

Report to the Legislature

Naturalization Services

As required by ESSB 6052, Chapter 4, Laws of 2015, Section 207

December 2015

Economic Services Administration
Community Services Division
Office of Refugee and Immigrant Assistance
P.O. Box 45857
Olympia, WA 98504-5857
Phone: (206) 568-5568
Fax: (360) 725-4879



TABLE OF CONTENTS

| | |
|---|-------------------|
| EXECUTIVE SUMMARY | 3 |
| BACKGROUND | 5 |
| ELIGIBLE POPULATION | 6 |
| POPULATION SERVED | 7 |
| SERVICES | 10 |
| PROGRAM FUNDING | 13 |
| PROGRAM DISBURSEMENTS | 14 |
| PROGRAM OUTCOMES..... | 15 |
| BARRIERS TO NATURALIZATION | 18 |
| ATTACHMENT A | 20 |
| ATTACHMENT B | <u>231</u> |
| ATTACHMENT C | <u>213</u> |

EXECUTIVE SUMMARY

Engrossed Substitute Senate Bill (ESSB) 6052, Chapter 4, Laws of 2015, Section 207 requires the Department of Social and Health Services (DSHS or the Department) to report to the Legislature annually on all sources of available funding for naturalization services during the current fiscal year, amounts expended to date by service type and funding source, the number of participants served, and program outcome data.

This report covers the most recently completed state fiscal year (SFY) 2015 (July 1, 2014 – June 30, 2015), due to limited data available for current SFY 2016 (July 1, 2015 – June 30, 2016).

Program Overview

The Office of Refugee and Immigrant Assistance (ORIA) is located within the DSHS, Economic Services Administration, Community Services Division and is designated by the Governor's Office to administer \$25 million in federal and state dollars to more than 60 providers, serving more than 9,000¹ refugee and immigrant clients in Washington state annually. ORIA services include refugee cash/medical assistance (RCA/RMA), comprehensive case management, self-sufficiency education, immigration assistance, refugee medical screening and mental health services, employment assistance, English as a second language (ESL), unaccompanied refugee minor foster care, youth educational activities, elderly services and naturalization services.

Naturalization is the process by which the U.S. Citizenship and Immigration Services (USCIS) grants U.S. Citizenship to a legal immigrant after he or she fulfills the requirements established by Congress in the Immigration and Nationality Act. To qualify for naturalization, an immigrant must be a legal permanent resident (LPR) for five years², have good moral character, and demonstrate knowledge of U.S. Civics and English by passing a written and oral exam.

Washington State law, RCW 74.08A.130 (Attachment A), requires DSHS to make an affirmative effort to identify and proactively contact legal immigrants receiving public assistance to facilitate their applications for naturalization. ORIA provides Naturalization Services statewide by contracting with community-based organizations (CBOs) that are accredited with the Board of Immigration Appeals (BIA), nonprofit legal services organizations and voluntary refugee resettlement agencies (VOLAGs). ORIA partners

¹ ESA Program Briefing Book 2014 Annual Unduplicated Clients Served report for Refugee and Immigrant Assistance (RIA) 9,481 unduplicated clients for SFY 2014 DSHS Offices (ESA & HCS). This count includes clients served by the following ORIA programs: LEP Pathway, Refugee Resettlement Assistance and Naturalization Services.

² USCIS 'time in the U.S.' requirement varies among immigrants. Some may naturalize sooner than five years in the U.S.

with the City of Seattle to leverage state and local funds to provide naturalization services in King County.

Immigrants receiving public assistance are eligible for the Naturalization Services Program if they meet the USCIS criteria to apply for U.S. citizenship and will be eligible to naturalize within a year of receiving naturalization services. Clients who enroll into Naturalization Services while on public assistance can continue to receive services even if their public assistance benefits end.

The Naturalization Services Program prioritizes outreach to the following clients:

- Refugees who arrived in the U.S. on or after August 22, 1996, who are currently receiving federal Supplemental Security Income (SSI), have been in the U.S. for at least four (4) years and have not naturalized;
- Refugees receiving state-funded Aged, Blind or Disabled (ABD) benefits; or
- Lawful permanent residents (LPR) whose only barrier to receipt of SSI is naturalization. This includes LPRs currently receiving ABD, who are unable to meet federal work quarters or have been in the U.S. less than ten (10) years.

These clients are classified as “outreach” participants, and contractors are incentivized to provide services to this target group.

The Naturalization Services Program provides specialized and culturally appropriate services that lead to client naturalizations, including the following: intake eligibility screening, application assistance, preparing fee waiver requests, assistance in obtaining medical disability exemption for disabled and elderly clients medically unable to pass the exam, citizenship training and preparation classes, interview preparation and on-site interview assistance, appeals, and follow-up reporting to confirm enrolled clients have naturalized.

Program Budget and Expenditures

For SFY 2015, the Washington State Legislature appropriated \$1,657,000 in general state funds (GF-S) for the Naturalization Services Program. ORIA administers the total budget for this program via statewide contracts for the provision of services. See **Attachment B**.

As of September 29, 2015, the Naturalization program has expended \$1,634,792.

Program Outcomes

In SFY 2015, the Naturalization Services Program served 3,004 unduplicated clients. Out of those served 688 (23%) identified as outreach participants; and providers reported that 926 (31%) clients became naturalized U.S. citizens with 85 (9%) of those clients identifying as outreach participants

NATURALIZATION SERVICES

BACKGROUND

Washington State has a large and dynamic immigrant community and is ranked ninth in the nation for resettling refugees³. According to the 2014 U.S. Census estimate, 18.5% of the families in Washington speak a language other than English⁴. In King County, the state's most populous county, 25.9% of the families residing in the county speak a language other than English at home⁵. These numbers reflect a 2% and 3% increase respectively over the 2010 U.S. Census numbers.

Each year, the U.S. Citizenship and Immigration Services (USCIS) welcomes approximately 680,000 citizens during naturalization ceremonies across the U.S. and around the world, and in FFY 2014, 654,949 people were naturalized⁶. Naturalization is often viewed as the hallmark of successful integration. Immigrants who naturalize receive the same rights as other citizens, including the right to vote and the ability to participate in civic engagement. Other benefits include full protection of the U.S. Constitution, freedom to travel abroad, and eligibility for federal benefits such as Social Security benefits and Medicare. See **Attachment B** for basic information on becoming a U.S. citizen.

Since its creation in April 1997, ORIA's Naturalization Services Program continues to provide specialized and culturally appropriate services to assist eligible immigrants receiving public assistance that are interested in becoming U.S. citizens to apply, prepare and successfully naturalize in Washington State.

In SFY 2015, ORIA provided Naturalization Services through 18 contracts statewide with 13 contractors, community-based organizations (CBOs) that are accredited with the Board of Immigration Appeals (BIA), nonprofit legal services organizations that specialize in immigration and voluntary refugee resettlement agencies (VOLAGs) (See **Attachment C**). Some Contractors hold multiple contracts to provide services at different locations statewide.

ORIA also leverages existing community resources when possible to maximize access to naturalization service by contracting with the City of Seattle for naturalization services in King County. This partnership allows the State to take advantage of services the City already provides through its New Citizens Program, such as legal assistance and consultation from immigration attorneys, training to citizenship service contractors on subjects such as new USCIS forms and policies where participation is open to any state funded provider in the state as well as training for citizenship class teachers.

³ Refugee Processing Center: <http://www.wrapsnet.org/Reports/AdmissionsArrivals/tabid/211/Default.aspx>

⁴ US Census Bureau, Quick Facts: <http://quickfacts.census.gov/qfd/states/53000.html>

⁵ US Census Bureau, Quick Facts: <http://quickfacts.census.gov/qfd/states/53/53033.html>

⁶ USCIS, Naturalization Fact Sheet: <http://www.uscis.gov/archive/archive-news/naturalization-fact-sheet>

All Contractors are BIA accredited organizations with BIA accredited individuals on staff and/or have access to a licensed attorney. Contractors also have ties to ethnic communities and provide bilingual services in culturally appropriate ways to immigrants seeking naturalization services. Many CBOs hire and train immigrants and former refugees from the same or similar ethnic or geographic background to serve new arrival groups. Citizenship classes are held in convenient locations such as at the CBO, community colleges, neighborhood community centers, church facilities, and public housing multi-purpose rooms. Class times and locations, teaching techniques, and transportation assistance are tailored to the needs of the participants.

ELIGIBLE POPULATION

Most legal immigrants, including refugees, must reside in the U.S. for five years before they are eligible to become citizens. There are some exceptions, for example: immigrants who obtained permanent residency through marriage to a U.S. citizen can apply after residing in the U.S. for three (3) years, and applicants who served in the U.S. armed forces during war may obtain citizenship without first becoming a permanent resident if they were in the U.S. upon enlistment into the U.S. military.

Individuals are eligible to receive DSHS-funded Naturalization Services if they are non-citizen, legal immigrants who:

- Are recipients of Supplemental Security Income (SSI), or other state/federal funded cash, food, medical assistance, or were receiving such benefits at the time the participant began receiving Naturalization Services;
- Meet the eligibility criteria to apply for U.S. citizenship, including lawful permanent residence status; and
- Are eligible to naturalize or will be eligible to naturalize within one (1) year of receiving Naturalization Services.

DSHS Naturalization Services Program identifies refugees who receive federal SSI or state-funded Aged, Blind or Disabled (ABD) benefits as a priority group and are designated as "Outreach" participants. Outreach participants are:

- Refugees who arrived in the U.S. on or after August 22, 1996, who are currently receiving SSI, have been in the U.S. for at least four (4) years and have not naturalized;
- Refugees receiving ABD; or
- Lawful permanent residents (LPRs) whose only barrier to receipt of SSI is naturalization. This includes LPRs currently receiving ABD, are unable to meet

federal work quarters or have been in U.S. less than ten (10) years. (LPRs currently on SSI are not Outreach because they will not lose their SSI if they don't naturalize, but they are still eligible to receive Naturalization services.)

Refugees are only eligible for SSI for up to seven (7) years unless they naturalize. If they fail to become a U.S. citizen, they will lose their SSI cash benefits (a monthly income of \$733 per eligible individual and \$1,100 per eligible couple). Once they lose SSI, they are eligible for the Washington State ABD program, which is a monthly cash benefit of up to \$197. Retention on SSI ensures that a recipient who is aged, blind, or disabled is able to retain a more adequate level of resources in order to meet their basic needs.

The eligible population is larger than actual population served. Currently, approximately 21,500⁷ unduplicated DSHS clients who are legal permanent resident on active public assistance, age 18 or older and in the U.S. for at least four (4) years are identified as potentially eligible to receive Naturalization services. Of this number, approximately 2,500⁸ unduplicated eligible DSHS clients met the definition of Outreach clients. Clients who enroll into the Naturalization Services Program while on public assistance can continue to receive services even if their public assistance benefits end.

POPULATION SERVED

In SFY 2015, a total number of 3,004 participants received naturalization services, of which approximately 1,413 (47%) were refugees and 1,591 (53%) were non-refugees clients⁹. Population served is less than eligible population due to a number of factors, including funding limitations, provider capacity and USCIS policy changes that impacts how quickly an individual can naturalize.

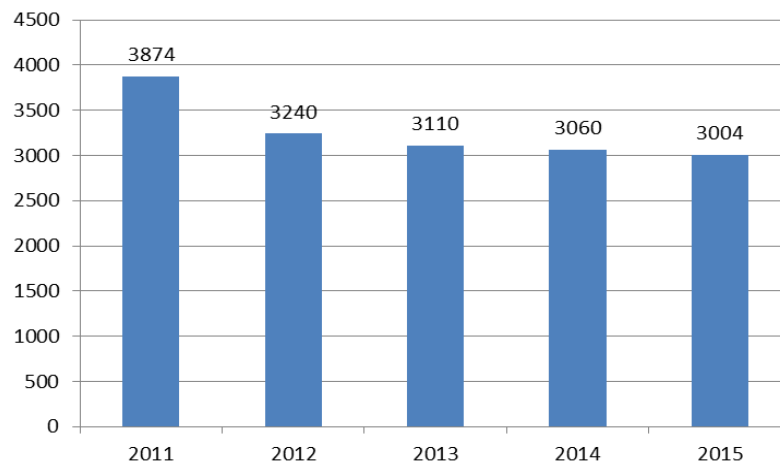
The chart below show the number of Naturalization Services Program participants from SFY 2011-2015:

⁷ Data Source: Barcode AdHoc as of 12/01/2015.

⁸ *Id.*

⁹ Data Source: RIA, ACES Database Warehouse as of 11/4/2015.

Total Number of Naturalization Services Participants, SFY 2011-2015



See footnote for reasons for decline in participants.¹⁰

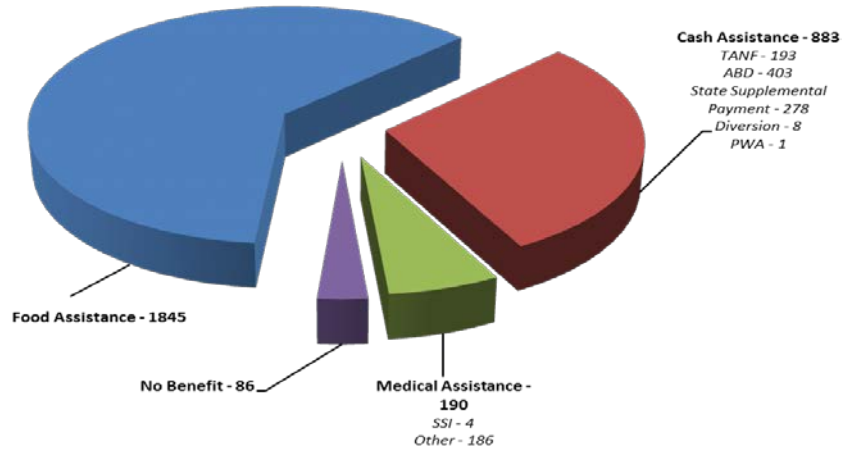
The following chart shows the total number of unduplicated participants in SFY 2015 by their benefit type. If a client is in more than one public assistance program, the client is counted once using the following program hierarchy order: Cash, Food, and then Medical. While participants must be receiving public assistance during the intake and enrollment into the Naturalization Services Program, some may achieve self-sufficiency and leave their public assistance during their service period. This explains why 86 individuals were not enrolled in a benefit during SFY 2015.

¹⁰ There are a number of explanations for the decline in the number of participants in Naturalization Services Program over the past five years. First, the funds for this program decreased by 42% from state fiscal year (SFY) 2011 (\$2,842,000) to SFY 2012 (\$1,657,000).

In addition, U.S. Citizenship and Immigration Services changed the citizenship application in May 2014. The shift from a 10-page to a 21-page application increased the time and technical skill needed for service providers to complete the application. This may have limited the amount of clients that could be served during the same time period, ultimately reducing the total number of participants who received services.

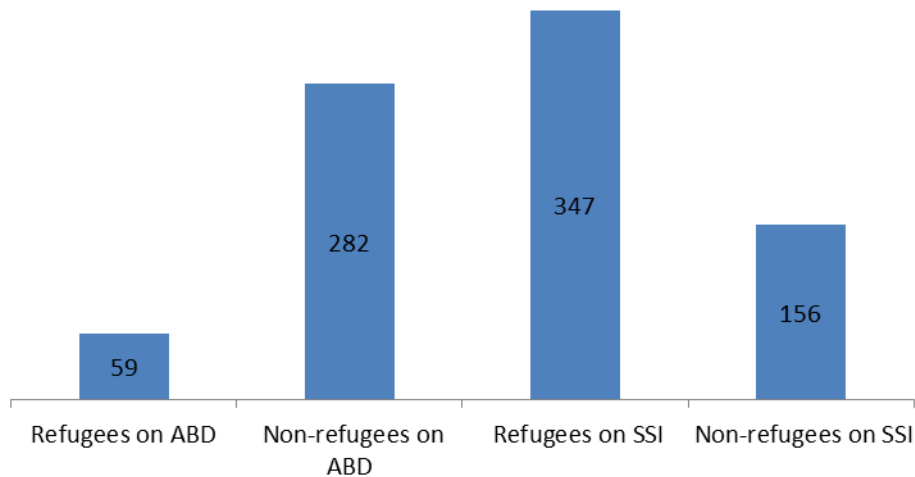
Lastly, service providers receive payment based on a fee-for-service model, in response to the loss of funding and the increased technical difficulties of the application, the program raised the payment levels, specifically for the application process. The result of the modification in the payment structure may have led to fewer participants receiving services.

Number of Unduplicated Participants by Benefit Type in SFY2015¹¹



The following chart shows the total 844 clients on ABD and SSI served in SFY 2015:

Number of Refugees/Non-Refugees on ABD/SSI in SFY2015¹²



In SFY 2015, 688 individuals identified as Outreach participants. In addition, there were 156 LPRs receiving SSI but were not considered as Outreach participants, because they will not lose their SSI if they fail to naturalize.

¹¹ Data Source: RIA, ACES Database Warehouse as of 11/4/2015. 86 clients have no benefit in SFY2015. Clients who enroll into the Naturalization Services Program while on public assistance can continue to receive services even if their public assistance benefits end.

¹² Data Source: RIA, ACES Database Warehouse as of 11/4/2015.

SERVICES

In SFY 2015, the DSHS contracted providers offered the following services through the Naturalization Services Program:

- Intake Screening - Intake screening is conducted to determine eligibility and to make referrals as necessary to an attorney or a BIA accredited person to address legal and good moral character¹³ issues associated with an application for naturalization. (An intake screening completed for an outreach participant is a separate Outreach Enrollment payment point for invoicing purposes.)
- N-400 Assistance - Assistance with completion and submittal of the USCIS Application for Naturalization Form (Form N-400). The form is lengthy and difficult for many participants to complete.
- Fee Waiver - Assistance in obtaining a fee waiver (Form I-912) to USCIS. N-400 Application fees and required fingerprint fees may be provided if a Fee Waiver request is not approved by USCIS.
- Training Hours - Citizenship preparation training and instruction includes classes in American History and civics and USCIS interview preparation. English language training needed for the citizenship test may also be provide.
- Disability Waiver - Assistance with completion and submittal of the USCIS Medical Certification for Disability Exception (Form N-648), as well as, assistance in obtaining other test exemptions when appropriate.
- Interview Preparation - Includes follow-up with participants and USCIS on the date/time for an interview; arrangement for interpreters, attorneys, and additional documents requested by USCIS; and provide additional sessions to practice pronunciation and diction.
- Interview Assistance - Assisting participants to apply for special accommodations during the interview process and/or being present on-site with participants during his/her interview to provide assistance and support.
- Fingerprint Fee - Reimbursement of the fingerprint fee for all participants age 75 years and under who do not meet USCIS criteria for fee waivers and have received a denial of eligibility of their waiver request from USCIS based on ineligibility.

¹³ Some items USCIS will consider for good moral character include: criminal record, lying to gain immigration benefits, and failing to pay court-ordered child support.

- N-400 Fee - Reimbursement of the USCIS Form N-400 application processing fee when participant is ineligible for a fee waiver. This requires written approval of an exception to policy from the DSHS ORIA.
- Appeals - For Immigration Attorney/BIA accredited representative to assist with a Request for a Hearing on a Decision in Naturalization Proceedings (USCIS Form N-336) to request a hearing before an immigration officer on the denial of the participant's USCIS N-400 Application.

A. Test Exemptions and Accommodations

Contractor staff assists applicants to apply for test exemptions and accommodations to ensure that they have the best support to pass the naturalization test successfully. The process to obtain exemptions and accommodations is often complex and lengthy thus assistance from trained provider staff is vital to the successful completion of the naturalization process.

Common exemptions include:

- English and Civics Examination
There are two general exemptions: 50/20 (50 years of age and residing in the U.S. for at least 20 years) and 55/15 (55 years of age and residing in the U.S. for at least 15 years). Meeting either criterion means the applicant can waive the requirement to read and write a sentence correctly in English during the naturalization examination. The applicant still needs to take the American civics exam in English unless further waiver is given to take the same exam in the applicant's native language. The applicant is responsible to bring an interpreter to the interview if the civics exam is given in a language other than English.
- Medical Disability
A medical disability exemption waives the English and civics examination for qualified applicants. Form N-648 is completed by a licensed medical or osteopathic doctor, or licensed clinical psychologist to verify the applicant's disability due to a physical or developmental disability or mental impairment that has lasted or is expected to last 12 months or more. Contractors have reported an increase in denials from the USCIS.

Common accommodations include:

- Disability
USCIS has an obligation under federal law and policy to provide accommodations for physical and mental impairments that make it difficult for applicants to complete the naturalization process, including the examination.
- Age 65 and Older
In some cases, applicants who are 65 years of age and older and have resided in the U.S. for 20 years or more (does not require continuous presence) may be given a shortened version of the naturalization civics examination in the applicant's native language. This waiver does not require the applicant to be disabled.

B. Outreach Participants

Attention is given to address special needs in the Outreach priority population. For example, elderly refugees may suffer from age related memory loss, lack of concentration and may have difficulty learning a new language. They often require more class time to practice and study before they can successfully pass the naturalization test. Contractors can also assist individuals who are currently receiving ABD or SSI to waive English Language proficiency requirements based on age and length of legal permanent resident status requirements for naturalization. Finally, some contractors are able to provide tutoring for outreach participants who are homebound.

To recognize the additional assistance and support that Outreach participants need as

well as to emphasize Outreach participants as the Naturalization Services Program’s targeted priority, Contractors are paid for Outreach Enrollment and Outreach Naturalization Completion payment points.

C. Naturalization Completion Reporting

Contractor staff assists clients throughout the naturalization process, from application completion and submission to being present on-site at USCIS offices during a client’s formal interview process that may result in approval of the application. All Contractors are BIA accredited organizations with BIA accredited individuals on staff and/or have access to a licensed attorney who is able to appear before the Board of Immigration Appeals as the client’s legal representative to appeal a denial of a Naturalization application. BIA accredited organizations and staff are also notified when their client has succeeded in obtaining approval of U.S. citizenship and are invited to take oath during scheduled USCIS citizenship ceremonies throughout the State. Contractors are also proactive in following up with clients served who have naturalized but may not have informed the service provider. Contractors report to DSHS naturalization completions when they become known.

PROGRAM FUNDING

The DSHS Naturalization Services Program are supported solely through general state funds (GF-S). In SFY 2015 the Washington State Legislature appropriated \$1.657 million for services. The following chart lists budget information by funding source for SFY 2011-2015:

| State Fiscal Year | GF-S | Total |
|-------------------|-------------|-------------|
| 2011 | \$2,842,000 | \$2,842,000 |
| 2012 | \$1,657,000 | \$1,657,000 |
| 2013 | \$1,657,000 | \$1,657,000 |
| 2014 | \$1,657,000 | \$1,657,000 |
| 2015 | \$1,657,000 | \$1,657,000 |

Many providers report that the need for naturalization services in the community extends beyond the funding provided. To avoid gaps in services, providers marry state dollars with other funding resources, such as grants from USCIS, or may charge nominal fees to the clients. Regardless of the varied funding streams, providers report waiting lists for their services.

PROGRAM DISBURSEMENTS

The Naturalization Services Program contracts follow a state fiscal year schedule (July 1 to June 30). In SFY 2015, Contractors entered into a performance-based contract that was structured on naturalization completions. This contracting model meets the performance based outcome criteria for contracting required by the Governor’s Executive Order 10-02, Performance Based Contracting. Under this model, Contractors may receive up to 95% of their contract amount by billing for specific service payment points and may earn their remaining 5% by achieving their individually negotiated naturalization completion annual performance outcome goals.

Contractors have a menu of services that they are allowed to bill for and make discretionary determination on how they want to spend down their allotted contract amount under the 95%/5% model. Contractors submit invoices for naturalization services on a monthly basis and are allowed to submit billings up to 45 days after each month of service. An additional final invoice after their June submission is allowed to close out the program service year. DSHS has 30 days from the date of receipt and approval of each invoice to process and make payment.

In SFY 2015, the Naturalization program expended \$1,634,792, as of September 29, 2015. The following chart shows total program disbursement for SFY 2011-2015:

| State Fiscal Year | Total Budget | Total Distribution | Balance |
|-------------------|--------------|---------------------------|-------------------------|
| 2011 | \$2,842,000 | \$1,951,547 | \$890,652 ¹⁴ |
| 2012 | \$1,657,000 | \$1,631,619 | \$ 25,381 |
| 2013 | \$1,657,000 | \$1,656,273 | \$ 727 |
| 2014 | \$1,657,000 | \$1,633,048 ¹⁵ | \$ 23,952 |
| 2015 | \$1,657,000 | \$1,634,792 ¹⁶ | \$ 22,208 |

¹⁴ The Naturalization Program was terminated effective November 30, 2010 in an effort to address a significant budget shortfall and preserve state funds. Of the \$2.8 million allocated to the program, \$1.9 million was expended before the program ended. A reduction of approximately \$890,652 in planned spending was achieved as part of DSHS’ budget reduction requirements. In SFY 12, the Legislature appropriated just over \$1.6 million for Naturalization Services and the program resumed in July 2011.

¹⁵ As of 10/11/14 ; updated 11/18/ 2015.

¹⁶ As of September 29, 2015, a balance of \$22,208 is unspent.

This chart shows SFY 2015 program expenditures by service type:

Program Expenditures, SFY 2015

| Service | Expenditures |
|---|--------------------|
| Intake Screening | \$ 187,269 |
| Outreach Enrollment | \$ 28,350 |
| Assistance with USCIS N-400 Application | \$ 474,978 |
| Fee Waiver Request | \$ 155,394 |
| USCIS Fingerprint Fee | \$ 0 |
| USCIS N-400 Application Fee | \$ 0 |
| Disability Exception Assistance - USCIS N648 Form | \$ 63,100 |
| Citizenship Training Hours | \$ 254,896 |
| Naturalization Completion Follow-up | \$ 324,800 |
| Outreach Naturalization Completion | \$ 12,750 |
| Appeals | \$ 1,250 |
| Interview Preparation | \$ 51,400 |
| Interview Assistance | \$ 13,753 |
| Annual Performance Outcome Goal Achievement | \$ 66,852 |
| Total | \$1,634,792 |

PROGRAM OUTCOMES

In SFY 2015, the Naturalization program had:

- 3,004 unduplicated clients received Naturalization services, of which 688 (23%) were identified as Outreach participants.
- 926 (31%) Naturalization completions were reported for the total unduplicated caseload, of which 85 (9%) were reported as Outreach participants Naturalization completions.

Although the main performance outcome goal for this program is completed naturalizations, given the challenges and complexities of this process for many of the clients, the program also tracks specific activities associated with the naturalization process as outcomes and payment points for billings.

The following reflects reported payment points outcome data for SFY 2015, with a four-year look-back:

SFY 2011-2015 Outcomes

| Service | 2011 | 2012 | 2013 | 2014 | 2015 ¹⁷ |
|---|--------------|--------------|--------------|--------------|--------------------|
| Intake Screening | 2,100 | 1,957 | 1,783 | 1942 | 1,866 |
| Outreach Enrollment | 352 | 143 | 163 | 264 | 189 |
| Assistance with USCIS N-400 Application | 1,986 | 1,650 | 1,540 | 1637 | 1,580 |
| Fee Waiver Request | 1,982 | 1,655 | 1,548 | 1648 | 1,567 |
| USCIS Fingerprint Fee | 44 | 0 | 0 | 2 | 0 |
| USCIS N-400 Application Fee | 45 | 0 | 0 | 1 | 0 |
| Disability Exception Assistance - USCIS N648 Form | 312 | 219 | 251 | 188 | 253 |
| Citizenship Training Hours | 41,612 Hours | 30,249 Hours | 27,737 Hours | 24,624 Hours | 25,490 Hours |
| Naturalization Completion Follow-up | 1,364 | 1,259 | 1,327 | 1172 | 926 |
| Outreach Naturalization Completion | 293 | 281 | 179 | 175 | 85 |
| Appeals | n/a | 4 | 0 | 7 | 5 |
| Interview Preparation | n/a | 583 | 692 | 580 | 532 |
| Interview Assistance | n/a | n/a | 9 | 128 | 129 |

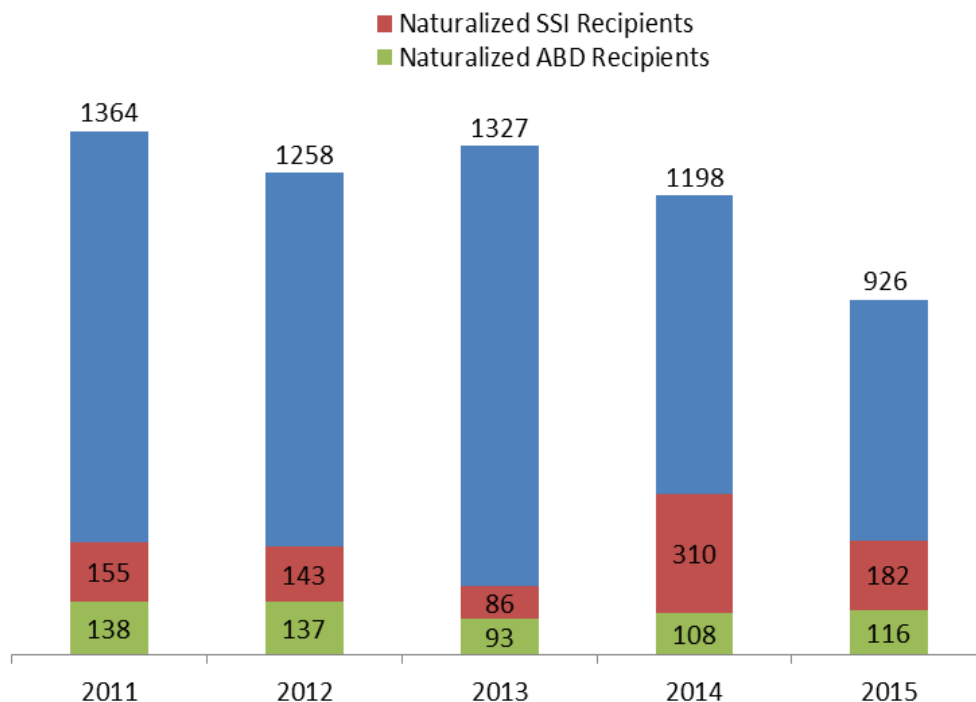
¹⁷ Data Source: RIA, ACES Database Warehouse as of 11/4/2015.

As of February 2014, USCIS released a revised Form N-400, Application for Naturalization, to provide USCIS with additional tools to make important eligibility determinations. This has resulted in a more lengthy, in-depth and complicated application requiring increased attention by service providers to assist clients in completing. In response to this change, ORIA worked with its contractors and agreed to increase the N-400 Assistance payment point to better reflect the amount of work that the revised Form N-400 requires. However because additional funding is not available for this payment point change, the payment amounts for fee waiver assistance, outreach enrollment and Outreach Naturalization Completion were conversely decreased to accommodate the Form N-400 payment increase.

Due to the payment point changes, more contract funds were used for N-400 Assistance which limited the number of other naturalization services that the Contractors could provide, including Naturalization Completion follow-up.

The following chart shows the number of clients who have been granted U.S. citizenship status through the naturalization process from SFY 2010-2015, with breakout counts for SSI and ABD recipients who have naturalized:

Total Number of Naturalized Participants, SFY 2011-2015¹⁸



The actual number of naturalized individuals is likely much higher than captured here, because participants may neglect to report their naturalization to service contractors. Failure to report a change in status may be due to a number of factors such as multiple

¹⁸ Data Source: RIA, ACES Database Warehouse as of 11/4/2015.

attempts before a successful naturalization, relocation during the process, and naturalizing on their own after receiving services through a contractor.

Overall, Washington State follows the current national trend of decreased naturalized citizens. For example, in FY14 654,949 individuals naturalized as compared to FY13 when 777,416 individuals naturalized.¹⁹

BARRIERS TO NATURALIZATION

The application process for naturalizing is very complicated, and even a simple mistake can delay processing. It is also very costly; the current naturalization fee is \$680 per person (includes application fee and mandatory fingerprint fee). Low income immigrants find the cost for professional assistance combined with the naturalization fees prohibitive, and without DSHS's free Naturalization Services Program many may not attempt to apply to naturalize.

The high cost of application fees can be a barrier to individuals applying for citizenship. However, USCIS will waive this fee for low-income applicants such as those on public assistance. Contractors are required to assist participants to submit a fee waiver request and help them gather the documentation they need to support their request. In SFY 2015, Contractors reported helping participants submit 1,108 fee waiver requests to USCIS. While there is great benefit in seeking waivers, filing waiver requests is a significant workload for both the service provider and the applicant. Submitting a fee waiver request will generally increase the processing time by about two months.

The changes made in 2013 to the naturalization examination format continue to make the naturalization process more difficult for refugees and immigrants who are applying to become U.S. citizens. The current examination format has moved away from detailed civics data to emphasize instead, the basic concepts of U.S. government structure and American history and geography. To pass the test, applicants must have a more detailed understanding of U.S. history and civics. For example, the examination will test the applicant's knowledge of the *Federalist Papers* and how they influenced ratification of the U.S. Constitution. USCIS hoped that the new test will encourage attachment to the principles of citizenship²⁰.

DSHS and service contractors are working to mitigate barriers to the naturalization process by helping participants overcome anxieties and barriers including:

- Age-related memory problems and their impact on learning civics and history
- Inability to speak English under the pressure of the citizenship interview

¹⁹ <http://www.uscis.gov/archive/archive-news/naturalization-fact-sheet>

²⁰ Alphonso Aguilar, Chief of the Office of Citizenship, Press Conference on New Naturalization Test, September 27, 2007, http://www.uscis.gov/files/pressrelease/natzrndtbl_72sep07.pdf

- Citizenship classes tailored for “everyone” regardless of English capabilities
- Difficulty in obtaining test exemptions and/ or accommodations
- High costs related to the naturalization process: \$595 application fee and \$85 for the mandatory fingerprint fee

Another barrier in the naturalization process is related to Medical Disability Waivers. Over the last couple of years, DSHS contractors have been experiencing an increased level of disability waiver denials by USCIS. A disability waiver allows disabled clients, particularly those with mental health issues, to either take a simplified citizenship test or have the test waived. The “spike” in denials is not unique to our state and has been recognized by the federal Office of Refugee Resettlement and the USCIS, both who have previously organized discussions on this topic. The concern is that USCIS requires medical documentation to support the disability request and USCIS agents, who are not medically trained, are overriding the medical evidence based on their own perception of the client’s disability.

ORIA is partnering with the City of Seattle’s Office of Immigrant and Refugee Affairs (OIRA) to coordinate and address with the USCIS the struggles that many Contractors face in obtaining an approval of the N-648 Disability Exception Requests for refugee and immigrant clients. The rejection of the N-648s greatly impacts the increased time contractors need to spend to resubmit applications, and denials of N-648s may have resulted in some refugee clients losing SSI benefits for failure to naturalize within the seven year federal timeline.

The Department recognizes service providers who contract with DSHS to provide naturalization services as playing a key role in identifying barriers, participating in the development of strategies and coordinating the service network viable solutions to help address barriers to naturalization for DSHS clients who want to naturalize. Quarterly provider meetings are held throughout the SFY 2015 program year for ORIA staff and contractors to discuss outreach to clients, program successes and challenges and contracting structure and billing processes that may need to be changed to provide providers additional support needed to provide quality and effective naturalization services.

ATTACHMENT A

RCW 74.08A.130

Immigrants - Naturalization facilitation.

The department shall make an affirmative effort to identify and proactively contact legal immigrants receiving public assistance to facilitate their applications for naturalization. The department shall obtain a complete list of legal immigrants in Washington who are receiving correspondence regarding their eligibility from the social security administration. The department shall inform immigrants regarding how citizenship may be attained. In order to facilitate the citizenship process, the department shall coordinate and contract, to the extent necessary, with existing public and private resources and shall, within available funds, ensure that those immigrants who qualify to apply for naturalization are referred to or otherwise offered classes. The department shall assist eligible immigrants in obtaining appropriate test exemptions, and other exemptions in the naturalization process, to the extent permitted under federal law.

ATTACHMENT B

BASIC INFORMATION ON BECOMING A UNITED STATES CITIZEN

Who is eligible?

Legal permanent residents (LPR) who have resided in the U.S. for five years (three years if married to a U.S. citizen). LPR status is indicated on the applicant's USCIS-I-551 Permanent Resident Card (also known as a "green card"). Refugees are eligible to apply for LPR status one year after arriving in the U.S.

Requirements to apply for citizenship - Applicant must:

- Have been present in the U.S. for at least half of the 5 years (three years if married to a U.S. citizen);
- Be able to pass a test on speaking, understanding, reading and writing basic English;
- Be able to pass a U.S. history and government test;
- Have good moral character;
- Understand and accept the oath of allegiance to the U.S.; and
- Not have a citizenship-related legal problem.

Exceptions in the testing requirements

For applicants that meet certain age and time in the U.S. criteria, the USCIS makes exceptions to the testing procedures. This may include allowing the applicant to bring an interpreter for the English test, or asking the applicant 10 history and U.S. government questions instead of 20. For applicants who meet the USCIS criteria for disability, both tests are waived.

What is the process?

If the applicant meets all the eligibility requirements, he or she may file a USCIS Application for Naturalization form with required photos and a money order or check for the application fee (\$595) and fingerprint fee (\$85) to the USCIS. The process takes approximately 4 months from the date of the application to date of interview with USCIS.

Are there any resources available to help?

There are community based organizations in the state that provide services to eligible applicants including assistance in completing the citizenship application and disability waiver requests, providing applicants with the USCIS fees, or assisting them to request the USCIS to waive the fees for low income families. These agencies also provide citizenship preparation classes.

What are the benefits?

Many SSI clients that have not naturalized or cannot show they have 40 work quarters will lose their SSI benefits when they reach their 7 year time limit. By becoming citizens, they can maintain their benefits and become eligible for a full range of other public benefits. Citizens can apply for more family members to immigrate to the U.S. and often more quickly than lawful permanent residents. Children, who are under 18 and live at home at the time one or both of their parents naturalizes, automatically become U.S. citizens. Citizens can vote, can travel abroad without worrying about re-entry permits, are protected from deportation and can apply for certain government jobs.

ATTACHMENT C

SFY 2015 NATURALIZATION CONTRACTS

| Contractor | Contract Amount |
|---|------------------------|
| REGION 1 | |
| NW Immigrant Rights Project (Yakima County) | \$ 36,000 |
| World Relief – Spokane | \$ 145,277 |
| World Relief – Tri Cities | \$ 65,307 |
| Region 1 Total | \$ 246,584 |
| REGION 2 | |
| City of Seattle | \$ 365,815 |
| East African Community Services | \$ 29,441 |
| International Rescue Committee | \$ 59,438 |
| Korean Women’s Association (King County) | \$ 51,896 |
| Lutheran Community Services NW (King County) | \$ 44,161 |
| NW Immigrant Rights Project (King County) | \$ 14,270 |
| Refugee & Immigrant Services NW | \$ 153,512 |
| Refugee Federation Service Center | \$ 118,600 |
| Somali Youth & Family Club | \$ 29,441 |
| Ukrainian Community Center of WA | \$ 54,438 |
| World Relief – Seattle | \$ 119,134 |
| Region 2 Total | \$1,040,146 |
| REGION 3 | |
| Korean Women’s Association (Pierce County) | \$ 84,768 |
| Lutheran Community Services NW (Clark County) | \$ 134,151 |
| Multicultural Self-Sufficiency Movement | \$ 83,913 |
| Tacoma Community House | \$ 67,438 |
| Region 3 Total | \$ 370,270 |
| TOTAL CONTRACT AMOUNT | \$1,657,000 |