

# United States Senate

March 12, 2020

## VIA ELECTRONIC DELIVERY

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

Dear Mr. Cuccinelli:

We are writing to express concern regarding public reports that U.S. Citizenship and Immigration Services (USCIS) denied a blind man accommodations to take the reading portion of the U.S. citizenship exam and failed him for not being able to read words he could not see.

According to these reports, USCIS received the man's request for a reasonable accommodation and his optometrist's certification of his 100 percent visual impairment before his appointment. Yet, USCIS refused to provide the reading test in Braille – instead asking him to read the exam in large print. Shockingly, USCIS officials questioned his blindness despite interacting with the man, who was born blind, in-person. Forcing individuals to “prove” their disability beyond reason is extremely offensive and disrespectful.

U.S. law protects naturalization applicants from discrimination. For decades, civil rights law has helped both citizens and non-citizens with disabilities access federal resources to live healthy and productive lives. In 2018, USCIS itself committed to making the reading test available in Braille. But it appears that the agency is violating its own policy.

USCIS must ensure all individuals with visible and invisible disabilities are provided with appropriate accommodations. We urge you to update policies, procedures and guidance to make sure policies on providing reasonable accommodations are consistent with all applicable federal laws and regulations and avoid offensive and unreasonable “certifications” of disabilities.

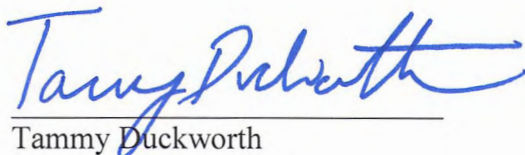
To make sure USCIS expeditiously works to improve its service and accessibility, we ask that you respond immediately, but no later than April 1, 2020 to the questions that follow this letter and arrange a staff briefing on how USCIS accommodates applicants with disabilities and/or impairments. Thank you for your prompt attention to this matter.

Please address the following:

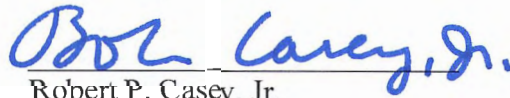
1. Confirm whether the decision to deny a legal permanent resident with a vision impairment Braille text to read was consistent with statutory requirements, regulatory requirements and USCIS policy concerning reasonable accommodations for individuals with disabilities;

2. Confirm whether the decision to fail a legal permanent resident with a vision impairment who could not see, and thus could not read, visual text on paper was consistent with statutory requirements, regulatory requirements and USCIS policies concerning reasonable accommodations for individuals with disabilities;
3. Provide a detailed description of the current process and guidance documents related to how individuals with disabilities request an accommodation;
4. Provide a detailed description of the resources and training that have been made available to field officers to ensure applicants have access to a Braille version of the read-aloud section of the citizenship exam in a timely manner; and
5. Confirm whether Federal guidance exists to adjudicate and provide accommodation requests from individuals seeking an immigration benefit or service, and if such guidance exists, please provide my office with a copy.

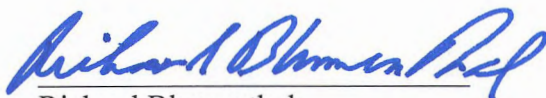
Sincerely,



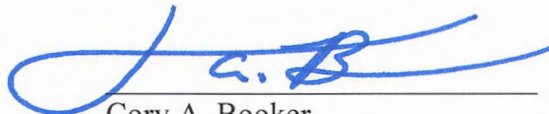
Tammy Duckworth  
United States Senator



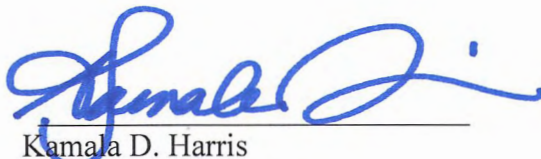
Robert P. Casey, Jr.  
United States Senator



Richard Blumenthal  
United States Senator



Cory A. Booker  
United States Senator



Kamala D. Harris  
United States Senator




Margaret Wood Hassan  
United States Senator

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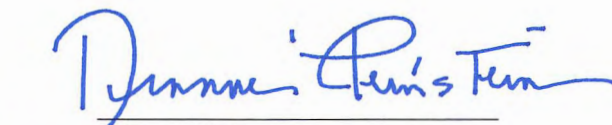
Elizabeth Warren  
United States Senator



Mazie K. Hirono  
United States Senator



Amy Klobuchar  
United States Senator



Dianne Feinstein  
United States Senator