

**U.S. CITIZENSHIP and IMMIGRATION  
SERVICES**



**STATEMENT**

**OF**

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U.S. CITIZENSHIP AND IMMIGRATION SERVICES  
U.S. DEPARTMENT OF HOMELAND SECURITY**

**REGARDING A HEARING ON**

**“H.R. 3191 OATH OF RENUNCIATION AND ALLEGIANCE”**

**BEFORE THE**

**SUBCOMMITTEE ON IMMIGRATION, BORDER SECURITY AND  
CLAIMS  
HOUSE COMMITTEE ON THE JUDICIARY**

**APRIL 1, 2004**

**10:00AM**

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Good afternoon Chairman Hostettler, Ranking Member Jackson Lee and Members of the Subcommittee. My name is Alfonso Aguilar and I have the honor of serving as the first Chief of the Office of Citizenship within the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS).

Last year the United States welcomed more than 455,000 new Americans through the process of naturalization. As we prepare our immigrants for U.S. citizenship, we must foster a sense of allegiance to their new country. Congress and the President recognized this through the creation of the Office of Citizenship within the Homeland Security Act of 2002. Since its creation, the Office of Citizenship has undertaken an ambitious, and critically important agenda designed to promote civic integration among newly arrived immigrants and also to promote awareness of the rights and responsibilities associated with U.S. citizenship.

Preparing immigrants to integrate into the civic culture of the United States requires reaching out to new immigrants at the earliest opportunity to provide them with the information and tools they need to adhere to American constitutional principles, develop loyalty to America, and actively participate in U.S. civic life. It also requires making the process of naturalization more meaningful so that those immigrants who choose to become citizens have a real understanding of the commitment they are making when they take the Oath of Renunciation and Allegiance to the United States.

The significance of the naturalization process is highlighted in the Department of Homeland Security's Strategic Plan: "Citizenship through naturalization is the ultimate privilege of the immigration system. We will place renewed emphasis on a national effort to cultivate an awareness and understanding of American civic values and to underwrite commitment to United States citizenship. We will promote education and training on citizenship rights, privileges and responsibilities, to not only enhance the naturalization experience, but also to ensure that our immigration system promotes a common civic identity for diverse citizens."

In addition, in President Bush's January 7, 2004 unveiling of the Temporary Worker Proposal, he emphasized that any fundamental immigration reform should recognize the importance of citizenship and he has set high expectations for what new citizens should know about our history and government. He has charged USCIS with examining the standard of knowledge in the current citizenship test, to ensure that new citizens know not only the facts of our history, but also the ideals that have shaped our history.

Although the Oath of Renunciation and Allegiance is critical to the process of naturalization in many ways, its primary purpose is legal rather than symbolic, unlike the national anthem or pledge of allegiance. Taking the Oath of Renunciation and Allegiance at a public naturalization ceremony is typically required in order to effect the applicant's change of status from lawful permanent resident to citizen of the United States of America. The Oath has legal significance – in fact an individual can be

subject to denaturalization if he or she is found not to have taken the Oath in good faith and without mental reservations.

We have heard from a broad variety of stakeholders from across the political spectrum that the Oath of Renunciation and Allegiance should be updated for several reasons. First, the language of the current Oath has been described as archaic by some stakeholders, including representatives of the Citizenship Roundtable, a joint project of the American Legion and the Hudson Institute. Second, the current Oath of Renunciation and Allegiance has been criticized for its convoluted, legalistic and cumbersome grammar and sentence structure. In 1997, the bipartisan U.S. Commission on Immigration Reform recommended that the Oath be revised to make it “comprehensible, solemn and meaningful.” Finally, we have heard concerns that a revision of the current Oath might result in weaker language. This is totally contrary to the goal of a revision, which is to strengthen the Oath of Renunciation and Allegiance and make it relevant in today’s society.

The principles embodied in the Oath of Renunciation and Allegiance are codified in Section 337(a) of the Immigration and Nationality Act, which provides that all applicants shall take an Oath of Renunciation and Allegiance that incorporates the *substance* of the following:

- (1) Support the Constitution;
- (2) Renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the applicant was before a subject or citizen;
- (3) Support and defend the Constitution and the laws of the United States against all enemies, foreign and domestic;
- (4) Bear true faith and allegiance to the same; and
- (5) (A) Bear arms on behalf of the United States when required by the law; or  
(B) Perform noncombatant service in the Armed Forces of the United States when required by the law; or  
(C) Perform work of national importance under civilian direction when required by the law.

The language of the current Oath of Renunciation and Allegiance – while derived from earlier versions of the Oath – is the product of Immigration and Naturalization Service rule making in the 1950’s. The Oath includes words such as “abjure” and “potentate”, which were not in common use at that time, let alone now. The Oath clearly is closely based upon the statutory elements in section 337(a), but it does not repeat them all verbatim; for example, it omits the first statutory element, “Support the Constitution,” as adequately included within the third element, relating to the support and defense of the Constitution and laws against enemies. Because the Oath of Renunciation and Allegiance is the cornerstone of the applicant’s commitment to the United States, its institutions, and its people, it is critical that applicants unequivocally understand the commitment they are making to this country. Both immigrants and native-born U.S. citizens have trouble making sense of the current language.

With regard to grammar and sentence structure, the current Oath includes legalistic and cumbersome phrasing, such as “of whom or which I have heretofore.” It also has unnecessary redundancy, such as the phrase “absolutely and entirely renounce and abjure.” At times, immigrants, particularly those who are non-native English speakers, have difficulty repeating the current Oath of Renunciation and Allegiance. The Oath could be made clearer if the clauses were broken up in a manner that improves both the comprehensibility of the Oath and the dignity of the occasion.

At this time, DHS continues to study a revision of the Oath of Renunciation and Allegiance. If a decision is made to revise the Oath, we believe the formal administrative regulatory process is the most appropriate means to do so. Congress, through the Immigration and Nationality Act, has provided a clear mandate on the necessary content and substance of the Oath of Renunciation and Allegiance. The Executive branch has both the responsibility to develop language to meet the legislative requirement and the discretion to make periodic revisions to the Oath to keep it current and relevant. Revising the Oath administratively will allow a full opportunity for the public to provide comment on any proposed change through a rule making process. This would, in our view, lead to the best possible result in terms of comprehensibility, appropriateness of language, solemnity, meaning, and adherence to the principles set forth in the Immigration and Nationality Act.

We appreciate the interest Congress has shown and have listened to your concerns and ideas on this issue. If we proceed to propose a revision of the Oath of Renunciation and Allegiance, please be assured that Congress and the American public will have ample opportunity to provide comments on any proposed changes prior to implementation.

The Oath of Renunciation and Allegiance is the culmination of an immigrant’s preparation to become a naturalized U.S. citizen, but it is not the end of the process of becoming a citizen. The extent to which a new citizen is actually a “good citizen” depends upon many factors, not least of which is an understanding and acceptance of the commitment made to the United States of America. Reciting the Oath of Renunciation and Allegiance, regardless of the language, does not guarantee that the new citizen will be a good citizen. By choosing to become a U.S. citizen, these immigrants must accept both the responsibilities and the rights of citizenship. The USCIS Office of Citizenship is working to ensure that both new immigrants and new citizens are educated about these rights and responsibilities. The end result of these efforts will be a stronger America with a common civic identity that unites its diverse citizens.

We look forward to working with Congress and other stakeholders to ensure that the Oath of Renunciation and Allegiance and the process of naturalization are meaningful, so that our new citizens have a full understanding of their rights and responsibilities to this country.

This concludes my prepared remarks. I thank you for the invitation to testify before this committee and I would be happy to answer any questions.

The current Oath of Renunciation and Allegiance appears in Title 8 of the Code of Federal Regulations:

Sec. 337.1 Oath of allegiance.

(a) Form of oath. Except as otherwise provided in the Act and after receiving notice from the district director that such applicant is eligible for naturalization pursuant to Sec. 335.3 of this chapter, an applicant for naturalization shall, before being admitted to citizenship, take in a public ceremony held within the United States the following oath of allegiance, to a copy of which the applicant shall affix his or her signature:

I hereby declare, on oath,  
that I absolutely and entirely renounce and abjure  
all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty,  
of whom or which I have heretofore been a subject or citizen;  
that I will support and defend the Constitution and laws of the United States of America  
against all enemies, foreign and domestic;  
that I will bear true faith and allegiance to the same;  
that I will bear arms on behalf of the United States when required by the law;  
that I will perform noncombatant service in the Armed Forces of the United States  
when required by the law;  
that I will perform work of national importance under civilian direction  
when required by the law;  
and that I take this obligation freely, without any mental reservation or purpose of  
evasion;  
so help me God.