



THE DIRECTOR OF SELECTIVE SERVICE
Arlington, Virginia 22209-2425

August 30, 2018

The Honorable L. Francis Cissna, Director
U.S. Citizenship and Immigration Services
111 Massachusetts Ave. Headquarters Building
Washington, D.C. 20529-2180

Dear Director Cissna:

I am writing to you directly because my staff has been unable to identify a USCIS liaison officer with Selective Service or anyone else at USCIS to submit our request to. We are requesting that the **Instructions to the Application for Naturalization** be slightly revised to reflect the information requested on **USCIS Application Naturalization Form N-400** regarding Selective Service System registration.

USCIS Form N-400, Part 12 (44)(c)(2), only asks applicants age 26 to 31 to provide a "status information letter" (SIL) from Selective Service, if they did not register. However, the **Instructions** for Form N-400 asks applicants age 26 or older who were required to register but did not, to provide proof of registration and a status information letter from Selective Service.

The requested revisions would also make the instructions consistent with USCIS policy. Moreover, it will help reduce numerous unnecessary requests to Selective Service for 1,000s of Status Information Letters (SILS) from applicants over age 31 because they are eligible for naturalization even if the applicant knowingly and willfully failed to register (USCIS Policy Manual - Volume 12 - Part D - Chapter 7, which states that "*Applicants over age 31 are eligible for naturalization even if the applicant knowingly and willfully failed to register*").

Suggested Revisions to the INSTRUCTIONS:

(Edits are made with red print and stricken language (page 13):

- F. **Selective Service Registration.** If you are a man between 18 and 26 **31** years of age, provide proof of your registration with the Selective Service. ~~If you are 26 and years of age or older, provide proof that you registered with the Selective Service when you were required to do so between 18 and 26 years of age.~~ **Note: By law, a person cannot register once they turn age 26.**

If you between 26 to 31 years of age ~~If you were required to register and did not register,~~ provide a typed or printed statement explaining why you did not register and provide a "status information letter" from the Selective

Service. The letter will only determine whether you were required to register.

If you age 31 or older, there is no requirement to provide a status information letter from Selective Service or any other paperwork regarding Selective Service registration – No action is required or requested.

For more information about Selective Service registration, or how to get proof that you registered, visit www.sss.gov or call 1-888-655-1825.

Correcting the Instructions to would reduce the administrative costs of Selective Service of preparing and sending thousands of SILs to men over age 31 who request them unnecessarily. It would also reduce the USCIS administrative costs by not have to process them, including having to read unnecessary statements from applicants over age 31.

It is our understanding that the “instructions” for completing forms do not need to be approved by OMB – only forms need OMB approval. So the requested revisions to the online instructions to Form N-400 could be done very quickly.

Thank you for your assistance in this matter. If you have any questions, or need additional information, please contact me at 703-605-4010; Donald.Benton@sss.gov, or Mr. Rudy Sanchez, General Counsel, at 703-605-4012; Rudy.Sanchez@SSS.gov.

Sincerely,



Donald M. Benton

Enclosures:

1. USCIS Application Naturalization form N-400, Part 12 (44)(c)(2)
2. Instructions to the Application for Naturalization
3. USCIS Policy Manual - Volume 12 - Part D - Chapter 7

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

November 5, 2018

Mr. Donald M. Benton
Director of Selective Service
1515 Wilson Boulevard
Arlington, Virginia 22209-2425

Dear Mr. Benton:

Thank you for your August 30, 2018 letter regarding the Form N-400 instructions and the language on Selective Service.

U.S. Citizenship and Immigration Services (USCIS) is currently considering changes to Form N-400, Application for Naturalization, and will make edits indicating that if an applicant is over 31 years of age (or over 29 years of age if applying based on being the spouse of a U.S. citizen) at the time the Form N-400 is filed, the applicant does not need to provide a status information letter or a statement explaining the reason for not registering. A 60-day Federal Register Notice will be published to provide the public with an opportunity to comment on the proposed changes. USCIS will confirm the edits to the Selective Service language with your agency once the Notice publishes.

[REDACTED]

Sincerely,

L. Francis Cissna
Director