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EDWIN MEESE III  
Chairman, Center for Legal & Judicial Studies

September 10, 2003

The Honorable Thomas Ridge  
Secretary  
Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Ridge:

It has come to my attention that your department will alter the Oath of Allegiance for new American citizens by an interim rule, effective September 17, 2003. Having read the draft of the new oath, I am concerned that the effort to simplify the words will weaken the powerful language and change the substantive meaning of this most important citizenship pledge.

In order to become a citizen, immigrants must take a solemn oath, in a public ceremony, before a legal representative of the United States. This oath is a key element in assuring that candidates for naturalization are “of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States.”

The contents of the Oath of Allegiance are described, but not specified, in the Immigration and Nationality Act; thus, the words could be modified to simplify the Oath’s language and underscore its importance. The proposed version makes several such changes, dropping the words “potentate” and “abjure,” for instance. It also drops more significant language, such as the pledge to “bear true faith and allegiance to” and “bear arms on behalf of” the Constitution and the laws of the United States.

As well, and more substantively problematic, the proposed version drops the unconditional pledge to “support and defend the Constitution and the laws of the United States of America against all enemies foreign and domestic,” and instead separates the pledge to *support* the United States, its Constitution and laws from a further commitment to *defend* the Constitution and the laws (but not the United States generally) only “where and if lawfully required.” The general obligation to defend is further constrained by its

limitation to three stated forms of service. I am concerned that this construction diminishes and confuses the “true faith and allegiance” (deleted language) necessary to foster a new citizen’s ongoing attachment to this country—the legislative purpose of the Oath, and a prerequisite for republican government.

Lastly, I note that the proposed language only asks new citizens to renounce their allegiance to a “foreign state.” In an era of international but non-state specific terrorism, this singular reference is not sufficient. At the very least, an additional reference to “sovereignty” or other appropriate term should be maintained.

I am also concerned that this change will be immediately implemented, without the standard 60-day comment period. The hurried way in which the proposed language seems to have been drafted is illustrated by the existence of several grammatical errors in the text. An important statement of our civic meaning, such as the Oath of Allegiance, should not be changed, as it says in the Declaration of Independence, for “light and transient causes,” but only after long and careful thought and consideration.

If you have further questions, please contact me directly. Better yet, the appropriate person could speak with Dr. Matthew Spalding (202-608-6171), the director of Heritage’s B. Kenneth Simon Center for American Studies, who has studied this issue closely.

Thank you for your consideration of these concerns.

Sincerely,



Edwin Meese, III  
Chairman, Center for Legal and Judicial Studies  
The Heritage Foundation

CC: Tim Goeglein, The White House

Eduardo Aguirre, Jr., Director of the Bureau of Citizenship and Immigration  
Services, Department of Homeland Security