



# Out of Focus: The Hidden Crisis of the Latest Backlogs in Naturalization Processing

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## Summary

*In recent years, the national debate on immigration has focused on our broken immigration system and its consequence, undocumented immigrants, and Congress' inability to find a solution. Little attention has been paid to immigrants who have lived here legally and have taken the steps necessary to become citizens, but are stuck in processing backlogs—sometimes at great cost to their families, careers, and opportunity to exercise the most sacred right of citizenship, the right to vote.*

*The hostile debate on immigration, coupled with a major fee increase for the naturalization application in the summer of 2007, helped spur a surge in applications that the immigration agency was unprepared for. Hundreds of thousands of immigrants, having applied months ago for their citizenship, will not be approved in time to meet the deadline for voter registration.*

*The recent backlog in naturalization processing is only the latest in a regular cycle of backlogs and backlog reduction promises made by the government going back at least to the early 1990s. Compounding the problem in post-9/11 America, a redundant security check of dubious usefulness requires the government to search paper files in more than 200 locations throughout the world. Some immigrants have waited years for the government to clear them.*

*The citizens in waiting highlighted here explain how the failure of the government to process their citizenship application in a timely way has affected their ability to advance their careers, to reunite with their family, to travel, to participate in our democracy, and even to feel safe as a hostile immigration debate swirls around them.*

*The government should take a number of steps to break the cycle of backlogs and backlog reduction plans.*

## Introduction

Over the past four years, policy makers in Washington, off and on, have focused on fixing our broken immigration system. The debate rose to a peak of intensity in June of 2007, as Congress, again, considered whether America would make a place for immigrants who are here illegally, but who have very much become a part of communities across the U.S. Efforts to fix a badly broken immigration admission system ran into the loud and angry opposition of those who brook no sympathy for undocumented immigrants.

With the failure of Congress to fix the immigration system, attention has focused on immigration enforcement and the hundreds of laws being proposed in states and local communities across the country by lawmakers frustrated with federal inaction.

With media attention focused on the most dramatic developments in the immigration debate, there has been little notice paid to another side of the broken immigration system: how we are treating the immigrants who are here legally and who want to become U.S. citizens.

In recent months, hundreds of thousands of would-be citizens have been stuck in a processing backlog after applying for U.S. citizenship. The backlog developed in the summer of 2007, as the government nearly doubled the fees for citizenship applications while promising more efficient service.

These immigrants have taken the steps necessary to learn our language and to study our history and government. They are ready to become fully American by becoming citizens. Many find that, instead of being encouraged, they must battle the bureaucracy for perhaps many months, or even years—sometimes at great expense—before crossing the threshold of citizenship.

### **Naturalization Basics**

Once an immigrant becomes a citizen, he or she can enjoy certain privileges and bears certain responsibilities that a non-citizen permanent resident (a “green card” holder) does not, such as: vote, hold elected office, and sit on a jury; apply for and hold certain government and private jobs requiring a security clearance; bring spouses, minor unmarried children, and parents to the U.S. without long waits; sponsor other family members such as siblings and married adult children, who cannot be sponsored by non-citizens; travel abroad for unrestricted periods of time; and access restricted federal programs.

To be eligible, an applicant for citizenship must be at least 18 years of age, and must have resided continuously in the U.S. as a Legal Permanent Resident (green-card holder) for at least five years prior to filing. Permanent residents who have been married to a U.S. citizen for three years are eligible to apply for citizenship. There are special expedited provisions for immigrants serving in the armed forces during a designated period of armed conflict.

Immigrants must be of "good moral character," usually determined by checking with the FBI for any record of a criminal background. A person must also demonstrate an ability to speak, read, and write ordinary English and have a general understanding of U.S. government and history. There are certain exceptions to these learning requirements for some elderly or disabled immigrants.

After submitting an application and fee to U.S. Citizenship and Immigration Services (USCIS), an appointment is made with the applicant to take his or her fingerprints, which are checked by the FBI. An interview is then scheduled with the applicant, during which an immigration examiner reviews the application and determines if the applicant meets the requirements for U.S. citizenship. To demonstrate English proficiency and knowledge of U.S. history and government, the applicant must be prepared to answer several history and civics questions. They may also be asked to read a sentence or brief passage, and to write a sentence dictated by the examiner.

Approved candidates for citizenship are sworn in as citizens, either before a judge in a court ceremony or in an administrative ceremony. Here, the immigrant must take an Oath of Renunciation and Allegiance, swearing to support and defend the Constitution and laws of the U.S.

### **Events leading to the current backlog**

At the beginning of 2007, USCIS announced its intentions to increase the fees for citizenship by 80 percent. This fee increase was only the latest in a series of increases that saw the price of citizenship rise from \$260 to \$595 between 2003 and 2007. On an annualized basis, the price of citizenship increased at a rate of 32 percent per year during this period.

The prospect of the fee increase encouraged many to take the steps necessary to apply for naturalization. There was a huge spike in naturalization applications in the summer of 2007. By the end of the government’s fiscal year in September, USCIS had received 1,383,000 naturalization applications. The year before, it received 731,000 applications.

Beating the fee increase, however, was not the only motivation for the increase in applications. Already by 2005, the percentage of immigrants here legally who had become citizens was the highest

in 25 years—52%<sup>1</sup>. In 2006, the number of citizenship applications was up 21 percent from 2005.<sup>2</sup> By that year, the median time elapsed between the date of legal immigration and the date of naturalization was seven years. (Generally, one must spend a minimum of five years from the date of legal immigration before one is eligible to become a citizen.) By contrast, in 2000, the median time in immigrant status was ten years.<sup>3</sup> Though Mexicans continue to lag behind many other nationalities in the number of years they spend in immigrant status before they apply for citizenship, they also have been reducing their median wait before applying for citizenship and in 2007, approximately 18.5 percent of immigrants who became citizens were Mexican—making Mexicans the largest nationality group of those who became citizens in 2007.<sup>4</sup>

The upward trend in applications continued in the government's fiscal year 2007, even before the fee increase was announced. By February 1, 2007, four months into the government's fiscal year (and the date on which the fee increase was announced), applications were up 48 percent from the same period in fiscal year 2006<sup>5</sup>.

Part of what is driving immigrants to become citizens has been the hostile immigration debate that has encouraged many immigrants to take the steps necessary to protect themselves. By becoming citizens, they are able to have a stronger voice in the debate with the power to vote. At the same time, national immigrant and labor organizations, together with dozens of regional partners around the U.S., have teamed up with Spanish language television networks and newspapers to reach out to immigrants who are eligible to become citizens and to encourage them to apply.<sup>6</sup>

The continued hostile tone of the immigration debate, and the greater encouragement immigrants are getting to naturalize from the media and advocacy and service provider groups, signal the need for USCIS to sustain the ability to process a high volume of applications for the foreseeable future.

### **Groundhog's Day: citizenship backlogs and pledges to reduce them**

In the movie, *Groundhog's Day*, the character played by Bill Murray keeps experiencing the same day over and over. For immigrants and their advocates, naturalization backlogs, and promises to reduce them, have come in regular cycles since the early 1990s—as have promises that higher fees will result in better service.

In the early 1990s, the Immigration and Naturalization Service (INS) was an agency accustomed to handling 200,000 to 300,000 applications for citizenship per year. By the mid-'90s, a combination of factors led to a steep rise in the number of citizenship applications. Among them: immigrants who gained their green cards through the late-1980's legalization program were becoming eligible for citizenship and, like today, there was a hostile debate brewing about immigration. The number of

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<sup>1</sup> Pew Hispanic Center, *Growing Share of Immigrants Choosing Naturalization*, March 28, 2007  
<http://pewhispanic.org/files/reports/74.pdf>

<sup>2</sup> Department of Homeland Security, *2006 Yearbook of Immigration Statistics*  
<http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2006/Table20.xls>

<sup>3</sup> Department of Homeland Security, *Naturalizations in the United States: 2006*, May 2007  
[http://www.dhs.gov/xlibrary/assets/statistics/publications/Natz\\_01\\_Sec508Compliant.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/Natz_01_Sec508Compliant.pdf)

<sup>4</sup> "Naturalizations in the United States: 2007," Nancy Rytina and Selena Caldera, *Annual Flow Report*, Department of Homeland Security, Office of Immigration Statistics, July 2008.  
[http://www.dhs.gov/xlibrary/assets/statistics/publications/natz\\_fr\\_07.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/natz_fr_07.pdf)

<sup>5</sup> Migration Policy Institute, *Behind the Naturalization Backlog: Causes Context, and Concerns*, February 2008  
[http://www.migrationpolicy.org/pubs/FS21\\_NaturalizationBacklog\\_022608.pdf](http://www.migrationpolicy.org/pubs/FS21_NaturalizationBacklog_022608.pdf)

<sup>6</sup> *Ya es hora – Ciudadania!*  
<http://www.yaeshora.info/>

applications rose from approximately 234,000 in 1990 to approximately 543,000 in 1994, to approximately 1.4 million in 1997.<sup>7</sup>

By the summer of 1995, INS projected that, if the agency did not make a serious effort to reduce the backlog, the wait for a decision on a naturalization application would reach three years by the summer of 1996. To avoid this prospect, in August of 1995 INS announced a backlog reduction effort dubbed “Citizenship USA,” with the goal of reducing the processing time for naturalization applications to six months. That goal was to be reached by the summer of 1996.<sup>8</sup>

At the time, the INS, with its outmoded technology, poorly-trained staff, and decentralized bureaucracy, was ill-equipped to handle such a dramatic increase in its workload. The integrity of the system suffered. Files were lost. Fingerprint checks were not performed on some applicants. INS headquarters instituted new safeguards, but instructions were not followed by INS officers in the field. Some immigrants who should not have been granted citizenship obtained this benefit, and the errors of the agency became the focus of Congressional and media attention.

With the press and Congress focusing on the possibility that some immigrants with criminal records were obtaining citizenship, the agency dramatically slowed down its production. The backlog nearly tripled in two years, climbing from approximately 700,000 to 2 million by late 1998. Processing times increased to more than two years.

A campaign by immigrant advocates succeeded in shifting public attention away from the increasingly remote chance that an immigrant with a criminal background would gain citizenship (increasingly remote because the agency had bolstered its security procedures) and towards the hundreds of thousands who wanted to become fully part of our country, but were forced to wait many months and years. In August of 1998, the INS launched an initiative to reduce the citizenship processing time to the “historical average” of six months within a two-year time frame, and sought an appropriation from Congress to accomplish the goal. In November 2000, INS declared victory, saying it had achieved a processing time of “six to nine months” for citizenship applications.<sup>9</sup> In part, the backlog reduction was achieved with the help of extra funds appropriated by Congress. However, some resources were diverted from the processing of other immigration benefits, and the number of pending benefit applications (green card and other applications) was approximately three million by the end of fiscal year 2000.

After the terrorist attacks of September 11, 2001, backlogs climbed again. Tighter security screening of applicants was part of the reason. Each applicant became subject to three separate security checks. The agency was rolled in to the massive Department of Homeland Security. INS staff were diverted to tasks having nothing to do with processing applications. For example, in 2003, adjudicators were pulled away from their normal duties to implement the newly-instituted Special Registration program, in which tens of thousands of Arab and Muslim immigrants were fingerprinted, photographed, and interrogated.

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<sup>7</sup> Department of Homeland Security, *2006 Yearbook of Immigration Statistics*  
<http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2006/Table20.xls>

<sup>8</sup> Department of Justice Office of Inspector General, *An Investigation of the Immigration and Naturalization Service's Citizenship USA Initiative* (Executive Summary), July 2000  
<http://www.usdoj.gov/oig/special/0007/execsum.pdf>

<sup>9</sup> INS Press Release, *INS Achieves 2-Year Naturalization Program Goals*, November 15, 2000  
[http://www.uscis.gov/files/pressrelease/2-YearNatProgramGoals\\_111500.pdf](http://www.uscis.gov/files/pressrelease/2-YearNatProgramGoals_111500.pdf)

As a result, processing times in some offices grew very lengthy again. In New York, for example, processing times went from 11 months in 2002 to 19 months in 2004.<sup>10</sup> In short, many naturalization applicants found themselves in the same situation as those who applied in the 1990s, during the backlash to the backlog reduction effort of the mid-1990s. They were paying more for the privilege, as fees had gone from \$95 in 1994 to \$320 in 2004.

In 2002, the Bush administration launched a five-year, \$500-million initiative to “achieve and maintain a universal six-month processing-time standard” for naturalization and other immigration benefit applications by the end of Fiscal 2003.<sup>11</sup> Some money was allocated, but other funds raised from application fees were diverted for other purposes, so the total extra funding for backlog reduction was actually less than the \$500 million claimed in administration press releases. By 2004, the timeline for the six-month processing goal had been pushed back to the end of 2006.<sup>12</sup>

At the end of the fiscal year 2006, USCIS (which took over immigration services from INS in 2003) declared victory in its effort to reduce naturalization backlogs. In a press release, it announced that the average processing times for naturalization applications fell from 14 months in February, 2004, to approximately “five months” in September 2006.<sup>13</sup> By January 2007, USCIS was saying the processing time for naturalization applications was “seven months,” but promised to reduce the time to “five months” after increasing the processing fees. Approximately one year later, the backlogs were back to 16 to 18 months.

### **Two types of backlogs**

The processing times referred to above do not include the time spent “outside of the control” of USCIS. Applications are outside of USCIS control if they are “pending law enforcement security checks, naturalization test retakes, naturalization candidates awaiting scheduling of a judicial ceremony and cases in which an applicant has failed to respond to a request for additional evidence needed to complete the adjudication.”<sup>14</sup>

One step in the application process has led to the most frustrating delays in a small percentage of cases. One of the redundant security checks by which applicants are screened is the FBI “name check.” In a name check, USCIS sends the applicant’s name to the FBI, and the FBI checks to see if the name turns up in their files. In most cases, the name is cleared, but in a small percentage of cases, the name—or a fragment of the name—occurs in an FBI file, and the file must be searched. This search is conducted manually through paper files, and the files are spread out across 265 FBI facilities throughout the world.

Though the percentage is small, because there are so many names submitted, the absolute number of applicants whose citizenship is delayed by the name checks is substantial. The manual process is time consuming, and up to now the FBI has not dedicated enough personnel to complete these

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<sup>10</sup> New York Immigration Coalition, *Backlogs Block the Road to Citizenship and Voting*, October 7, 2004  
<http://www.thenyc.org/templates/documentFinder.asp?did=311>

<sup>11</sup> Immigration and Naturalization Service, Office of Public Affairs, *Fact Sheet: The President’s Fiscal 2003 Immigration Budget*, February 4, 2002  
<http://www.uscis.gov/files/pressrelease/budgetImmigrationServices.pdf>

<sup>12</sup> U.S. Citizenship and Immigration Services, *Fact Sheet: Backlog Elimination Strategy*, June 17, 2004  
[http://www.uscis.gov/files/pressrelease/Back\\_Fact\\_06\\_17\\_04.pdf](http://www.uscis.gov/files/pressrelease/Back_Fact_06_17_04.pdf)

<sup>13</sup> U.S. Citizenship and Immigration Services, *News Release: USCIS Announces Elimination of Naturalization Application Backlog*, September 15, 2006  
<http://www.uscis.gov/files/pressrelease/N400Bklg091506NR.pdf>

<sup>14</sup> *Ibid.*

searches in a timely manner. As of March 2008, there were more than 87,000 name checks of naturalization applicants pending with the FBI for more than four months. Of those, more than 50,000 had been pending for more than one year.<sup>15</sup>

To make matters worse, the FBI had yet to receive the names of applicants who applied during the surge of applications in the summer of 2007. In April of 2008, USCIS and the FBI entered into an agreement to reduce the name check backlogs but, if the scheduled is adhered to, it will be November of this year before cases pending *more than one year* are cleared.

In June of 2007, the USCIS Ombudsman wrote about the FBI name check backlog, noting that approximately 25 percent of all written case problems received by the Ombudsman's office in the period covered by its report were related to the FBI name check. The Ombudsman's office, in its report, questioned the value of the FBI name check from a security perspective. Other background checks conducted of naturalization applicants—fingerprint checks, the Interagency Border Inspection Systems name checks (IBIS), and the Automated Biometric Identification System (IDENT) checks—are completed within a few days, if not a few minutes. During the entire time that a name check is being conducted—which could drag on for months or years—the applicant, in almost every case, is in the United States living or working without restriction.<sup>16</sup>

The Ombudsman further notes that the name checks are conducted as part of the bureaucratic process that USCIS has established for the naturalization application. The name checks are *not* being conducted because there is an actual suspicion that the individuals being checked are perceived to be a threat or risk. As of June 2007, the Ombudsman had been unable to determine whether the name check process had uncovered *any* threats that were not indicated by other background check processes.

It is not only immigrants that are hurt by the delays. USCIS itself is paying a price. U.S. law and regulation allow a naturalization applicant to go to court to force action by USCIS on his or her application, if a decision has not been reached within 120 days of the applicant's examination or (in the case of the Administrative Procedures Act) within a "reasonable time." A number of immigrants are suing the agency, and a number of groups have filed class action lawsuits to compel USCIS to make decisions on naturalization applications.<sup>17</sup>

## How have the backlogs affected immigrants?

In February of this year, the National Immigration Forum, the Illinois Coalition for Immigrant and Refugee Rights, and other colleague organizations across the country, asked immigrants and their representatives to send in their stories about being stuck in the naturalization backlog. To make the task easier, a form was used to standardize the questions. Among other questions, immigrants were asked why they wanted to become a U.S. citizen and how the delays in the processing of their applications affected them. Questionnaires were returned during the month of February 2008.

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<sup>15</sup> U.S. Department of Justice, Office of Inspector General, *The Federal Bureau of Investigation's Security Check Procedures for Immigration Applications and Petitions*, June 2008

<http://www.usdoj.gov/oig/reports/FBI/a0824/final.pdf>

<sup>16</sup> Citizenship and Immigration Services Ombudsman, *Annual Report 2007*, June 11, 2007

[http://www.dhs.gov/xlibrary/assets/CISOMB\\_Annual%20Report\\_2007.pdf](http://www.dhs.gov/xlibrary/assets/CISOMB_Annual%20Report_2007.pdf)

<sup>17</sup> See, for example, *Milanes, et. al. v. Chertoff et. al.*, filed by the Puerto Rican Legal Defense and Educational Fund: [http://www.prldef.org/civil\\_rights/naturalization\\_delays/documents/Naturalization\\_Complaint.pdf](http://www.prldef.org/civil_rights/naturalization_delays/documents/Naturalization_Complaint.pdf).

In general, immigrants cite a number of reasons for wanting to become citizens. They want to be able to vote. They want to be able to travel freely. They want to more quickly reunite with family members. They want to further their careers. The unreasonable delays in application processing has put all of these desires on hold. From responses to this unscientific survey, several themes emerged.

### **The Longest Waits**

The processing backlog that developed last summer and continues today affects hundreds of thousands of people. However, it is the immigrants who are victims of the FBI name checks who suffer most. It is not hard to understand why. These immigrants did what they were told they should do. They learned English, took citizenship classes where they learned a bit of U.S. History and Government, filled out pages of government forms, got fingerprinted and photographed, went for an interview, passed their test, and then...nothing.

Weeks go by. Months. In some cases, years. They are told little, only that their application is pending a “name check” with the FBI. They contact USCIS, the FBI, their member of Congress. They hire lawyers. They spend money and time that they should not have to spend. They begin to believe that there is something wrong. It is the *FBI* that has placed their application on hold. The government will come and take them away. Jail them. Deport them. Some applicants become very stressed by just not knowing what is going on and not being able to find out.

**Ishrat Jehan**, originally from Pakistan and now living in Evanston, Illinois, says that he wants to become a citizen because he wants “to be part of a country that stands up for democracy and freedom, and is a role model other [countries] should follow.” He applied for citizenship in 2004, and completed the process—except taking the Oath—by September of that year. Now, he is waiting on the name check to be completed. “I have suffered,” he writes “from depression, anxiety, and an eerie feeling of helplessness, trying to navigate through the bureaucratic process...” He has corresponded with his congressional representative since 2005, and sent many e-mails to the FBI, but still doesn’t know what has happened to his application.

Another immigrant to apply in 2004 is **Walid Beirat**, also originally from Palestine and now living in Oak Lawn, Illinois. Since that year, he has twice hired a lawyer, “paid a lot of money,” and has “put too much time and effort” into getting an answer. “It frustrates me to keep on waiting for an answer,” he writes. “...I don’t think it needs to take twenty years or even as [many] years [as] I have been waiting.” Nevertheless, he writes, “...I am still patient because I really hope to receive my U.S. citizenship.”

**Maryna Elbert** now lives in Baltimore, Maryland. She applied in May of 2006 because, as she writes, “I love this country and would be proud to become a U.S. citizen.” About the delay in her case, she writes that “I am very frustrated all the time, very nervous...” The delay in her case has affected her physically: “My situation caused the additional illness on ... top of those I had before: anxiety and depression.” She says that she has gone “many times” to USCIS to inquire about the status of her case and has received letters from the immigration agency telling her that she should expect to wait “180 days, then 240 days, and again 180 days.” She has written to one of her Senators, and has asked a local non-profit agency for help—all with no results.

**Ali Jama Abdille** is a Somali immigrant now living in San Jose, California. He applied for citizenship in 1998. About the lack of decision in his case, he writes, “It make[s] me worry that I might lose my job.... I worry that there is something wrong with me, that I’ll be stopped at check points to make sure I’m not illegal.” He is another person who has enlisted the help of his member of Congress in the quest to get an answer from the immigration bureaucracy.

**Martin Izuchukwu Okpareke**, a native of Nigeria and now living in Kansas City, Missouri, has been waiting since 2004. Ironically, he assists other immigrants with immigration matters, including citizenship. “I have seen clients who I help with obtaining their social security card [and] green card become citizens. [Meanwhile], I am still waiting in limbo.” About his own case, he writes, “Honestly, the delay has truly demoralized me. I have been waiting since 2004. ... I am so frustrated and feel like I am [being] singled out for no just cause.”

### **The Lost Voters**

Politicians around the country have become fixated on the idea that they can use the immigration issue to stir the fear and perhaps prejudices of their constituents on the assumption that appearing to be tough on immigration will lead to votes in the fall. The ugly tone of the immigration debate has created an incentive for immigrants who have not yet naturalized to become citizens, as insurance against ongoing changes in the law that might lead to their deportation. They also want to participate in the debate by electing men and women to public office who might best represent their interests.

Immigrants who applied for citizenship back in the summer of 2007 reasonably expected they would be able to vote in Presidential elections that were still 15 months in the future. A reasonable expectation, perhaps, but unfortunately many will find themselves not gaining citizenship before the deadline for voter registration in most states.

Many immigrants who responded to the survey mentioned that loss of the right to vote will be—or has been—a consequence of being stuck in the backlog.

“I would like to participate in the democratic process by being able to vote,” said **Wieslawa Dabrowski**, originally from Poland and now from Ridgewood, New York. She noted that she was “not able to vote in the primaries.” She sent in her citizenship application in December of 2006.

**Trang Ngoc Le**, a Vietnamese immigrant now living in Norcross, Georgia, wrote, “I would like to be a U.S. citizen sooner for voting this year. Being a U.S. citizen, I will have rights and opportunities in this country, which I consider my home. ... Will I take the test before November?” His application was submitted in May of 2007.

Korean immigrant **Young Sook Kim**, along with her husband **Hoae Gae Kim** and son **Do Hyun Kim**, from Los Angeles, California, wrote, “We want to become U.S. citizens because America is our home and we want to become full members. For those reasons, we want to vote in this upcoming presidential election.” The delays in processing, they wrote, mean that “[w]e cannot vote for the president we support.” They applied for citizenship in the summer of 2006.

Writing about how the citizenship delays have affected him, **Dinh Nguyen**, originally from Vietnam and now living in Springfield, Massachusetts, wrote resignedly, “Well, I can not vote [in] the Presidential election now.” He sent his application in February of 2007.

Palestinian immigrant **Sarfraz Satti**, of Chicago, Illinois, wrote, “I think that [being] able to vote is the greatest privilege in this nation.” That may be true, but he may not be able to exercise that privilege despite applying for citizenship two years ago.

**Maria Costelloe** came from Ireland and now lives in San Francisco, California. She writes that becoming a citizen, and gaining the right to vote, “is my way of stating to my adopted country that I

feel welcomed here and am grateful for the opportunities my new adopted country has given me.” She might not have had high hopes for taking her oath of citizenship in time for the 2004 elections when she applied for citizenship back in June of 2004, but she is still waiting. “ I would have liked to have been able to vote in the latest primary elections, and local, state and city elections,” she writes.

### **“Non-U.S. Passports Over Here”**

Any citizen who has returned from a trip outside the U.S. will notice that, no matter how long the immigration line seems, it is always much worse for foreigners holding the passports of other countries. The ability to travel on a U.S. passport is one of the privileges of citizenship. Until they obtain citizenship, non-citizen permanent residents must travel on the passports of their home countries.

**Thuy Thanh Le**, originally from Vietnam, now from Norcross, Georgia, applied for citizenship in September 2006. Asked why she wanted to obtain her citizenship, she said in part, “I can travel outside of the U.S. as [a] Vietnam[ese] with the U.S. passport, which has some more privileges than the green card such as: checking in faster, feeling safer.”

For many immigrants, not having a U.S. passport means more than just avoiding a three-hour wait at the airport. U.S. citizens, for example, may travel without obtaining a visa to many countries. A national of a country in the Middle East, for example, may need to obtain a visa in order to travel to a European country—even if that person is a permanent resident of the U.S. Obtaining a visa is not a sure thing. In other words, without a U.S. passport, a non-citizen permanent resident may be denied a visa to travel to a particular country—and thus denied an opportunity to travel to or do business in that country.

**Nazem Miznazi** is a national of Syria, but now lives in Coppell, Texas. He applied for citizenship in March 2003. “It is very difficult to travel since my Syrian passport has expired and most countries require visas for Syrian citizen[s],” he writes. “I have received [an] offer to work in Qatar, but I am unable to do so at this time....”

For some immigrants, this inability to travel means they will never again see some family members.

**Ghazi Abutaa**, originally from Palestine and now a resident of Chicago Ridge, Illinois, applied for his citizenship in 1997. He is Palestinian, and until he obtains his citizenship and his U.S. passport, he cannot travel to Israel. “My mother is dying in Jerusalem and I can’t be with her now,” he writes.

**Nejoud Alqaissi**, now living in Chicago, Illinois, is a national of Jordan and, because of that, cannot travel to the Gaza strip, where her mother-in-law lived until recently. “My mother-in-law who live[d] in Gaza wanted to see our 4 children. We waited forever and sadly, she died 4 months ago.”

Some immigrants wait so long for their application for citizenship to be processed that their green card expires before they are approved for citizenship. In that case, travel becomes even more difficult.

Russian immigrant **Svetlana Sknornyakova**, of Spokane, Washington, wrote that she applied for citizenship in April of 2003 and is still waiting. “My green card has now expired. I was told by an officer at my local immigration office that as long as my citizenship application is in process, I don’t need to renew my green card. Traveling to Canada has become a real problem for me; without an active green card I need to provide special documentation that I still have legal status in the U.S.”

### **Family Reunion**

Once citizenship is obtained, an immigrant gains the ability to sponsor more family members for immigration. A U.S. citizen, for example, may bring in a spouse and minor children without a long wait. For permanent residents, that is not the case. The wait to reunite with a spouse and minor children is now five years. U.S. citizens may also sponsor married adult children and brothers and sisters. Non-citizen permanent residents may not sponsor these family members.

In writing about how the citizenship delays have affected him, **Saedgh Saeed Mousavi**, an Iranian immigrant now living in Tampa, Florida, laments “I cannot marry my fiancée, be united with her, nor start my family.” He applied for citizenship in July 2006.

**Maheen Safar**, originally from Pakistan and now living in Glendale Heights, Illinois, is in the same situation. She applied for citizenship in April 2006, and wants desperately to be with her husband, who she married in July 2005. “I want my citizenship, so it will help me apply for my husband,” she writes. She commented on the financial and personal cost of being married to someone half-way around the globe, who cannot come here to live—or even to visit—because her citizenship application has not been approved. “I have to travel to Pakistan a lot more and it costs too much money. My life is so unsettled because of this delay.”

**Osman Hamad Abdelrahim**, originally from Sudan and now living in Chicago, Illinois, also applied for citizenship in April 2006. He wanted U.S. citizenship, in part, to be reunited more quickly with his children. “I have not been able to see my children as often as I should,” he writes.

**Maria del Carmen Ramirez**, originally from Mexico and now living in Pacoima, California, is another immigrant for whom delay in the naturalization process means family separation. “I haven’t been able to petition for my adult children,” she writes. While her adult children will wait many years for a visa after she becomes a citizen, at least they will be waiting. Permanent residents do not even have the option for sponsoring adult children once the children are married.

### **Opportunity Blocked**

For many immigrants, the inability to have their application for citizenship processed in a timely manner blocks an opportunity to advance their career. Some jobs—especially certain government or other jobs that require a security clearance or jobs that require certain travel—require the job holder be a citizen. The delays in naturalization processing can also hurt the U.S., preventing the government from employing immigrants whose skills are in high demand.

**Robiah Iman-Brantley**, originally from Singapore and now living in Ashburn, Virginia, has been waiting since July 2003 for her citizenship application to be processed. The delay has been a self-inflicted wound for the U.S.—one of the reasons Ms. Iman-Brantley decided to apply for citizenship was to help the U.S. fight terrorism. “I was selected by the FBI to take its translator test,” she writes, “but was denied the opportunity when they [found] out that I am not a U.S. Citizen. I’m not able to utilize my knowledge of foreign languages and cultures to help [the] U.S. in its counter-terrorist effort because of me not being a U.S. citizen.”

**Mr. Shaheen** (not his real name) is a political asylee originally from Iran and now living in San Diego, California. He has also had his career put on hold because his citizenship has been delayed. He applied in April of 2004. “I am an airline pilot [and] my non-citizen situation is holding me back [preventing me from traveling] on international routes,” he writes. “[I]t is a big negative for me as [a] pilot.”

Dr. **Ion Moraru**, originally from Romania and now living in Naperville, Illinois, is also finding that opportunity to advance his career is blocked by the delay in processing his naturalization application. It was back in May of 2005 when he was told that his application was complete except for the name check, which would take “an additional few weeks” to complete. “...I am trying to enter the working world after having received my PhD in experimental physics,” he writes. “There are a lot of opportunities ... for which I am excluded on account of my lack of U.S. citizenship. My professional progress often requires obtaining financial assistance from national agencies that often times limit funding to U.S. citizens. In addition ... employment in government institutions and in companies that contract with the government [is] strictly prohibited without U.S. citizenship.”

**Karen Fang Liu Pham**, originally from China and now residing in Arlington, Virginia, also had an opportunity slip from her because of the delay in processing her citizenship application. “I could not take an excellent job ... at the Securities and Exchange Commission because I am not a citizen,” she writes. She submitted her citizenship application in October 2006.

### **No Place but Home**

Many immigrants who responded to the questionnaire wrote that one of the reasons they applied for citizenship is simply out of a sense of belonging to their adopted country.

**Ali Ahmed**, originally from Somalia and now living in Grand Rapids, Michigan, applied for citizenship in 2003. He writes, “All of my family in the U.S. are U.S. citizens, and I feel that outside of the U.S. I have no home country. The U.S. is my home country.”

**Dac Trieu Doan**, formerly of Vietnam and now residing in San Jose, California, applied for citizenship in 2002 and writes, “My entire family and I have been living in California, USA, for 32 years since 1975. We settled down here and chose [the] U.S.A. as our country, where we lived, worked, and raised children. We love the country, the government, the people, especially the freedom, the Republic, and democracy. That is why I'd like to become a U.S. citizen.”

Pakistani immigrant **Mohammad Ali**, who now lives in Chicago, Illinois, writes, “I [have been] a permanent resident since April 1999 together with my family members. This country is my home now.” He applied for citizenship in January 2005.

**Ateeq Ahmed Syed** is from India, and now resides in Lombard, Illinois. He applied for citizenship in 2006, and writes, “...living in this country for over 15 years [has] made me believe that I [have] earned [the right] to become [a] citizen.”

### **Full Protection of the Law**

The immigration debate has been a hostile one in recent years. Immigrants are feeling more discrimination, and some politicians have been promoting new ways to throw even legal immigrants into jail or out of the country. Many survey respondents said that one motivation for becoming a citizen was protection from these trends.

**Kenan Ghiba**, a national of Syria and now residing in Mishawaka, Indiana, applied for citizenship in May 2005. He wrote that, “You can not achieve your American dream unless you ... officially belong to this country.” About his experience waiting for more than three years for his citizenship, he writes, “I feel I have been discriminated against. [What I love most] about this country [is] that it is [a] country of laws, freedom and liberty. What happened to me [was] nothing but pure discrimination.”

**Nafez Baker**, who has been waiting since July 2001 for his application to be approved, formerly resided in Jordan and now resides in Bridgeview, Illinois. Writing about how the delay has affected him, he says, “My family and I [have] felt insecure, uncertain about our future, and we could never plan for the future.”

**Maria Contreras**, a Mexican national who applied for her citizenship in 2005, now lives in Mendota, Illinois. She writes that she applied for citizenship because she would “feel more protect[ed] [being a] citizen.”

## Recommendations

Immigrants who apply for citizenship to the U.S. may or may not have their application processed in a timely manner depending on when they apply in the cycle of backlog and backlog reduction. Becoming a citizen need not be a bureaucratic ordeal. Through a combination of administrative and legislative changes, the cycle can be smoothed out and future backlogs can be avoided.

DHS and USCIS should make the following changes immediately:

- Each USCIS District Office should create a special response unit to handle inquiries and to resolve case problems related to the backlog. A backup unit should also be located in USCIS headquarters. Some offices already have units that are effective at resolving individual case problems. These may be used as models.
- Unless USCIS can establish that the FBI name check process has produced any measurable improvements in national security, it should rescind the use of this burdensome requirement.
- USCIS should require all local offices to hold regular meetings with local stakeholders, and use as models structures already in place in some local offices where there are good relations between USCIS staff and stakeholders. Regular meetings provide a ready source of information that would help USCIS improve its ability to forecast trends and resolve problems before they become intractable.

Congressional Oversight Committees should:

- More regularly exercise their oversight duties, to examine the appropriateness of application fees, the agency’s use of technology, the agency’s planning processes, and policy and legal barriers to greater efficiency in USCIS.
- Request the Government Accountability Office (GAO) to examine current USCIS naturalization processes and make recommendations for improvement.
- Request a full accounting of the number and type of background checks conducted on applicants for citizenship, and the average amount of time spent on each background check and assess whether the FBI name check merits continuation. Until such time as the name check policy is rescinded, FBI and DHS should be required to account for any background check that exceeds 180 days, providing Congress with reasons for the delay and outlining mechanisms for completing the check.
- Conduct an oversight hearing whenever a fee increase is contemplated. Oversight committees should require USCIS to submit a detailed analysis of direct and indirect costs associated with the fee increase, paying particular attention to the adjudication of naturalization applications.

Such costs should be distinguished from the costs related to immigration enforcement and national security.

Congress should enact legislation that:

- Provides more flexibility in the funding of USCIS, to allow it to be more responsive to a changing workload and more pro-active in meeting the challenges posed by a surge in applications. For example:
  - When a surge in applications provides USCIS with unanticipated revenues, it must go to Congress to seek permission to spend more than its approved budget (if the extra expenditures rise above a certain level). In other words, the agency may take in extra revenues, but it can't spend them until Congress acts. In the past, this bureaucratic obstacle has led to significant delays in USCIS processing times.
  - When a surge can be anticipated, USCIS should be able to borrow from general funds so that it can hire additional staff or retain and train contractors and have them in place *before* a backlog develops. Funds can be repaid out of the additional income that a surge in applications provides.
  - In cases where there is a lack of space in local USCIS offices to process a surge in applications, USCIS should be given greater authority to accept offers of space from state and local government entities without first receiving Congressional approval.
- Requires USCIS to eliminate background checks that do not meet adequate risk assessment guidelines.

## Resources

**Catholic Legal Immigration Network (CLINIC)** and its member agencies, which have assisted more than 80,000 immigrants and refugees gain citizenship, focus their efforts on immigrants who are elderly, low-income, low-literate, disabled, and persecuted.

Web site: <http://www.cliniclegal.org/Programs/Citizenship.html>

The **Community Resource Bank**, a project of the National Immigration Forum, is a portal for information and tools for those who want to better understand the process of integration and assist immigrants on their way to achieve the American Dream. There are links to hundreds of national and local organizations working on the issue of immigrant integration and civic engagement.

Web site: <http://www.communityresourcebank.org>.

**Illinois Coalition for Immigrant and Refugee Rights** has partnered with the State of Illinois in its New Americans Initiative, a coordinated campaign to assist legal immigrants become citizens. The Initiative partners with community-based immigrant service organizations to provide naturalization assistance, and has a toll-free number and Web site to field information requests. Through paid media and partnerships with ethnic media, the Initiative conducts outreach to potential citizens. ICIRR also has a Web site that acts as a clearinghouse of news and information for people interested in strategies that help immigrants to effectively integrate into society.

Web site: <http://www.immigrantIntegration.org>

The **Migration Policy Institute's** National Center on Immigrant Integration Policy provides policy-focused research; policy design; leadership development; technical assistance and training for government officials and community leaders; needs assessment, program planning, and evaluation services; and an electronic resource center on immigrant integration issues.

Web site: <http://www.migrationinformation.org/integration/>

The **National Association of Latino Elected and Appointed Officials Educational Fund's** Civic Education Program seeks to strengthen American democracy by educating, mobilizing, and integrating the Latino community through its naturalization, civic integration, and voter education and mobilization programs.

Web site: <http://www.naleo.org/naleoeducationalfund.html>

The **National Council of La Raza**, the nation's largest Latino civil rights and advocacy organization, sponsors or participates in a number of projects aimed at increasing Hispanic participation in the political process by encouraging eligible applicants to become citizens, motivating citizens to register and vote, and creating a new generation of Latino leaders to educate voters about issues affecting Hispanics.

Web site: <http://www.nclr.org/content/programs/detail/50119/>

“**ya es hora**,” launched as a collaborative response to the pro-immigrant mobilizations of 2006, is a coordinated effort to integrate naturalization, voter registration, and get-out-the-vote drives in order to incorporate Latinos as full participants in the American political process.

Web site: <http://www.yaeshora.info/>