

The administration, in its budget submitted earlier this year, asked for 10 million additional dollars for the Office of Citizenship within the U.S. Citizenship and Immigration Services, to be used to help immigrants become citizens.

Also in the President's budget was a request for \$206 million for the processing of refugee and asylum applications, and for processing naturalization applications of active duty military personnel (who are not charged a fee for becoming citizens). Up to now these costs have been borne by other immigrants, for whom a surcharge is added to their application for an immigration benefit.

The Department of Homeland Security appropriations bill includes Congressional spending priorities relating to immigration.

The House, in its version of the DHS appropriations bill, allocated \$11 million (\$1 million more than the President requested) for the Office of Citizenship, and \$100 million for the processing of refugee and asylum applications, and shifted the cost of military naturalization applications to the Department of Defense.

The Senate appropriated no additional money for the Office of Citizenship, and \$5 million for the processing of military naturalization applications. The Senate Appropriations Committee said it supports the continuation of surcharges on immigration application fees to pay for the processing of refugee and asylum applications.

**Background:** When immigrants apply for immigration benefits, such as a green card or citizenship, they pay not only for the processing of their own applications, but also for the processing of the applications of others who are not charged a fee. Over time, especially in the past decade, processing fees have increased significantly and together with the surcharge for the processing of the applications of others, price has become a barrier for some.

- **Congress has directed that where there is no charge for certain humanitarian benefits (such as asylum and refugee applications, and fee waivers for those who cannot afford immigration fees), funding will be recovered from other immigration and naturalization fees.** Section 286(m) of the Immigration and Nationality Act states that “fees for providing adjudication and naturalization services may be set at a level that will ensure recovery of the full costs of providing all such services, *including the costs of similar services provided without charge to asylum applicants or other immigrants.*”
- **U.S. Citizenship and Immigration Services (USCIS) recovers cost for humanitarian programs with a surcharge on all immigration applications.** In its latest analysis of processing costs, USCIS estimated that providing refugee and asylum services, as well as processing all of the applications for which no fee is charged, is 14% of processing costs. USCIS apportioned that cost equally among most other immigration fees.

- **Immigration fees have increased significantly in the past several years.** Between 2003 and 2007, the fee for the citizenship application went from \$260 to \$595—a 32 percent per year increase over the period. In addition, there is a fee of \$80 for fingerprinting and photographing, bringing the total fee for a citizenship application to \$675. Of that cost, \$72 is surcharge--\$40 to pay for refugee and asylum processing and \$32 for the processing of other immigration applications for which no fee is charged.

**Reducing the fee burden:** The administration’s budget recognizes there must be reform in immigration fees, and it attempts to begin the process by reducing the surcharge on application fees. The Senate is considering an appropriations bill which rejects this approach, favoring the continuation of what is essentially a very high tax on immigration benefits applications.

- **The President’s budget:** “The budget proposes \$206 million to end the practice of paying for refugee, asylee, and military naturalization applications through increased surcharges on other immigration benefits. This first step toward reforming and improving the transparency of immigration fees will ensure that applicants for immigration benefits are only charged for the costs related to processing their application.”
- **The House-passed DHS appropriations bill:** “The Committee provides USCIS \$100,000,000 in discretionary appropriations to process refugee applications and asylum claims, which is half the requested amount. The Committee provides none of the requested \$5,100,000 for military naturalizations, and instead expects USCIS to be reimbursed by the Department of Defense for the foregone revenue associated with military naturalization fee waivers. In order to make sure the public and Congress have an accounting of how this direct appropriation will reduce the amounts USCIS charges immigration applicants, and of how the agency will further adjust fees to address issues raised by GAO, the Committee restricts obligation of the \$100,000,000 until the Administration publishes a final rule in the Federal Register implementing a new schedule of fees for immigration applications.”
- **The bill reported out of the Senate Appropriations Committee:** “The Committee supports appropriations to support those men and women serving this Nation in the military and has included \$5,000,000, as requested, for military naturalizations. The Committee does not include the other requested funds and supports the existing method used to cover the costs for those activities.”

**Immigrant Integration:** The administration proposed to allocate more funds to encourage immigrants become citizens, in part by expanding a grant program administered by the Office of Citizenship for community-based organizations that assist immigrants with citizenship preparation.

- **The President’s budget:** “To help legal immigrants integrate into American life, the budget allocates \$10 million to establish a new Immigrant Integration program in the Office of Citizenship at U.S. Citizenship and Immigration Services (USCIS). USCIS will develop an online welcome program for immigrants; provide grants to community-based

organizations for citizenship preparation programs; facilitate English language learning through improved web resources; build volunteer capacity by developing a training certification framework for volunteers as well as promoting volunteerism and partnerships; and promote citizenship with integration messages at the workplace, among federal agencies, and the general public.”

- **The House-passed DHS appropriations bill:** “Encouraging individuals to seek naturalized citizenship not only helps non-native-born residents better assimilate into their communities, but also affirms our country's policy of welcoming those who chose to become Americans. The Committee notes the unprecedented demand from approximately 700 non-profit and immigrant-serving organizations that filed notices of intent to apply for the \$1,200,000 appropriated for immigration integration grants in fiscal year 2009. As a result, the Committee provides \$11,000,000 for this program in 2010, \$1,000,000 more than requested.”
- **The bill reported out of the Senate Appropriations Committee:** “The Committee does not recommend the \$10,000,000 requested in the budget for a new immigrant integration activity.”