

CITIZENSHIP BEYOND REACH*

Naturalization, or the act of becoming a citizen, is the critical last step that new Americans take to participate fully in the civic life of the United States. It is also a process on which our country—a nation forged and strengthened by the contributions of its citizens and immigrants alike—places great value. Citizenship reinforces our democratic values, enriches our civic culture, and strengthens local communities. Like past generations of newcomers, today’s immigrants have a desire to assume the rights and responsibilities of American citizenship. Therefore, it is important that the naturalization process is accessible and efficient. While our country aspires to achieve the full integration of immigrants into American society, undue barriers on the path to naturalization threaten this national goal and place it out of reach for many eligible immigrants. The nature of these barriers is varied, ranging from the inadequate availability of English-language classes to the lack of both accurate information and assistance for immigrants to navigate this process; additional aspects will be explored in future papers. This paper focuses on the cost of the naturalization application fee, which has become a prominent barrier to citizenship for many eligible applicants.

The Naturalization Process

The U.S. Citizenship and Immigration Services (USCIS), housed in the Department of Homeland Security (DHS), is the agency that oversees naturalization. The naturalization process requires significant commitment and investment of time and financial resources from immigrants. Eligible immigrants must be at least 18 years old and have been legal permanent residents (LPRs) for at least five consecutive years. They have to prove good moral character (seen in the absence of a criminal record), go through an interview with a USCIS representative, pass a citizenship test, demonstrate the ability to read, write, and speak basic English, and have basic knowledge of American history and the principles of the U.S. government.¹ Immigrants applying for citizenship are also subject to background checks, cross-referenced with the Federal Bureau of Investigation. Immigrants serving in the U.S. Armed Forces, immigrants married to U.S. citizens and immigrants who are over 50 years of age and who have been LPRs for more than 20 years have to comply with slightly different provisions.†

Application Fees

The financial barriers to citizenship have become more pronounced in recent years, and have been deeply exacerbated by the current economic climate. While applicants continue to confront a number of challenges associated with pursuing citizenship, the current cost of naturalization has made this process cost-prohibitive for many eligible immigrants.

Figure 1

Naturalization Application Fees: 1990 - 2008					
Year	1990	1995	2000	2005	2008
Application Fee	\$90	\$95	\$225	\$330	\$595

From 1990 to 2007, the fees for adult naturalization increased from \$90 to \$595, representing a 561% change in cost. The current fee also includes an \$80 biometrics fee, bringing the total cost of filing a naturalization application to \$675. The most recent spike in cost in 2007 [see Figure 1] came during a time when the nation’s

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Founded in 1968, NCLR is a private, nonprofit, nonpartisan, tax-exempt organization headquartered in Washington, DC. NCLR serves all Hispanic subgroups in all regions of the country and has operations in Atlanta, Chicago, Long Beach, Los Angeles, New York, Phoenix, Sacramento, San Antonio, and San Juan, Puerto Rico.

† For example, spouses of U.S. citizens must be LPRs for three years to apply.

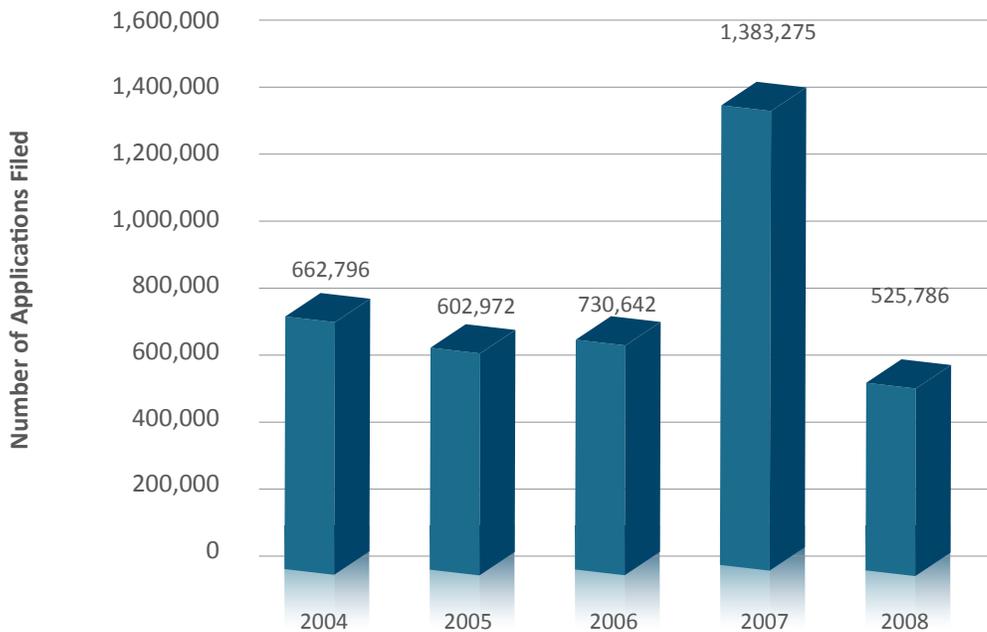
economy was spiraling towards a significant downturn. While the effects of the economic recession have been widespread, non-U.S. citizens experienced a considerable 7.3% decline in real median income from 2006–2007. Given these circumstances, eligible applicants face mounting economic pressures that threaten to place naturalization out of reach.

In 2007, USCIS received the most applications for citizenship since 1997.² Although a confluence of factors contributed to this dramatic spike (growing anti-immigrant sentiment; renewed outreach, education, and assistance efforts by community-based organizations to help immigrants navigate the citizenship process; plans to alter the citizenship exam), a significant factor was also the impending rise in the application fee, scheduled for implementation later that year. Following the fee increase, 2008 saw a marked 62% decline in the number of naturalization applications filed [see Figure 2]. Since several of the other factors contributing to the 2007 surge are still present, it is safe to assume that high fees, compounded with the impact of the economic recession, have built an almost insurmountable obstacle for immigrants seeking to naturalize.

Solutions

To ensure that our country’s aspiration to see immigrants integrate is reflected in the naturalization system, greater efforts must be undertaken to make naturalization accessible and efficient for eligible applicants. While immigrants are eager to take steps to become citizens and full participants in our country, this outcome is being unduly priced out of reach for too many, rendering our policies inconsistent with our goals. While administrative changes by USCIS could alleviate some of these obstacles, many of these issues cannot be addressed without a close examination of the agency’s fee structure and costs.

Figure 2
Naturalization Applications Filed: 2004 - 2008



Source: U.S. Department of Homeland Security, “Table 20: Petitions for Naturalization Filed, Persons Naturalized, and Petitions for Naturalization Denied: Fiscal Years 1907 to 2008,” 2008 Yearbook of Immigration Statistics, <http://www.dhs.gov/files/statistics/publications/YrBk08Na.shtm> (accessed August 2009).

Congress has recognized the need to address these topics in past legislation. One such proposal, the “Citizenship Promotion Act (CPA) of 2007”, addresses issues such as the fee increase and provides additional funding to support certain USCIS processes. The CPA would attempt to alleviate financial pressures by freezing fees at their current level and authorize Congress to appropriate funds to supplement application fees to help cover the other costs that the USCIS has cited for the fee hikes, like infrastructure investments, capital improvements, and technological upgrades. Changes such as these would secure funding for the agency’s administrative costs without levying these

additional expenditures on customers through higher application fees. Consistent with the underlying principle of a fee-funded system, this approach would ensure that application fees are set to reflect only the direct costs of processing. According to the U.S. Government Accountability Office, fees funded nearly 96% of USCIS's fiscal year 2008 budget; the remainder was supplied through appropriations and other federal agencies that carry out certain tasks for the agency.³ As USCIS continues to modernize and launch improvements in the naturalization process, Congress must supply it with a stable source of funding to support these developments.

Additionally, while these changes are critical to an improved naturalization process, they must be coupled with initiatives to encourage immigrant integration. Congress must take additional steps to support the agencies tasked with these efforts. Such initiatives could include outreach to immigrants to learn about and begin the naturalization process, which is especially necessary at the points when they gain LPR status and when they meet the five-year LPR residency requirement necessary for naturalization. The CPA incorporated this proposal and, although there was never a vote on the legislation, this kind of outreach would play a critical role in educating eligible applicants about the naturalization process.

Naturalization and its role in integrating newcomers into American society are invaluable for our country and our immigrant population. Improvements in the naturalization process could go a long way in promoting the fulfillment of this goal. Future papers will explore additional enhancements critical not only to achieving a more streamlined and accessible naturalization process, but also to facilitating immigrant integration. As this paper recommends, addressing the fee structure is an essential element of an improved process, and ensuring it is not priced beyond reach would help preserve the promise of citizenship while reinforcing the values and traditions that define American democracy.

Endnotes

¹ U.S. Citizenship and Immigration Services, <http://www.uscis.gov/portal/site/uscis> (accessed August 27, 2009).

² U.S. Department of Homeland Security, "Table 20: Petitions for Naturalization Filed, Persons Naturalized, and Petitions for Naturalization Denied: Fiscal Years 1907 to 2008," 2008 Yearbook of Immigration Statistics, <http://www.dhs.gov/files/statistics/publications/YrBk08Na.shtm> (accessed August 2009).

³ U.S. Government Accountability Office, *Immigration Application Fees: Costing Methodology Improvements Would Provide More Reliable Basis for Setting Fees* (Washington, DC: Government Printing Office, 2009) <http://www.gao.gov/new.items/d0970.pdf> (accessed August 2009).