal Register, should cease until a clear, transparent, and publicly accountable process is defined and vetted with an oversight group.
- 4) After a determination has been made about the various item formats that will be used on the redesigned test, USCIS and its testing contractor should develop a detailed plan for a standard setting, with input from the technical advisory group and a final recommendation by the oversight committee.

## The Office of Citizenship in Charge

In late March 2005 USCIS made a surprise announcement to service organizations regarding three major changes in the citizenship test redesign process. First, responsibility for the test redesign would be shifted from USCIS operational staff to the Office of Citizenship (OoC). Second, USCIS’s contract with the NAS would be terminated and OoC would not implement NAS’s recommendation to create a broad advisory panel. Third, the target date for completing the test redesign would be January 2007.

Citizenship service organizations strongly opposed these changes, and voiced a number of objections to USCIS in meetings and in writing. A major concern was the January 2007 target date, which they felt was arbitrary and did not recognize the complexities of the test redesign process. Previously, USCIS staff had made a commitment to service organizations that they would have one year between test redesign completion and implementation to prepare immi-

grant communities for the new test. Service organizations noted that the redesign will have a major impact on millions of immigrants for decades to come and should not be rushed.

Another concern of service organizations was staffing changes. Since the three USCIS staff who were overseeing the test redesign process declined to be reassigned, service organizations worried that years of accumulated knowledge, information, and stakeholder input might be lost in the transition to the OoC. In addition, the large workload created by the test redesign process might detract from OoC's mission and current initiatives promoting citizenship instruction and training. Moreover, service organizations, which had requested the involvement of NAS, were pleased with its work and recommendations. They felt that the broad oversight committee recommended by NAS would bring the perspectives of a diverse group of constituents and stakeholders into the test redesign process and provide credibility for USCIS efforts.

At an April 6, 2005, meeting with stakeholders, the OoC director offered assurances to the citizenship service organizations. The director argued that the test redesign process was well within the mission of the OoC, and pledged to continue meeting with the stakeholder working group and keep the redesign process transparent. He also stated that he was committed to creating a fair and meaningful test that would not be more difficult than the current one. In addition, he assured service organizations that the January 2007 deadline was a "flexible target date" and not set in stone. At the same meeting, service organizations presented the OoC director with a list of guiding principles for the test redesign, signed by ten organizations, and a list of questions about the test and the redesign process.

## The Records Study

In summer 2005 OoC conducted the records study long planned by USCIS. The purpose was to determine the actual pass/fail rate of applicants as a baseline for the redesigned test. This information was necessary because service organizations had insisted, and both USCIS and OoC had promised, that the redesigned test would not raise the failure rate and present a higher bar to applicants. The study was based on a random sample of approximately 3,000 naturalization case files completed in FY 2003 and FY 2004. Most of the files were located in USCIS's central storage facility, but some had to be requested from local USCIS offices, slowing the process. Service organizations were consulted and provided input on what kinds of data to collect from the files.

At the same time, USCIS's contract with MetriTech ended, and OoC awarded the competitive contract to a new company. Service organizations had increasingly criticized MetriTech for its lack of expertise in adult and ESL education. In October 2005 OoC introduced service organizations to its new contractor, the American Institutes for Research (AIR).

The full results of the records study were presented to service organizations in a February 2006 report. The study showed that 84 percent of applicants passed the current citizenship test on the first try, and 95 percent passed it on the second try or a subsequent application. The study looked at various applicant characteristics and found lower pass rates for elders, refugees, applicants from the Caribbean and Central America (including Mexico), and applicants with more years of Lawful Permanent Resident status. There was no difference in pass rates by race, looking at Black, White, and Asian; however, the study did not break out Hispanics/Latinos.

## The Office of Inspector General Report

In June 2005 the Department of Homeland Security's Office of Inspector General (OIG) produced a report on the citizenship test redesign, noting several technical and policy challenges. OIG cited the conflict between the basic level of English required to pass the test and the requirement to demonstrate knowledge of abstract U.S. history and civics concepts that may exceed English ability. OIG also pointed out the challenge of providing due consideration within a more standardized test, and stated the need for "detailed and carefully construed standards" for applying due consideration in a redesigned test. In addition, OIG noted the challenge of creating a more meaningful test without raising the level of difficulty, and felt that the stated goal of not raising the fail rate called into question the need for a redesigned test. Based on these issues, OIG recommended that USCIS take steps immediately to standardize the current test while the new test is being developed.

## The Naturalization Test Redesign Project Plan Overview

In July 2005 OoC met with service organizations and presented its Naturalization Test Redesign Project Plan Overview for feedback. The plan consists of six phases: discovery, test development, pre-implementation, implementation, and post-implementation. The discovery phase includes a records study, a due consideration study, an impact analysis, and a feasibility review. The feasibility

review will describe testing alternatives and the benefits and cost of each and will identify and justify the recommended approach. The plan keeps the 2007 deadline for completion of test development, but provides one to two years for training, dissemination, and community outreach before implementation of the new test. Several organizations submitted written comments on the plan. As part of its plan, OoC also created an internal stakeholder group of OoC staff from the offices of field operations, general counsel, and policy and strategy.

In redesigning the test, one alternative that OoC will consider is up-front testing, allowing applicants to pay a fee to take the test prior to submitting the citizenship application. Proponents believe this model has several advantages. It would save applicants time and money because those who could not pass the test would avoid applying. It would also give applicants who can pass the test a sense of self-confidence and would reduce their testing stress because the entire application would not be at stake. Applicants could take the test as often and as many times as they wanted. Up-front testing would increase USCIS's efficiency because officers would not have to test applicants at the interview and workers would not have to process applications for those who are unable to pass the test. Service organizations recognize these advantages but have concerns about how to preserve reasonable accommodations for disabled applicants and due consideration. The fear is that officers would have no way of knowing applicants' unique and individual circumstances in a walk-in situation.

## The Feasibility Review

USCIS conducted the feasibility review in late 2005, gathering information through focus groups with community-based organizations in the Washington, D.C. area. The purpose was to look at various options for changing the test and the testing process and conduct a cost vs. impact analysis of each option to determine the best course of action. The results were presented in a report to service organizations in early 2006. At the request of service organizations, OoC produced a separate report summarizing input received from groups outside the D.C. area. The feasibility review identified changes that could be made to improve test standardization and meaningfulness with the least amount of burden to USCIS. It was determined that changes to test procedures, format, and content would be the most burdensome and that training for USCIS officers, standardization, better test preparation, and increased outreach efforts would be the least.

## The TESOL Panel

In early 2006 OoC formed a working group of ESL experts to advise on an appropriate English level for passing the test and to assist in writing test questions. The group met in early May 2006 for three days to examine the English reading and writing portions of the citizenship test, and it recommended that the high-beginning ESL level based on Department of Education reporting standards was most appropriate and consistent with Immigration and Nationality Act requirements. The group also decided to emphasize civics in the questions testing English reading and writing, wrote sample reading sentences, and created guidelines for testing applicants' writing skills. The group used the current 96 questions along with additional content provided by OoC to write approximately 140 U.S. history and civics test questions at the high-beginning level. These questions were reviewed by civics experts. The group also developed English reading and writing items at the high-beginning level. The ESL group joined OoC's contractor, AIR, to develop re-phrased questions from the N-400 application at the high-beginning level for use by adjudicators in testing applicants' ability to speak English in the citizenship interview.

## Interim Measures

Based on OIG's recommendation in its report on the test redesign, OoC is taking immediate steps to standardize the current test while the new test is being developed. For the history and civics test, OoC is weighing the current 96 questions and creating preprinted forms of ten questions each that are equivalent in level of difficulty. This will replace the current system of using ten questions randomly generated by computer. OoC plans to have a due consideration version of the preprinted forms with less difficult questions. OoC is not changing the reading and writing portions of the English test, but it plans to limit the questions asked about the N-400 Form to those requiring basic spoken English, and to provide standardized, rephrased questions for USCIS officers to use when applicants do not understand a question. OoC implemented these interim measures in October 2006.

## Pilot Test Plan

In November 2006, OoC presented a pilot test plan prepared by its contractor, AIR. The plan describes the selection of pilot sites, recruitment of participants, development of test materials, administration of the test, analysis of pilot test data, and preparation of a final report. Ten local USCIS offices were randomly selected to participate in the pilot. This group is comprised of large, medium, and small offices located throughout the U.S. To

recruit participants, USCIS will send a package to all applicants who apply for naturalization in each of the pilot sites. The package will include an explanation of the pilot test and study materials for the pilot test. Participation in the pilot will be voluntary. Applicants who pass the pilot test will be deemed to have met the English and civics testing requirement. Applicants who fail the pilot test will be given an opportunity to take the current citizenship test. Approximately 5,000 applicants will receive the pilot test.

OoC expects that the pilot will begin in January 2007 and will last three to four months. AIR staff will visit each of the pilot sites to help train adjudicators and monitor the administration of the pilot test. AIR will also conduct focus groups with adjudicators at each of the pilot sites to collect their feedback on test materials, administration procedures, and scoring rubrics. AIR will analyze the data collected in the pilot and produce a report recommending the test items to be included in the final test, organizing the selected test items into test booklets of equally weighted difficulty, and suggesting possible revisions to test administration and scoring procedures for the final version of the new citizenship test.

Citizenship service organizations have raised several concerns about the pilot. They favor the test being given to a diverse group of immigrants, and have noted that the ethnic diversity of pilot participants is extremely important to ensure that the new citizenship test does not have a disparate impact on any particular ethnic groups or nationalities. In addition, they are concerned that because participation is voluntary and not mandatory, applicants who struggle to pass the current citizenship test will likely opt out of the pilot, and the results will be skewed with a higher passing rate. OoC is relying on local community-based organizations that work with these applicants to encourage them to participate in the pilot.

## The New Test Questions

In November 2006, OoC released information about the redesigned citizenship test, including a list of 144 new study questions on U.S. history and civics that would be used in the pilot. Based on the pilot results, OoC plans to eliminate a number of the questions, reducing the final list to approximately 100 questions. As with the current test, applicants will still receive 10 questions and be required to answer six correctly to pass the history and civics test.

The redesigned English test also will be similar to the current test. Applicants will have up to three chances to read and write a sentence in English. However, instead of studying a list of English sentences, applicants will study a vocabulary list of words that are used in the sentences. In addition, the new reading and writing sentences will cover

U.S. history and civics. Applicants will be asked to read a sentence, and then they will be required to write the answer that is dictated to them. OoC plans to pilot 35 reading and 35 writing test items. The English speaking test will continue to be based on the applicants' answers to questions normally asked about the citizenship application during the course of the citizenship interview. However, USCIS examiners will be given a list of re-phrased questions they can choose to use if applicants do not understand a particular question.

## Conclusion

As this report is being written, the redesign of the citizenship test is still in process and the outcome unknown. The new test has major implications for who will become citizens and will affect millions of applicants in the years to come. Of the eight million immigrants currently eligible for citizenship, 55 percent are estimated to have limited English proficiency, and one-quarter have less than a ninth grade education. The new test will determine whether U.S. citizenship remains accessible to all immigrants or only the privileged and well-educated.

### RECOMMENDATIONS:

- 1 The new citizenship test should adhere to the current statutory requirements for level of difficulty and use of discretion. In particular, it should not exceed the current statutory requirement of evaluating the applicant's ability to read and write "simple words and phrases" and to demonstrate an understanding of the "fundamentals" of history and civics. The revised test should also adhere to the current statutory requirement of not imposing "extraordinary or unreasonable conditions" on an applicant. A test that is considerably longer than the current test or more complex in structure and implementation would impose an unreasonable condition.
- 2 In the new citizenship test, USCIS must preserve due consideration as provided in current law, and allow officers to use some discretion in testing based on the applicant's background.
- 3 The new citizenship test should not adversely impact vulnerable applicants, particularly the elderly, disabled, low-income, low-literate, and those who speak limited English. In addition, a new test should not adversely impact any specific ethnic, national, or language group.
- 4 A new citizenship test must be flexible enough to accommodate applicants with special needs, such as those with disabilities.
- 5 USCIS should ensure that the new citizenship test does not raise the failure rate and exclude more people from citizenship, but rather provides an opportunity for

greater success. The goal of the test redesign process should be to encourage more people to naturalize.

- 6** At all stages, the citizenship test redesign process must be transparent and open to input by stakeholders, particularly from organizations that provide citizenship services. While keeping the process open to public scrutiny, USCIS must guard it from political interference.
- 7** The study guide for the new test should be nonpartisan and accessible to applicants at the basic level of English. The guide should emphasize the economic, social, and civic contributions of immigrants to the United States, and should describe the rights and responsibilities of U.S. citizenship, with specific information on opportunities for civic participation. The guide should be available in alternate formats for applicants with disabilities.
- 8** USCIS's test redesign contractor must have expertise in adult education, adult literacy, and ESL education for adults.

- 9** The costs of implementing and administering a redesigned citizenship test should not be borne by applicants through higher application fees that would further exclude low-income immigrants from the naturalization process.
- 10** USCIS must train and monitor officers to ensure the redesigned citizenship test is implemented correctly.
- 11** USCIS should ensure that the new citizenship test does not create any undue delay in the naturalization process.
- 12** USCIS should provide funding to service organizations to support English and citizenship test preparation classes as part of the implementation of the new test.

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1 U.S. Commission on Immigration Reform. Report to Congress. *Becoming an American: Immigration and Immigrant Policy* (September 1997), p. 46-48.

2 Catholic Legal Immigration Network, Inc. Letter to U.S. Citizenship and Immigration Services (January 21, 2004).