

U.S. House of Representatives, Committee on the
Judiciary, Subcommittee on Immigration, Citizenship,
Refugees, Border Security, and International Law

Hearing on Comprehensive Immigration Reform:
Becoming Americans – U.S. Immigrant Integration

By

Donald Kerwin, Executive Director,
Catholic Legal Immigration Network, Inc.

May 16, 2007

Madam Chairwoman and distinguished Members of the Subcommittee, my name is Donald Kerwin and I am the Executive Director of the Catholic Legal Immigration Network, Inc. (CLINIC). I appreciate the opportunity to testify before you today on the role of citizenship in immigrant integration.

CLINIC, a subsidiary of the U.S. Conference of Catholic Bishops (USCCB), supports a national network of 161 charitable legal programs for immigrants. These programs represent roughly 400,000 low-income immigrants each year, including lawful permanent residents who wish to become U.S. citizens. Over the last decade, CLINIC has directed programs that have assisted more than 80,000 immigrants to obtain citizenship. We now fund and support group naturalization processing events in 21 communities, including in communities represented by several Members on the Judiciary Committee. We hope to expand this number in the upcoming weeks.

Earlier this year, CLINIC published a report titled *A More Perfect Union: A National Citizenship Plan* which can be found at <http://www.cliniclegal.org/DNP/citzplan.html>. The report reflects extensive research, more than 100 interviews with immigration service and policy experts, and the best thinking of a 22-person advisory committee. It attempts to set forth the resources, activities, and partnerships that would be required to carry out a national citizenship plan. The report will form the basis of this testimony.

Citizenship and Immigrant Integration

The strength and vitality of our nation will increasingly depend on the contributions of its 37 million foreign-born residents. We cannot afford to assume that the integration of a population of this magnitude and diversity will occur automatically or easily. As President Bush recognized in creating the Task Force on New Americans, integration will require sound policies, contributions from all the key sectors in society, and a coordinated strategy. Citizenship should play a central role in an immigrant integration strategy for four main reasons.

First, citizenship represents a pre-condition to the full membership of immigrants in our nation. Its benefits include the right to vote and to hold public office, timely family reunification, and enhanced employment and educational opportunities. It allows immigrants to contribute more fully to the good of our nation.

Second, the naturalization process represents a focal point for immigrant integration activities. Most importantly, it provides the occasion to educate immigrants on U.S. history, civic values and political institutions. This effort must go beyond preparing immigrants for the civics test. Naturalization – culminating in the oath of allegiance at the swearing-in ceremony – should lead immigrants to become better informed about the Constitution, fully committed to our democratic ideals, engaged in the political process, and represented in the political system. In a nation united by a common creed, this goal could not be more important. Citizenship programs also provide services as diverse as English-as-a-Second-Language (ESL) instruction, citizenship classes, home-ownership seminars, and medical information. These activities contribute to greater proficiency in English, closer community ties, and integration into a wider circle of people and institutions.

Third, a national citizenship plan would address an immense need. According to the Pew Hispanic Center, 8.5 million U.S. residents were eligible to naturalize in 2005 based on their years as lawful permanent residents, with an additional 2.8 million soon to be eligible (Passel, 2007, pp. 7-8). A national citizenship initiative would benefit millions of immigrants and their families.

Fourth, citizenship offers a unique opportunity for collaboration between different sectors of society. CLINIC developed *A More Perfect Union: A National Citizenship Plan* based on the input of experts with different competencies and perspectives. Although immigration can be a volatile issue, CLINIC has found wide and bi-partisan support for citizenship. Our plan details how key “stakeholders” – government at all levels, schools, faith communities, business, labor unions, civic organizations, and others – can contribute to a coordinated citizenship program. Of course, these institutions have historically served as vehicles for immigrant integration.

Immigrants also value citizenship. Fully 90 percent view citizenship as something “necessary and practical” or “a dream come true” (Farkas, Duffett and Johnson, 2003, p. 29). This should come as no surprise. The vast majority of immigrants want what most of the rest of us do in life: to pursue a livelihood, to support their families, to contribute to their nation, to live in security and to practice their faith.

While naturalization rates and numbers have increased in recent years,

only 53 percent of those admitted as lawful permanent residents 11 to 20 years ago have naturalized (Passel, 2007, p. 15). Any citizenship plan would need to address why millions fail to apply to naturalize when they become eligible. Lack of proficiency in English represents the most common reason. Fifty-five (55) percent of immigrants who are otherwise eligible to naturalize and 67 percent of those who will soon be eligible have limited English proficiency ((Passel, 2007, p. 11). In many communities, waiting lists for English classes stretch several months. Yet these programs represent the only structured way for many low-income immigrants to learn English.

Other barriers to citizenship include lack of knowledge about the legal requirements and benefits of naturalization, a paucity of professional assistance to guide immigrants through this process, the inability to afford the application fee (a problem that will increase if proposed fee increases go into effect), and application processing problems. As an example of the latter, FBI Director Mueller reported security delays of more than one year in 44,843 naturalization cases as of May 2006. While we support strong security clearance procedures, CLINIC's network of charitable programs handles many naturalization cases that have been pending for three and even four years.

Recommendations

Despite the widely acknowledged benefits of citizenship, the United States does surprisingly little to promote the naturalization process. *A More Perfect Union: A National Citizenship Plan* calls for a national mobilization in support of citizenship, identifying the roles of government, immigrant service agencies, and other sectors of society. It describes a program that could serve as the linchpin of an emerging U.S. immigrant integration strategy. A few key recommendations follow.

First, immigration service providers should significantly expand their naturalization work, offering group workshops and related services. These events should be sponsored and supervised by charitable organizations with immigration attorneys or with staff "accredited" by the Board of Immigration Appeals. In addition, they should use trained volunteers and follow stringent quality control standards for eligibility screening and application review.

CLINIC and other immigrant-service networks have significantly increased

their commitment to naturalization services in recent months, both as a good in itself and as a way to prepare to implement immigration reform legislation. These workshops require charitable programs to rent space, to conduct community outreach, to serve large numbers of people, and to recruit and train volunteers (including pro bono attorneys). This work anticipates what they will need to do in order to ensure the success of comprehensive immigration reform legislation.

Second, the U.S. Citizenship and Immigration Service's (USCIS's) Office of Citizenship (OoC) should receive sufficient federal funding to coordinate a national citizenship program. At present, OoC's annual budget of roughly \$3 million and its lack of grant-making authority significantly limit its activities. Similarly, USCIS should not be required to support its operations entirely on fee revenue. Adequate funding would allow USCIS to forego onerous fee increases that will deny access to citizenship to many immigrants. It would also help USCIS to reduce its backlogs, update its technology, and improve its customer services. USCIS should also be given greater access to fee-account revenue so that it can respond to sudden increases in applications.

Third, charitable agencies need additional resources to expand their significant work in this area. Of course, this need will increase dramatically if comprehensive immigration reform legislation passes. Federal support should be provided to networks of direct service providers that are engaged in naturalization outreach, intake, application assistance, ESL classes, citizenship instruction, and test preparation. Non-profit organizations that are "recognized" by the Board of Immigration Appeals or supervised by an attorney should be the preferred anchors in local collaborative programs. Charitable service agencies, including those in CLINIC's network, stand ready to partner with the federal government on a national citizenship effort, as well as on implementation of comprehensive immigration reform legislation.

Fourth, the federal government should help to coordinate, increase, and sustain the citizenship work now being performed by others; it should not supplant existing efforts. State, local, philanthropic, and corporate interests should partner with the federal government – perhaps matching federal dollars – to expand naturalization services, including English language instruction. The Office of Citizenship should track funding from these sources and issue an annual report that publicizes the achievements of a national program.

Fifth, a national citizenship program should bring together the leadership, resources, and talents of the nation's public and private sectors. It should also engage the native-born, naturalized, and future citizens in the program's design and implementation. A national program should ensure that lawful permanent residents enjoy access to citizenship, regardless of their socio-economic status or ethnic background. It should make a special effort to reach those who naturalize at the lowest rates. However, it should also assure that sufficient services be provided to those who can self-file and who need less information and assistance.

Sixth, the Office of Citizenship's budget should come chiefly from public funds; its dependence on USCIS application fees should be reduced. The OoC should steer corporate and foundation funding to charitable agencies; it should not compete for sparse private funding. The OoC should hire community liaison officers for each USCIS district to coordinate local initiatives, to conduct outreach, to share successful program models, and otherwise to build partnerships with charitable agencies.

Seventh, the Office of Citizenship should initiate a process to identify the research and demographic data that will be needed to conduct a national citizenship program. This data should be used to develop outreach strategies, to design media campaigns, to allocate funding, to build service capacity, to strengthen ESL and citizenship instruction, and to provide benchmarks and tools for evaluation. Similarly, immigration experts should convene a national citizenship conference to share new research, knowledge, program models, and best practices. It will be crucially important that any national citizenship program have a methodologically sound evaluation component. Program evaluation should document not only numbers of new citizens, but significant community interventions and steps contributing to citizenship. Protocols and controls should be developed to restrict government and grantee access to confidential information.

Eighth, USCIS should explain naturalization eligibility requirements in its approval notice for lawful permanent residence. In addition, the USCIS should make the OoC's guide titled *Welcome to the United States, A Guide for New Immigrants* available to all immigrants and refugees. USCIS should notify immigrants when they become eligible to apply for citizenship. It should refer applicants that fail the citizenship test to ESL and citizenship courses. In addition, the Office of Citizenship should partner with

charitable agencies and networks to provide outreach on citizenship to immigrant communities. Appropriate content should be developed by experts in media messaging and by immigration advocates. Outreach should highlight naturalization requirements, as well as the benefits, rights, and responsibilities of citizenship.

Ninth, naturalization oath ceremonies should be the defining moment of the citizenship process and a key feature of a national citizenship program. USCIS should direct its district offices to offer same-day oath ceremonies if possible. The Office of Citizenship should expand its efforts to organize high-profile naturalization ceremonies, including those on days of national significance. Court- and USCIS-administered ceremonies should be open to the public and to service organizations. All oath ceremonies should conclude with voter registration. Local boards of election should oversee voter registration activities and encourage civic organizations to provide this service.

Tenth, ESL and citizenship instruction should be expanded through adult basic education classes and community-based organizations. Classes should be available at different English language levels, including short-term, high-impact instruction for advanced students and long-term, tailored instruction for students with low literacy. Standards should be established for both professional and volunteer instructors. Instructors should refer legal questions to immigration attorneys or accredited non-attorneys. ESL and citizenship curricula should cover the naturalization test and interview, but include broader content that fosters an informed and engaged citizenry.

Eleventh, USCIS should expand the availability of citizenship application fee waivers for low-income immigrants. It should liberalize its fee waiver policy, create a fee waiver application form to standardize the application process, explain the availability of waivers and the application process in its informational materials, establish an application filing discount for poor working families who wish to apply for citizenship together, and offer an option of paying the application fee in two installments.

Twelfth, USCIS should continue its efforts – which it began in earnest in 2002 – to develop a more meaningful citizenship test. The revised test should adhere to the current legal requirements for level of difficulty and use of discretion, include consequential material on U.S. history and civics presented at a basic English level, and be able to accommodate applicants

with special needs. It should not adversely impact vulnerable applicants or those who are members of specific ethnic, national or language groups.

Thirteenth, USCIS should train and monitor its officers to ensure proper implementation of the redesigned citizenship test. In addition, the Office of Citizenship should partner with nonprofit organizations to create: (1) a curriculum and study guide at basic and advanced English levels for use in preparing applicants for the citizenship test; (2) a teacher's guide; and (3) multi-modal citizenship promotion materials. It should also establish a clearinghouse of citizenship materials, fund training and technical assistance for ESL and citizenship teachers, and promote standards in citizenship education.

Conclusion

These recommendations form the basis of the more detailed analysis provided in *A More Perfect Union: A National Citizenship Plan*. CLINIC's network is fully committed to the integration of our nation's immigrants and their families. A national citizenship plan would make an indispensable contribution to this goal. It would also serve our nation's interest. We thank you for your leadership on this issue and encourage you to move ahead on this important issue.

Work Cited

Jeffrey Chenoweth and Laura Burdick, *A More Perfect Union: A National Citizenship Plan* (Catholic Legal Immigration Network, Inc., Jan. 2007), available at <http://www.cliniclegal.org/DNP/citzplan.html>.

Steve Farkas, Ann Duffett and Jean Johnson, *Now That I'm Here: What America's Immigrants Have to Say about Life in the U.S. Today* (Public Agenda, 2003), 29.

Jeffrey Passel, *Growing Share of Immigrants Choosing Naturalization* (Pew Hispanic Center, Mar. 28, 2007), 7-8, available at <http://pewhispanic.org/reports/report.php?ReportID=74>).