



Washington State
Department of Social
& Health Services

Report to the Governor and Legislature

Naturalization Services *as required by Chapter 50, Section 207 (7)* *Laws of 2011, First Special Session*

December 2011

**Department of Social & Health Services
Economic Services Administration
Community Services Division
P.O. Box 45440
Olympia, WA 98504-5440
Phone: (360) 725-4888
Fax: (360) 725-4904**

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EXECUTIVE SUMMARY

Chapter 50, Section 207 (7), Laws of 2011, First Special Session, requires the Department of Social and Health Services (DSHS or the Department) to report to the Legislature 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.

Program Overview

Naturalization is the process by which U.S. Citizenship is conferred upon a legal immigrant after he or she fulfills the requirements established under the Immigration and Nationality Act. Generally, a legal immigrant must learn basic U.S. history and civics, and pass a written or oral exam given in English by the U.S. Citizenship and Immigration Service (USCIS) to become a naturalized citizen.

DSHS coordinates naturalization services by contracting statewide with approximately 13 community-based organizations (CBOs) to provide citizenship services to eligible immigrants. Some service providers hold multiple naturalization contracts because they provide services at different locations statewide. Examples of these CBOs include the Korean Women's Association, which provides services in Pierce and Clark counties and World Relief, which provides services in King, Spokane, and Benton Counties. The two major components of naturalization services include citizenship preparation training and funding for the USCIS fees.

Program Costs

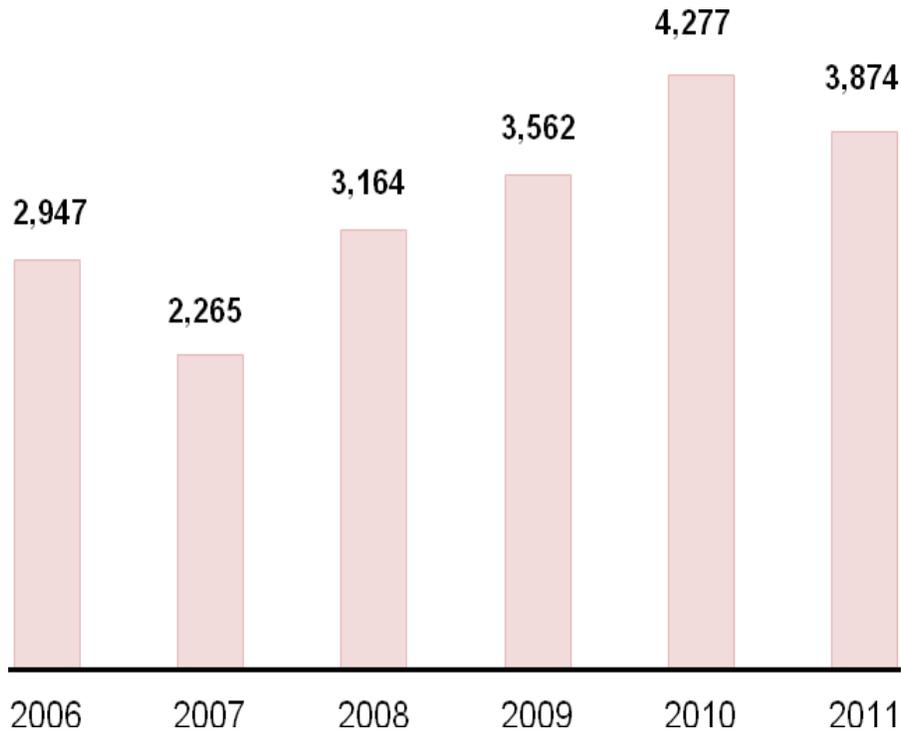
Naturalization services funded by the department are provided solely with general state funds. In SFY 2012, the legislature appropriated just over \$1.6 million for naturalization services.

In SFY 2011, the Naturalization Program was terminated on November 30, 2010, only 5 months into the fiscal year, in an effort to preserve state funds due to the state's economic downturn. Of the approximately \$2.8 million allocated to Naturalization, \$1.9 million was expended before program termination.

Program Caseloads

The number of participants served varied over the last six years with a high of 4,277 in SFY 2010 to a low of 2,265 in SFY 2007.

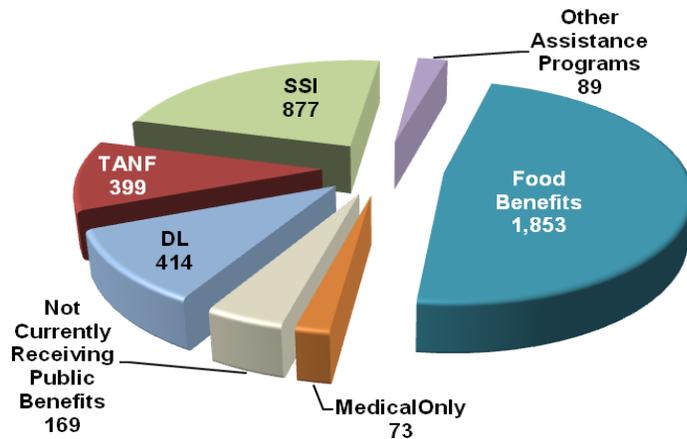
Total Number of Participants Served, SFY 2006-2011



State law, RCW 74.08A.130 (**Exhibit B**) requires DSHS to facilitate naturalization applications for legal immigrants who receive public assistance. Clients who enroll into the Naturalization Services program while on public assistance can continue to receive services even if their public assistance benefits end.

The chart below shows clients served by the Naturalization Program by public assistance program type while the program was operational in SFY 2011(July 2010 – November 2010):

Number of Participants Served by Program, SFY 2011



Program Outcomes

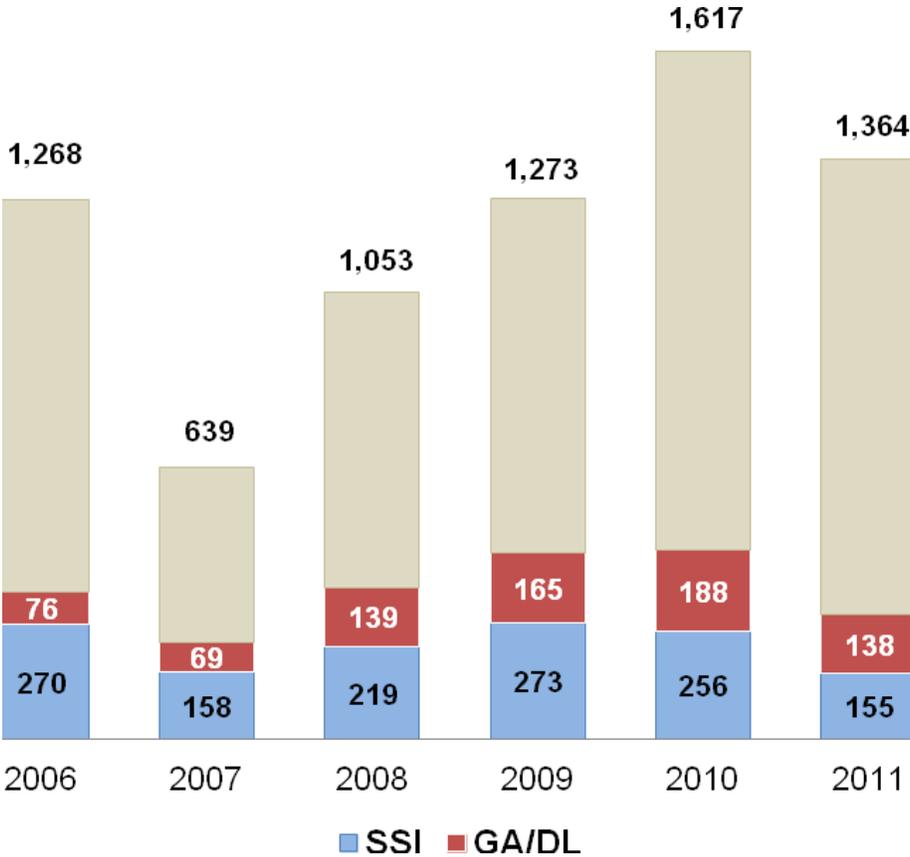
Naturalization outcome and expenditure data for SFY 2012 is not available for this report. A Request for Qualifications (RFQ) process was implemented in July 2011 to select contractors for the current fiscal year. The RFQ was completed in early September and contracts were put in place on September 15. Contractors have until November 15 to submit an invoice for September services and the Department has until December 15 to make payment for services. Therefore, data on September services will not be available until after December 15.

Due to the limited available data for SFY 2012, this report will include budget and caseload information for SFY 2006 through 2011. The SFY 2011 data is displayed separately because it is the most recent complete fiscal year prior to this report.

SFY 2011 Outcomes

| Services | Number of Participants Served |
|--|-------------------------------|
| Payment For Naturalization Application | 45 |
| Payment For Fingerprint Fee (required with Naturalization Application) | 44 |
| Complete And Submit Application Fee Waiver To USCIS | 1,986 |
| Complete and Submit Disability Exception Waiver To USCIS | 313 |

Total Number of Naturalized Participants, SFY 2006-2011



SFY 2012 REPORT ON NATURALIZATION SERVICES

BACKGROUND

Washington State has a large and dynamic immigrant community. According to the 2010 US Census, 16.5% of the families in Washington speak a language other than English¹. In King County, the state's most populous county, 22.9% of the families residing in the county speak a language other than English at home².

Washington State resettles a significant number of refugees which contributes to the ethnic diversity in our communities. According to the Department of Homeland Security (DHS), in federal fiscal year 2010 (October 2009 through September 2010), Washington State ranked eighth in the nation in resettling new refugees. Only Arizona, California, Florida, Georgia, Michigan, New York, and Texas resettled more refugees than Washington³.

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. Under current federal law, dependent children automatically become citizens if at least one parent naturalizes. 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.

Legal immigrants who fulfill requirements established under the Immigration and Nationality Act may become naturalized U.S. citizens. General requirements for naturalization include:

- A period of continuous residence and physical presence in the U.S.
- An ability to read, write, and speak English
- A knowledge and understanding of U.S. history and government
- Good moral character

¹ US Census Bureau, Quick Facts: <http://quickfacts.census.gov/qfd/states/53000.html>

² US Census Bureau, Quick Facts: <http://quickfacts.census.gov/qfd/states/53/53033.html>

³ DHS, Refugee and Asylees: 2010: http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_rfa_fr_2010.pdf

- Attachment to the principles of the U.S. Constitution
- Favorable disposition toward the U.S.

Exhibit A provides basic information on the naturalization process and requirements.

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: immigrants who obtained permanent residency through marriage to a U.S. citizen can apply after residing in the U.S. for three 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.

State law, RCW 74.08A.130 (**Exhibit B**), requires DSHS to facilitate naturalization applications for legal immigrants who receive public assistance. DSHS contracts with public and private resources statewide to ensure immigrants are referred to or otherwise offered citizenship training classes, obtain appropriate test exemptions and other exemptions in the naturalization process as permitted under federal law, and receive other assistance needed to complete the naturalization process.

Refugees receiving SSI and aged, blind, or disabled refugees who received state-funded Disability Lifeline (DL) benefits or are receiving benefits as of November 1, 2011 under the Medical Care Services (MCS), or Aged, Blind, Disabled (ABD) are priorities for the Naturalization Program. This is because refugees are only eligible for SSI for 7 years unless they naturalize. If they lose SSI because of the time limit, they become eligible for the former DL program or current ABD program. Naturalizing these individuals will allow SSI recipients to keep or regain their benefits.

NATURALIZATION SERVICES

The Department provides naturalization facilitation services through contracts with approximately 13 community based organizations (CBO) (**Exhibit C**). Some service providers hold multiple naturalization contracts because they provide services at different locations statewide.

All service providers have ties to ethnic communities and provide bilingual services in culturally appropriate ways to immigrants seeking citizenship 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.

Attention is given to address special needs in the target population. For example, elderly immigrants 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 received the former DL program, or currently receiving ABD or SSI to waive minimum English as a Second Language (ESL) level and length of LPR (legal permanent resident) status requirements for naturalization. Finally, some contractors are able to provide tutoring for participants who are homebound.

The Department leverages existing community resources when possible to maximize access to naturalization services. For example, DSHS contracts 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 (NCP), such as legal assistance and consultation from immigration attorneys, training to citizenship service providers on subjects such as new USCIS forms and policies where participation is open to any state funded provider in the state, and training for citizenship classes teachers.

A. Services Provided

Naturalization services provided through Department contracts include:

- Intake screening to determine suitability for naturalization and make referrals as necessary to an attorney or a Board of Immigration Appeals (BIA) accredited person to address legal and good moral character⁴ issues associated with an application for naturalization.
- 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 payment of the naturalization application (\$595) and fingerprinting (\$85).

⁴ 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.

- Assistance in obtaining a fee waiver (form I-912) to USCIS.
- Citizenship preparation training and instruction including classes in American History and civics.
- English language training needed for the citizenship test.
- Assistance with completion and submittal of the USCIS Medical Certification for Disability Exception (form N-648).
- Assistance in obtaining other test exemptions when appropriate.
- Assistance for participants to apply for special accommodations at the interview.
- Referrals to legal assistance or representation if necessary.

B. Test Exemptions and Accommodations

CBO 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 CBOs 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**
It 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.

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.

BARRIERS TO NATURALIZATION

The current naturalization examination format has been in place since October 1, 2008. It was changed from the previous form to move away from civics trivia to emphasize instead on basic concepts about 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 citizenship⁵. However, advocates are concerned that the test will only make it harder for applicants to pass the naturalization examination.

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

- **Age related memory problems and their impact on learning civics and history**

⁵ Alphonso Aguilar, Chief of the Office of Citizenship, Press Conference on New Naturalization Test, September 27, 2007, http://www.uscis.gov/files/pressrelease/natzrmdtbl_72sep07.pdf

- Inability to speak English under the pressure of the citizenship interview
- 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

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. Service providers are required by contract to assist participants submit a fee waiver request and help them gather the documentation they need to support their request. In SFY 2011, contracted providers helped participants submit approximately 1,982 fee waiver requests to USCIS.

While there is great benefit in seeking a fee waiver, filing a fee waiver request is a significant workload for both the service provider and the applicant. USCIS requires verification of the applicant’s circumstances, such as proof that the applicant is receiving a federal means tested benefit, income earned during the most recent tax year, family composition, and justification that the applicant is in a special situation requiring compassionate consideration. Submitting a fee waiver request will generally increase the processing time by about two months.

PROGRAM FUNDING

In the past we have allocated both federal and state funds for naturalizations services. However, beginning in SFY 2010, naturalization services have been provided solely through state funds. The federal funds previously used for naturalization was allocated for employment services for refugees.

In SFY 2012 \$1,657,000 was allocated for naturalization and \$2,842,000 was allocated in SFY 2011. The current allocation represents a 58% decrease in funding compared to last year.

The following chart lists budget information by funding source for SFY 2006-2010:

| State Fiscal Year | Federal | State | Total |
|-------------------|--------------|----------------|----------------|
| 2006 | \$407,960.00 | \$1,463,500.00 | \$1,843,960.00 |
| 2007 | \$211,500.00 | \$1,436,000.00 | \$1,647,500.00 |
| 2008 | -0- | \$2,186,000.00 | \$2,186,000.00 |
| 2009 | \$12,000.00 | \$2,186,000.00 | \$2,198,000.00 |
| 2010 | -0- | \$2,842,000.00 | \$2,842,000.00 |
| 2011 | -0- | \$2,842,000.00 | \$2,842,000.00 |

PROGRAM DISBURSEMENTS

We do not have expenditure data for SFY 2012 at this time because a Request for Qualifications (RFQ) process was used to qualify contractors for Naturalization Services contracts for the current fiscal year. Since funding was significantly reduced this year, the RFQ provided an equitable selection process for contractors who wanted to provide these services. In addition, the RFQ provided an opportunity to ensure that successful contractors were able to comply with a new state law that makes it unlawful for individuals to give legal advice on immigration matters unless they are practicing attorneys or recognized by the Board of Immigration Appeals to provide such advice (SSB 5023 - The Immigration Services Fraud Prevention Act).

As a result of the RFQ, contracts were not implemented until between September 15 and October 1, 2011. Contractors have until November 15 to submit an invoice for September services and the Department has until December 15 to process them, so expenditure data will not be available until that time.

The Naturalization Program was terminated in SFY 2011 on November 30, 2010, only 5 months into the state fiscal year, in an effort to preserve state funds due to the state's economic downturn. Of the approximately \$2,842,000 allocated to naturalization, about \$1,951,547 was expended before program termination and a reduction of approximately \$890,652 in planned spending was achieved as part of DSHS' budget reduction requirements.

Many contracted service providers mobilized other resources to continue

to provide naturalization services in SFY 2011 after the state terminated funding for this program. The City of Seattle for example had its own funding from the city's New Citizens Program funds to continue to provide naturalization services. Other contractors found support from philanthropic, faith-based and private donors while some contractors charged each client a nominal fee for services.

Program Expenditures, SFY 2011 (July – November 2010 data only)

| Service | Expenditures |
|---|-----------------------|
| Administrative Costs (15% of Direct Services) | \$103,629.78 |
| Legal Services | \$105,215.80 |
| Screening & Referrals | \$4,850.00 |
| Intake Screening | \$210,000.00 |
| Outreach Enrollment Bonus | \$35,200.00 |
| Pre-Screening - Referred DL Clients | \$25.00 |
| Assistance with USCIS N-400 Application | \$297,900.00 |
| Fee Waiver Request | \$297,300.00 |
| USCIS Fingerprint Fee | \$3,520.00 |
| USCIS N400 Application Fee | \$26,775.00 |
| Disability Exception - USCIS N648 Form | \$78,000.00 |
| Citizenship Training | \$291,281.90 |
| Naturalization Completion Follow-up | \$471,450.00 |
| Outreach Naturalization Completion | \$26,400.00 |
| Total | \$1,951,547.48 |

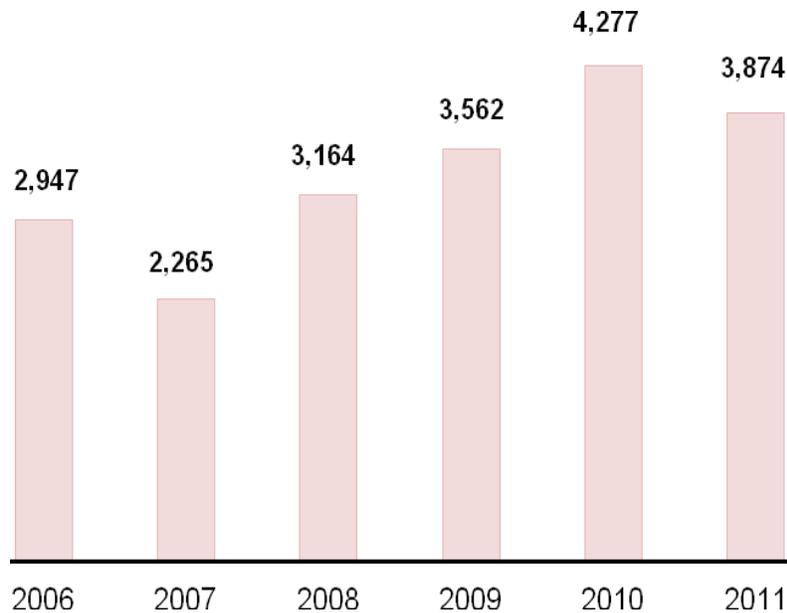
The following chart shows total program disbursements for SFY 2006-2010:

| State Fiscal Year | Total Budget | Total Distribution | Balance |
|-------------------|----------------|--------------------|---------------------------|
| 2006 | \$1,843,960.00 | \$1,801,655.00 | \$42,305.00 |
| 2007 | \$1,647,500.00 | \$1,577,334.50 | \$70,165.50 |
| 2008 | \$2,186,000.00 | \$1,796,851.00 | \$389,149.00 |
| 2009 | \$2,198,000.00 | \$2,179,294.00 | \$18,706.00 |
| 2010 | \$2,842,000.00 | \$2,810,886.25 | \$31,113.75 |
| 2011 | \$2,842,000.00 | \$1,951,547.48 | \$890,652.52 ⁶ |

PROGRAM CASELOADS

The number of participants served varied between SFY 2006-2011 with a high of 4,277 in SFY 2010 to a low of 2,265 in SFY 2007.

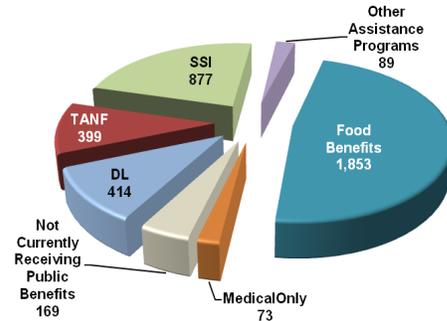
Total Number of Participants Served, SFY 2006-2011



⁶ This lower level of spending in the program was part of DSHS' budget reduction requirements.

State law, RCW 74.08A.130 (**Exhibit B**) requires DSHS to facilitate naturalization applications for legal immigrants who receive public assistance. Clients who enroll into the Naturalization Services program while on public assistance can continue to receive services even if their public assistance benefits end.

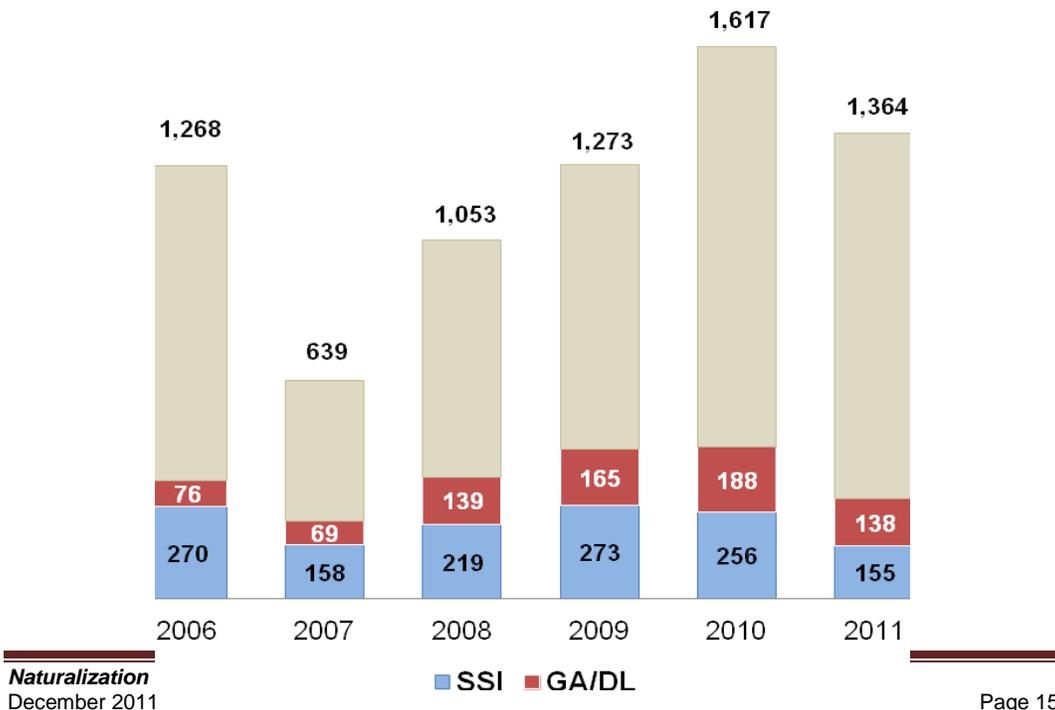
This chart shows clients served by the Naturalization Program by public assistance program type while the program was operational in SFY 2011 (July 2010 – November 2010):



PROGRAM OUTCOMES

The Naturalization Facilitation program began in April 1997 and nearly 11,434 program participants successfully completed the naturalization process as of SFY 2011. The actual number of naturalized individuals is likely much higher than captured here because participants do not always report their naturalization to naturalization contractors. Failure to report a change in status may be due to a number of factors such as multiple attempts before a successful naturalization, relocation during the process, and naturalizing on their own after receiving services through a contractor.

Total Number of Naturalized Participants, SFY 2006-2011



Contractors reported these specific services and outcomes for SFY 2011:

| Service ⁷ | Number of Participants Served ⁸ |
|---|--|
| Legal Services ⁹ | 334 |
| Screening & Referrals | 194 |
| Intake Screening | 2,100 |
| Outreach Enrollment Bonus | 352 |
| Pre-Screening - Referred DL Clients | 1 |
| Assistance with USCIS N-400 Application | 1,986 |
| Fee Waiver Request | 1,982 |
| USCIS Fingerprint Fee | 44 |
| USCIS N400 Application Fee | 45 |
| Disability Exception - USCIS N648 Form | 312 |
| Citizenship Training Hours | 41,612 |
| Naturalization Completion Follow-up | 1,364 |
| Outreach Naturalization Completion | 293 |

⁷ The City of Seattle receives payment for administration fees to coordinate and prepare for quarterly billing from its subcontractors (19 in SFY 2011) to DSHS.

⁸ A program participant may receive multiple services.

⁹ Services include exemption denial appeals, motions to re-open, application assistance and other representation.

EXHIBIT A

BASIC INFORMATION ON BECOMING A U.S. CITIZEN

Who is eligible?

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

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 United States history and government test;
- Have good moral character;
- Understand and accept the oath of allegiance to the United States; 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 US 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.

EXHIBIT B

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.

EXHIBIT C
SFY 2012 NATURALIZATION CONTRACTS

| CONTRACTORS | AWARD AMOUNT |
|--|---|
| City of Seattle, Dept. of Human Services | \$ 350,537 |
| East African Community Services | \$ 88,323 |
| International Rescue Committee | \$ 49,161 |
| Korean Women's Association | \$ 44,161 – Region 2 \$ 66,755 – Region 3 |
| Lutheran Community Services NW | \$ 44,161 – Region 2 \$ 134,151 – Region 3 |
| Multicultural Self Sufficiency Movement | \$ 73,636 |
| Northwest Immigrant Rights Project | \$ 30,000 – Region 1 \$ 20,270 – Region 2 |
| Ready by Five | \$ 50,000 |
| Refugee Federation Service Center | \$ 118,600 |
| Refugee & Immigrant Services NW | \$ 153,512 |
| Tacoma Community House | \$ 67,438 |
| Ukrainian Community Center | \$ 44,161 |
| Universal Language Service, Inc. | \$ 4,000 – Statewide outreach |
| World Relief (Seattle) | \$ 119,134 |
| World Relief (Spokane) | \$ 135,000 |
| World Relief (TriCities) | \$ 53,000 |
| TOTAL | \$ 1,646,000¹⁰ |

¹⁰ \$11,000 reserved for adjustments to naturalization outreach contracts.