

REPORT TO THE LEGISLATURE

Naturalization Services

Chapter 357, Laws of 2020 (ESSB 6168 Section 205 (4))

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EXECUTIVE SUMMARY

Chapter 357, Laws of 2020 (ESSB 6168 Section 205 (4)) 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 state fiscal year (SFY) 2020 (July 1, 2019 – June 30, 2020).

Program Overview

The Office of Refugee and Immigrant Assistance (ORIA) is located within the Department of Social and Health Services (DSHS), Economic Services Administration, Community Services Division, and administers over \$30 million in federal and state dollars to support comprehensive services for refugees and immigrants living in Washington state. Through a network of community-based providers, ORIA delivers services that provide individuals and families with the resources they need to rebuild their lives from their arrival in Washington to becoming naturalized U.S. citizens. More than 60 providers serve approximately 11,000¹ individuals annually.

These services are comprised of 13 different programs that fall into four core areas: Refugee Health and Wellness, Employment and Training Services, Immigration Assistance and Naturalization Services, and Whole Family Services. Included within these core areas are refugee cash assistance/refugee medical assistance (RCA/RMA), employment assistance, English as a Second Language (ESL) instruction, comprehensive case management, self-sufficiency education, asylee services, refugee health and mental health services, unaccompanied refugee minor foster care, youth educational activities, elders services and ORIA's naturalization program.

U.S. citizenship is a critical component of civic participation and integration into the community. The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) grants U.S. citizenship to legal immigrants after they fulfill the requirements established by Congress in the Immigration and Nationality Act (INA). 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 (**Appendix 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 administers the Naturalization Services program statewide by contracting with community-based organizations (CBOs), nonprofit legal services organizations and refugee resettlement

¹ ESA Program Briefing Book 2020 Annual Unduplicated Clients Served report for Refugee and Immigrant Assistance (RIA) naturalization and the Office of Refugee Resettlement Annual Service Plan report.

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

agencies recognized by the Office of Legal Access Programs (OLAP) in the U.S. Department of Justice (DOJ). In addition, ORIA collaborates and contracts with the City of Seattle to leverage state and local funds to expand the reach of 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 the Naturalization Services program while on public assistance can continue to receive services even if their public assistance benefits end.

The Naturalization Services program provides specialized and culturally appropriate services that help clients become U.S. citizens. These services include eligibility screening, application assistance, preparing fee waiver requests, assistance in obtaining medical disability exemptions 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.

With an increase in funding for SFY 2020, ORIA expanded naturalization services to support the naturalization of children, increase language access and mitigate new barriers for low-income applicants, such as transportation issues arising from the requirement to travel long distances to naturalize.

With the onset of the COVID-19 pandemic, ORIA's naturalization service providers responded to help their clients with basic survival services. ORIA expanded naturalization services to meet the critical needs of participants through ORIA's COVID-19 Response Services. Running from March 1, 2020 through the end of the contract period on June 30, 2020, these services included outreach and needs assessment, information and referral, connections to emergency and basic needs services, online education and client engagement.

Outreach Participants

The Naturalization Services program prioritizes outreach to people who may be in jeopardy of losing federally funded public benefits if they fail to naturalize or to those people who could gain access to federal benefits if they became U.S. citizens. Federal law stipulates that people with refugee or humanitarian immigration status that experience a disability may receive federal Supplemental Security Income (SSI) benefits for a maximum of seven years. If after seven years, they fail to naturalize they are in jeopardy of losing federal benefits, and may then become eligible to receive state-funded Aged, Blind, or Disabled (ABD) benefits. Other people who are lawful permanent residents may only be eligible to receive federal SSI benefits if they become U.S. citizens. Therefore, providers give priority for service to the following targeted group of "outreach" participants:

- People with refugee or humanitarian immigration status that arrived in the U.S. on or after August 22, 1996, who are currently receiving federal Supplemental Security Income (SSI) benefit and have not naturalized;
- People with refugee or humanitarian immigration status or lawful permanent residency (LPR) that are currently receiving state-funded Aged, Blind, or Disabled (ABD) benefits; or
- People with refugee or humanitarian immigration status who are no longer eligible to receive SSI as a result of the seven-year time limit, which is removed once they become U.S. citizens.

Program Budget and Expenditures

In SFY 2020, the Washington state Legislature appropriated \$2,545,000 in general state funds (GF-S), an increase of \$889,000 from the prior year, for the Naturalization Services program. During the reporting period, ORIA expended \$2,153,267 through its 13 contracted providers.

The COVID-19 pandemic played a significant role in reducing the service providers' ability to spend down their contracted amounts. Beginning in March 2020, implementation of the Governor's "Stay Home, Stay Healthy" order resulted in barriers that many clients, particularly low-income limited English proficient individuals, faced in trying to access services remotely. In addition, USCIS offices closed to in-person services making it difficult for citizenship interviews to take place. As with most Washingtonians, naturalization service providers and program participants had to try their best to learn to navigate through the impacts of the COVID-19 pandemic as much of the state's economy came to a pause or shifted to alternative modes of service provision.

Program Outcomes

In SFY 2020, the Naturalization Services program served 3,838 unduplicated clients, an increase of 20% from the prior fiscal year. Out of those served, 663 (17%) were identified as outreach participants and providers reported that 1,345 clients became naturalized U.S. citizens.

Changes and Challenges

In SFY 2020, there were numerous challenges to naturalization caused by federal policy changes as well as the pandemic. Fortunately, the increased state funding supported an expansion of services to better support those seeking to naturalize during these particularly challenging times.

In the summer of 2019, the USCIS Seattle District Office shifted in-person naturalization interviews and oath ceremonies for certain applicants from Seattle to Portland and Yakima to reduce the application backlog and expedite the process. This shift put an additional economic burden on clients and providers, who now had to pay travel and

lodging costs to attend the citizenship interviews and oath ceremonies, frequently on separate trips. ORIA addressed the transportation barrier caused by this policy change by providing transportation reimbursements to those applicants required to travel to complete their naturalization process.

Another challenge for ORIA and our contracted service providers was the number of proposed federal policies that would have significantly modified services and fees. In October of 2019, the Department of Homeland Security, U.S. Citizenship and Immigration Services proposed changing the fee waiver application to exclude receipt of means-tested benefits as evidence of eligibility. This change would increase the documentation required by low income applicants unable to pay the N-400 Application for Naturalization fee of \$640. It would also significantly increase the time needed by naturalization services providers to complete the fee waiver requests due to the additional documentation needed.

USCIS also proposed to lower the income standard for the fee waiver from 150% to 125% of the federal poverty line and eliminate the opportunity for applicants to apply for a reduced fee in the future. Set to be implemented in December 2019, a federal district court judge issued a preliminary nationwide injunction on December 9, 2019 to block these changes. While the proposed policy changes did not take effect, it did require significant contingency planning and staff time to identify programmatic and service revisions had the changes taken place.

In March 2020, USCIS suspended routine in-person services with applicants at all of their offices, including all interviews, biometric collection appointments, and naturalization ceremonies, to protect their workforce and to help mitigate the spread of Coronavirus Disease (COVID-19) in our communities. To comply with the Governor's "Stay Home, Stay Healthy" order, naturalization services providers canceled almost all face-to-face services with clients at their offices to help slow the spread of COVID-19.

In May 2020, ORIA launched a new reporting and case management system for the Naturalization Services program. After a three year planning and development process, the Naturalization Services program was implemented into the ORIA eJAS system. The timing of the launch was particularly challenging as the migration of data from the previous system, finalization and testing of the new system and the training of providers on system utilization all happened after the move to remote work. This required an immense shift in how the launch and ongoing provider support had been planned, which would have included hands on training and on-site technical assistance. Providers were not only dealing with the adjustment to working remotely, but learning an entirely new reporting and case management system.

BACKGROUND

Washington state has a large and dynamic immigrant community and is among the top refugee receiving states in the nation³. According to the 2019 American Community Survey, out of Washington's 2019 total estimated population of 7,614,893, approximately 17 percent are foreign-born and 47 percent of those are Naturalized U.S. citizens⁴.

Each year, the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) naturalizes approximately 800,000 citizens during ceremonies across the U.S. and around the world. In FFY 2019, 833,985 people became U.S. citizens, including 16,450 people in Washington state⁵.

Naturalization is the hallmark of successful integration. Immigrants who naturalize receive the same rights as other citizens, including the right to vote and the ability to fully 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 and Medicare. See **Appendix B** for basic information on becoming a U.S. citizen.

Since its creation in April 1997, ORIA's Naturalization Services program has provided specialized and culturally appropriate services to help eligible immigrants apply, prepare and naturalize in Washington state.

In SFY 2020, ORIA provided Naturalization Services through 13 contracts statewide with community-based organizations (CBOs), nonprofit legal services organizations that specialize in immigration, and refugee resettlement agencies, all of whom are recognized by the Office of Legal Access Programs (OLAP) in the U.S. Department of Justice (DOJ) (See **Appendix C**).

Participant Success Story:

J T arrived in the US ten years ago from Mexico with his wife and three young children. J wanted to become a citizen to fulfill the American dream so that his children could have a better life and more opportunities.

RISNW helped J and his wife apply for citizenship in spring 2019. Due to his construction work schedule, it was difficult for him to manage time and attend citizenship training classes, but he always called in to catch up on what he missed in the class.

Unfortunately, J was diagnosed with kidney disease and needed a kidney transplant. However, he must be a US citizen in order to receive the transplant. For more than a year waiting for the interview, J's health worsened with each day and he started losing hope. RISNW kept supporting him knowing that becoming a US citizen was his only chance to survive.

At last, J received a notice from USCIS for his interview. He passed the test and received the kidney transplant a week later. He is now healthy and happier than ever. He called RISNW when he went home from the hospital expressing his appreciation for being a US citizen.

Refugee & Immigrant Services NW (RISNW)

³ Refugee Processing Center: <http://www.wrapsnet.org/admissions-and-arrivals/>

⁴ U.S. Census Bureau, American Fact Finder: <https://data.census.gov/cedsci/table?q=0400000US53&d=ACS%201-Year%20Estimates%20Data%20Profiles&tid=ACSDP1Y2019.DP02&hidePreview=true>

⁵ USCIS, Naturalization Data Set: <https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data>

ORIA leverages existing community resources to maximize access to quality naturalization services. For example, ORIA contracts with the City of Seattle's Office of Immigrant and Refugee Affairs (OIRA) to leverage city funding for their New Citizens program, which has 12 providers. Through this partnership, ORIA supports a broader collaborative approach to offering services in King County and offers an expanded menu of training and technical assistance for immigration staff and citizenship instructors.

All providers receiving ORIA funding are required to be DOJ recognized organizations with DOJ accredited individuals on staff or have access to a licensed immigration attorney. In SFY 2020, in an effort to build service capacity, ORIA continued to collaborate with the City of Seattle, King County, and OneAmerica to explore avenues to expand DOJ recognition and accreditation in Washington.

DSHS Naturalization Services providers have ties to ethnic communities and provide bilingual services in culturally appropriate ways to people seeking naturalization services. Many organizations hire and train bilingual staff who arrived in the U.S. as immigrants and refugees. Citizenship classes are held in convenient community locations such as community colleges, neighborhood community centers, religious facilities and public housing multi-purpose rooms. Providers tailor classes to meet the needs of their participants, creating flexibility in the class times and locations, teaching techniques and accessibility.

In SFY 2020, ORIA continued to contract with Northwest Immigrant Rights Project (NWIRP) to provide legal consultation and training to ORIA naturalization service providers and to assist eligible participants with complex naturalization cases in becoming U.S. citizens.

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, such as immigrants who obtained permanent residency through marriage to a U.S. citizen who can apply after residing in the U.S. for three years. 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 Washington state residents; and
- Are 18 years old or older; and
- Are recipients of Supplemental Security Income (SSI), or other Washington state administered state/federal funded cash, food, and medical assistance, or were

receiving such benefits at the time the participant began receiving Naturalization Services; and

- 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 year of receiving Naturalization Services.

Clients who enroll into the Naturalization Services program while on public assistance can continue to receive services even if their public assistance benefits end.

Outreach Participants

The DSHS Naturalization Services program prioritizes reaching out to people who may be in jeopardy of losing federally funded public benefits if they fail to naturalize or to those people who could gain access to federal benefits if they became U.S. citizens.

People with refugee or other humanitarian immigration status are only eligible to receive SSI for up to seven years unless they naturalize. If they fail to become U.S. citizens, they are in jeopardy of losing their SSI cash benefits (a monthly income of \$783 per eligible individual and \$1,175 per eligible couple in 2020). Once they lose SSI, they are eligible for the Washington state Aged, Blind, or Disabled (ABD) program, which is a monthly cash benefit of up to \$197 for a single individual or \$248 for a married couple. Naturalization allows SSI recipients to keep or regain their benefits, which provides a higher monthly income. It also avoids the need to draw on state funds for the alternative ABD benefits.

The DSHS Naturalization Services program identifies people with refugee or other humanitarian immigration status who receive federal SSI or state-funded ABD benefits as a target group and designates them as “outreach” participants. Outreach participants are:

Participant Success Story:

Q came to the US as a refugee about eight years ago. Due to medical conditions suffered in his home country, Q was unable to work and received SSI payments from SSA. Initially, Q filed his naturalization application without counsel seeking to preserve their SSI eligibility, which expires in seven years for people with refugee status. USCIS issued an interview notice about a year later but then promptly issued a notice of cancellation.

After about six months, Q went to the Northwest Immigrant Rights Project (NWIRP) for assistance. NWIRP helped him submit case status inquiries but USCIS did not issue a notice of interview. His SSI benefits terminated in mid-2019 as a result of the delay. In late 2019, after 30 months had passed since he filed the naturalization application, NWIRP filed a mandamus action in US District Court seeking to compel USCIS to conduct a naturalization interview. USCIS finally scheduled an interview about a month later which Q attended with a NWIRP representative. The USCIS office declined to accept his disability exemption due to alleged discrepancies. NWIRP submitted a letter from Q's doctor to explain the alleged discrepancies.

A NWIRP representative then attended a second interview in spring of 2020 at which time the officer accepted the disability exemption. About two weeks later, the US District Court ordered USCIS to make a decision on Q's application within 30 days. After some delay, potentially due to the COVID-19 pandemic, Q received an oath ceremony three months later, naturalized and is now able to reinstate his SSI benefits.

NW Immigrant Rights Project (NWIRP)

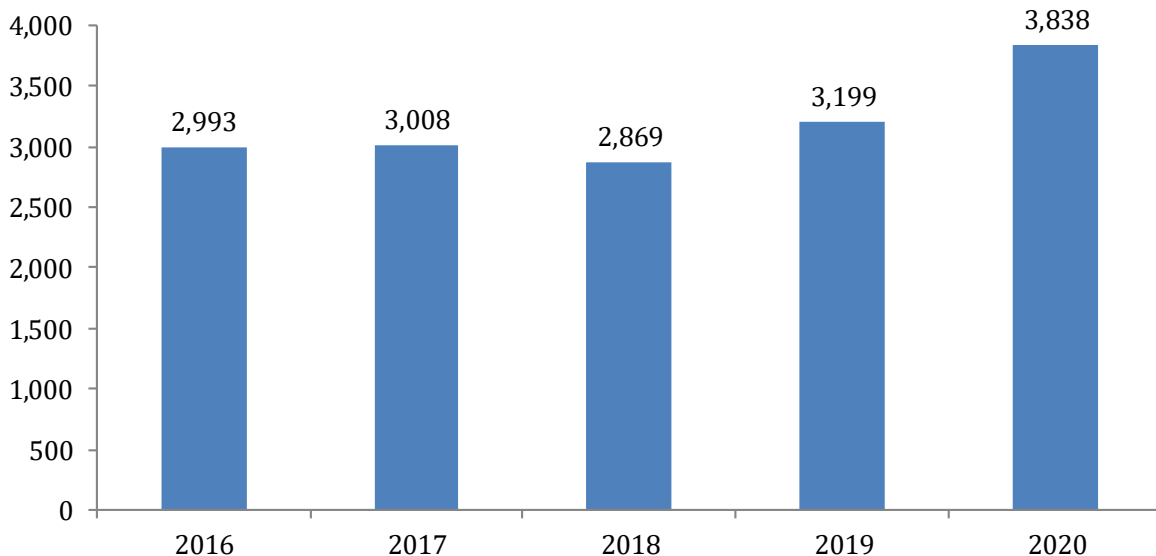
- People with refugee or humanitarian immigration status who arrived in the U.S. on or after August 22, 1996, who are currently receiving SSI, and have not naturalized;
- People with refugee or humanitarian immigration status or lawful permanent residence (LPR) that are currently receiving ABD; or
- People with refugee or humanitarian immigration status that are no longer receiving SSI as a result of the seven-year time limit.

POPULATION SERVED

In SFY 2020, a total number of 3,838 participants received naturalization services, of which 2,127 (55%) arrived in the U.S. as refugees and 1,711 (45%) were non-refugee clients⁶. This reflects a 20% increase in the number of people receiving naturalization services from SFY 2019.

The chart below shows the number of Naturalization Services program participants from SFY 2016-2020:

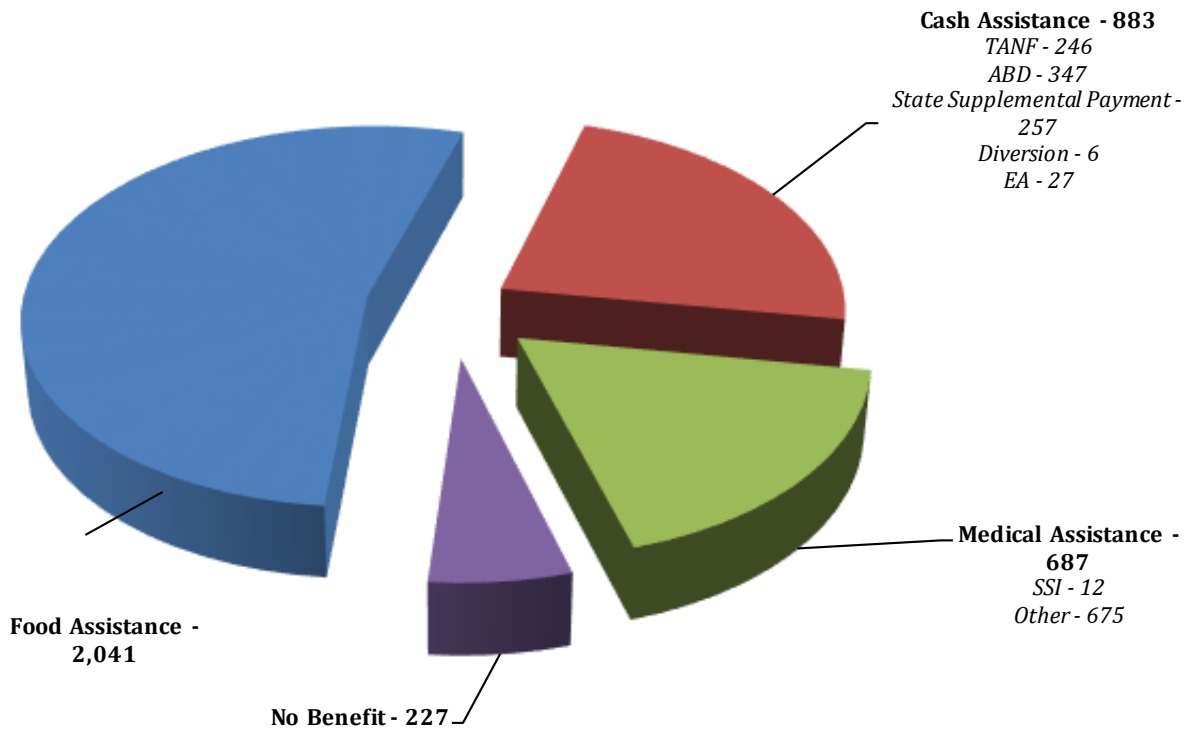
Total Number of Participants in DSHS Naturalization Services Program SFY 2016-2020



⁶ Data Source: RIA, ACES Database Warehouse as of 12/14/2020.

The following chart shows the total number of unduplicated participants in SFY 2020 by their benefit type. If a client is in more than one public assistance program, DSHS uses the unduplicated client count based on program hierarchy: cash, food, and then medical.

Number of Unduplicated Participants by Benefit Type in SFY 2020⁷



Number of Refugees/Non-Refugees on ABD/SSI in SFY 2020⁸

In SFY 2020, 663 individuals met the criteria that prioritized them as outreach participants. In addition, there were 115 legal permanent residents (LPRs) receiving SSI who were not considered outreach participants because they will not lose their SSI if they fail to naturalize. LPRs are eligible for SSI if they have 40 federal credits of work in the U.S. and the 7-year rule does not apply to them. If LPRs entered the U.S. on or after August 22, 1996, then LPRs may not be eligible for SSI for the first five years as a lawfully admitted permanent resident, even if they have 40 credits of earnings.

⁷ Data Source: RIA, ACES Database Warehouse as of 12/14/20. Clients indicated as receiving no benefit: Clients who enroll into the Naturalization Services Program while on public assistance can continue to receive services even if their public assistance benefits end.

⁸ Data Source: RIA, ACES Database Warehouse as of 12/14/2020.

SERVICES

In SFY 2020, DSHS contracted with Naturalization Service providers to offer the services listed below.

- Intake Screening – Establishing program and naturalization eligibility by interviewing and completing of the Intake Screening form as provided by ORIA for potential participants.
- Application Assistance – Assistance with completion and submittal of the USCIS Application for Naturalization (Form N-400) and the Request for Fee Waiver (Form I-912) to waive the N-400 and fingerprint fees. This service was discontinued as of October 1, 2019 and replaced with Assistance with the N-400 Application and Assistance with the Fee Waiver Request.
- Assistance with the N-400 Application – Assistance with completion and submittal of the USCIS Application for Naturalization (Form N-400). This form is lengthy and difficult for many participants to complete.
- Assistance with the I-912 Fee Waiver Request – Assistance with completion and submittal of the USCIS Fee Waiver Request (Form I-912) to waive the N-400 or N-600 fees.
- Citizenship Training and Instruction – Citizenship preparation training and instruction includes classes in American history and civics and USCIS interview questions. English language training needed for the citizenship test may also be provided.
- Disability Exception Request – Assistance with completion and submittal of the USCIS Medical Certification for Disability Exception (Form N-648), and 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 additional sessions to practice pronunciation and diction.
- Interview Assistance – Helping participants apply for special accommodations during the interview process or being present on-site with participants during the interview to provide assistance and support.
- N-400 Fee Reimbursement – Reimbursement of the USCIS Form N-400 application processing fee when participant is ineligible for a fee waiver. This requires prior written approval by the DSHS ORIA program manager.

- Fingerprint Fee Reimbursement – 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.
- Appeals – For Immigration Attorney/OLAP accredited representative to assist with a Request for a Hearing on a Decision in Naturalization Proceedings (USCIS Form N-336) requesting a hearing before an immigration officer on the denial of the participant's USCIS N-400 Application.
- Naturalization Completion Follow-Up – Providers track and monitor the progress of the client's N-400 application with the U.S. Citizenship and Immigration Services (USCIS). They contact and follow-up with clients to confirm that they have been interviewed and/or have participated in the oath ceremony. ORIA requires providers to report the successful naturalization of a participant to ensure the quality of the services being provided. Contractors must provide the date of naturalization and one of the following naturalization verifications: copy of USCIS oath ceremony notice or valid US passport, or naturalization certificate number.

ORIA continues to partner with the Northwest Immigrant Rights Project (NWIRP) to provide specialized services to expand service provider capacity and to support legal services for individuals with complex immigration cases. These services include:

- Technical Assistance – Providing legal consultation to other DSHS Naturalization Services providers to determine the best way to help participants become naturalized U.S. Citizens.
- Trainings – Developing and providing training and training materials specifically designed to help other DSHS Naturalization Services providers enhance their understanding of various naturalization topics and best practices in handling complex naturalization cases.
- Case Analysis – Conducting a comprehensive case analysis to determine whether the participant is eligible for representation for naturalization. A case analysis includes client interview, record request, legal research, criminal analysis, and follow up naturalization services with the participant if case is determined to be representable leading to successful naturalization.

In October 2019, with the additional funding from the Legislature, ORIA expanded the Naturalization services program by adding the following:

- N-600 Assistance – Assistance with completion and submittal of the USCIS Application for Certificate of Citizenship form (N-600 form) for a program participant's child after naturalization completion through the ORIA Naturalization Services program.

- N-600 Completion Reporting – Reporting N-600 completion to ORIA when Certificate of Citizenship is received for a naturalized participant’s child from USCIS after N-600 assistance is provided.
- Translation and Notary Services Cost Reimbursement for N-600 – Reimbursement of cost to procure translation and notary services cost for supporting documents when submitting N-600 to USCIS.
- Interpreter Services Cost Reimbursement for N-648 Medical Appointments – Reimbursement of cost to procure DSHS certified or qualified medical interpreter for N-648 medical appointments if a medical provider is not able to secure a qualifying interpreter for participant.
- Naturalization Workshop – Planning and conducting a one-day naturalization workshop in remote locations to provide naturalization services to participants.
- FOIA Request Fee Reimbursement – Reimbursement of the FOIA request fee when a contractor makes a request for a program participant to determine whether applying for naturalization would be appropriate.
- Assistance with the I-942 Reduced Fee Request – Assistance with completion and submittal of the USCIS Reduced Fee Request (Form I-942) to reduce the N-400 fee.
- Transportation Cost Reimbursement – Reimbursement for the miles traveled as a contractor and program participant exclusively for attending an interview or oath ceremony when they are scheduled outside of USCIS’s regular service facility.

In March 2020, ORIA expanded services to include COVID-19 services to support clients during the pandemic. These services included:

- Conduct a Needs Assessment that addresses overall financial stability, housing, employment, social and emotional well-being, child and youth, and elders and health and medical needs.
- Information and Referral on resources for COVID-19, 2020 Census, Unemployment Insurance benefits, public benefits and new stimulus programs and updates on available services and resources.
- Providing or Connecting with New Services, including addressing food insecurity, gaps in childcare and employer outreach and engagement.
- Education and Client Engagement offering opportunities to address social isolation through remote options and engaging volunteers to support.

Test Exemptions and Accommodations

Contractor staff help applicants 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 exemption 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 granted a waiver to take the same exam in the applicant's native language. The applicant is responsible for bringing 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. A licensed medical or osteopathic doctor, or licensed clinical psychologist completes Form N-648 to verify the applicant's disability due to a physical or developmental disability or mental impairment that has lasted or will last 12 months or longer. DSHS contractors have reported an increase in denials from the USCIS and have been meeting to strategize appropriate ways to address this concern.

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 or Older
In some cases, applicants who are 65 years of age or older and have resided in the U.S. for 20 years or more 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.

Outreach Participants

Providers prioritize services and pay extra attention to address special needs in the

outreach target 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 help individuals who are currently receiving ABD or SSI waive English Language proficiency requirements based on age and length of legal permanent resident status requirements for naturalization. Additionally, some contractors are able to provide tutoring for homebound outreach participants.

Naturalization Completion Reporting

The goal of the Naturalization Services program is to assist people in becoming naturalized US citizens. Contractor staff assist clients throughout the naturalization process, including application completion and submission, responding to requests for additional information and being present on-site at USCIS offices during a client's formal interview. Contracted service providers must monitor and track their caseloads on a regular basis to ensure that clients successfully naturalize. This requires regular follow-up and outreach to clients over an extended period of time after submission of the application.

Contractors are reimbursed based on payment points for work, from application submission to follow-up services, including reporting of successful naturalization. By reporting the naturalization completions to ORIA, contractors are confirming that they have successfully assisted eligible refugees and immigrants in becoming U.S. Citizens. After naturalization, contractors may also assist clients with their voter registration and notification of naturalization to all necessary agencies such as the Social Security Administration.

In SFY 2020, USCIS reported that the processing time for the N-400 (citizenship) applications in the Seattle Field Office was approximately 17 - 23 months, which is twice the length of time as in prior years. For much of SFY 2020, the COVID-19 pandemic also halted the ability of program participants to naturalize as USCIS canceled all naturalization interviews and oath ceremonies to help prevent the spread of the coronavirus in the community. ORIA continues to work with providers to monitor and evaluate the impact of processing times and the pandemic on the Naturalization Services program.

PROGRAM FUNDING

The DSHS Naturalization Services program is supported solely through general state funds (GF-S). Since 2012, the Washington state Legislature appropriated \$1,657,000 for services. In recent years, providers reported an increase in the need for naturalization services, as many people in our communities are eager for the protections and opportunities afforded through naturalization. To address the need for services, providers leverage state dollars with other funding resources, such as grants from USCIS and private foundations to support comprehensive naturalization services. Regardless of the

varied funding streams, providers reported waiting lists for their services.

In 2019, the Washington state Legislature responded to the increasing need for services by allocating additional funds for naturalization in SFY 2020 (\$889,000) and SFY 2021 (\$888,000). The total allocated to the program in SFY 2020 was \$2,545,000. This increase illustrates Washington state’s commitment to the critical role naturalization plays in civic engagement and successful integration into life in the U.S. In anticipation of developing a program funding plan for SFY 2020 and SFY 2021, ORIA met with naturalization service providers to identify how best to invest the additional funds to serve Washington residents interested in obtaining U.S. citizenship.

The enormous impacts of COVID-19 on naturalization services, through USCIS office closures and service cancelations and the move to remote work, had a significant effect on the ability of ORIA providers to fully expend their contracted amounts. Future underspends are not anticipated since programmatically, USCIS is working to get capacity back to what it was prior to the pandemic and this is showing in an increase in the number of applications processed and naturalization interviews. In addition, providers have transitioned to online instruction and will be able to continue services remotely as needed.

In SFY 2020, the Naturalization program expended \$2,153,267.01. The following chart shows total program disbursement for SFY 2016-2020:

State Fiscal Year	Total Budget	Total Distribution
2016	\$1,657,000.00	\$1,649,362.00
2017	\$1,657,000.00	\$1,646,184.00
2018	\$1,657,000.00	\$1,657,000.00
2019	\$1,657,000.00	\$1,651,175.00
2020	\$2,545,000.00	\$2,153,267.01

PROGRAM DISBURSEMENTS

The Naturalization Services program contracts follow a state fiscal year schedule (July 1 to June 30). In SFY 2020, Contractors entered into a performance-based contract structured on services provided and 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 the 80/20 contract model, Contractors receive up to 80% of their contracted amount by billing for specific service payment points and may earn the remaining 20% by achieving their individually negotiated naturalization completion annual performance outcome goals.

Contractors have a menu of services they are allowed to provide in order to offer flexibility on how they determine services and spend their contracted amount under the 80/20 model. Contractors submit invoices for naturalization services on a monthly basis and submit billings up to 30 days after each month of service. ORIA permits the submission of an additional final invoice after their June submission in order 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.

This chart shows SFY 2020 program expenditures by service type:

Program Expenditures, SFY 2020

Service	Expenditures
Application Assistance	\$279,950.00
N-400 Assistance	\$463,065.00
Fee Waiver Request	\$163,500.00
Reduced Fee Request	\$1,050.00
USCIS N-400 Application Fee Reimbursement	\$8,320.00
Reduced Application Fee Reimbursement	\$1,600.00
USCIS Fingerprint Fee Reimbursement	\$1,530.00
Disability Exception Assistance - USCIS N648 Form	\$83,225.00
Interpreter Services Reimbursement for N-648 Medical Appointments	\$297.50
FOIA Request Fee Reimbursement	\$0.00
Citizenship Training Hours	\$148,813.00
Citizenship Workshop	\$32,500.00
Appeals	\$1,650.00
Interview Preparation	\$79,500.00
Interview Assistance	\$48,600.00
Transportation Cost Reimbursement	\$27,873.26

Service	Expenditures
N-600 Assistance	\$33,950.00
N-600 Application Fee Reimbursement	\$8,190.00
Translation & Notary Reimbursement for N-600 Support Docs	\$0.00
N-600 Completion Reporting	\$2,100.00
COVID-19 Response	\$172,591.25
eJAS Implementation Assistance	\$105,000.00
Annual Performance Outcome Goal Achievement	\$418,232.00
Specialized Naturalization Services (Specialized Project)	\$63,760.00
Annual Performance Outcome Goal Achievement (Specialized Project)	\$7,970.00
Total	\$2,153,267.01

PROGRAM OUTCOMES

In SFY 2020:

- 3,838 unduplicated clients received naturalization services, of which 663 (17%) were outreach participants.
- 1,344 naturalization completions were reported for the total unduplicated caseload.

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 2020, with a four-year look-back:

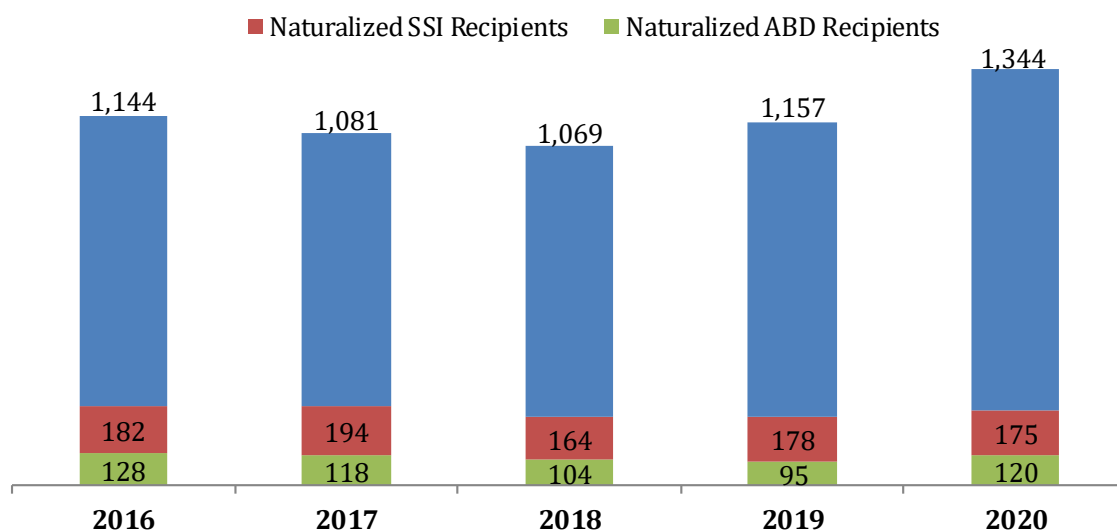
SFY 2016-2020 Outcomes

Service	2016	2017	2018	2019	2020
Application Assistance (2018, 2019 & part of 2020 included N-400 & fee waiver)	0	0	1,658	1,706	509
N-400 Assistance	1,599	1,700	0	0	1030
Fee Waiver Request	1,558	1,645	0	0	1090
Reduced Fee Request	0	0	0	0	7
USCIS N-400 Application Fee Reimbursement	0	0	0	0	13
Reduced Application Fee Reimbursement	0	0	0	0	5
USCIS Fingerprint Fee Reimbursement	0	0	0	2	18
Disability Exception Assistance - USCIS N648 Form	235	233	305	309	285
Interpreter Services Reimbursement for N-648 Medical Appointments	0	0	0	0	3
FOIA Request Fee Reimbursement	0	0	0	0	0
Citizenship Training Hours	18,069 Hours	16,771 Hours	19,964 Hours	18,855 Hours	14,881 Hours
Citizenship Workshop	0	0	0	0	13
Appeals	2	1	5	2	6
Interview Preparation	505	426	448	801	795
Interview Assistance	270	197	191	361	300
Transportation Cost Reimbursement	0	0	0	0	175
Naturalization Completion Follow-up	1,144	1,082	1,069	1,157	1,344

Service	2016	2017	2018	2019	2020
N-600 Assistance	0	0	0	0	97
N-600 Application Fee Reimbursement	0	0	0	0	7
Translation & Notary Services Reimbursement for N-600 Support Docs	0	0	0	0	0
N-600 Completion Reporting	0	0	0	0	21
COVID-19 Response	0	0	0	0	1,152
Technical Assistance (Specialized Project)	n/a	n/a	94	123	31
Case Analysis (Specialized Project)	n/a	n/a	18 ⁹	33	20
Trainings to other DSHS Providers (Specialized Project)	n/a	n/a	2	2	2

The following chart shows the number of clients who have been granted U.S. citizenship status through the naturalization process from SFY 2016-2020, with breakout counts for SSI and ABD recipients who have naturalized:

Total Number of Naturalized Participants, SFY 2016-2020¹⁰



⁹ Naturalization Completion was not a part of the Specialized Naturalization Services Program's performance outcome goal in SFY 2018 because the USCIS processing time has averaged approximately 16 – 18 months for naturalization applications with noncomplex cases.

¹⁰ Data Source: RIA, ACES Database Warehouse as of 12/14/2020.

The actual number of naturalized individuals is likely 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 attempts before a successful naturalization, relocation during the process and naturalizing on their own after receiving services through a contractor.

BARRIERS TO NATURALIZATION

The application process for naturalizing is complicated and a simple mistake can delay processing. It is also costly. The current naturalization fee is \$725 per person, which includes the application fee and a mandatory fingerprint fee. Low-income applicants often 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.

While the high cost of application fees can be a barrier to individuals applying for citizenship, USCIS currently waives this fee for low-income applicants such as those on public assistance. Contractors are required to help participants submit a fee waiver request and gather the documentation they need to support their request. In SFY 2020, Contractors reported helping participants submit 1,599 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.

To pass the naturalization test, applicants must have a detailed understanding of U.S. civics, history and political concepts. For example, the examination tests the applicant's understanding of how the federalist papers included the ratification of the U.S. Constitution. Service providers have incorporated rigorous curricula into their naturalization classes, which include instructional strategies for those with limited English skills.

ORIA service providers 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
- Limited English conversational skills, which are exacerbated under the pressure of the citizenship interview
- Citizenship classes tailored for "everyone" regardless of English capabilities
- Challenges in obtaining test exemptions or accommodations

- High costs related to the naturalization process: \$640 application fee and \$85 mandatory fingerprint fee

Another barrier in the naturalization process relates to Medical Disability Waivers (N-648). Over the last couple of years, DSHS contractors have been experiencing an increased level of disability waiver denials by USCIS. A disability waiver enables clients with disabilities, 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 both the federal Office of Refugee Resettlement and the USCIS recognizes this issue and 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 collaborates with the City of Seattle’s Office of Immigrant and Refugee Affairs (OIRA) to coordinate and address with the USCIS the challenges that many providers face in obtaining an approval of the N-648 Disability Exception Requests for clients. The rejection of the N-648s greatly affects the increased time contractors need to spend to resubmit applications, and denials of N-648s may result in some clients losing SSI benefits for failure to naturalize within the seven-year federal timeline. To improve their performance, USCIS is training immigration officers to handle disability waiver requests and offering more trainings to stakeholders to improve how medical experts complete disability waivers for a greater likelihood of approval.

The Department recognizes the service providers who contract with ORIA play a key role in identifying issues, strategies and solutions to help address systemic barriers to naturalization. ORIA hosted stakeholder meetings throughout the SFY 2020 program year to discuss outreach to clients, program successes and challenges, and contracting structure. The intent is to work together to modify the program to improve the quality and effectiveness of the naturalization program.

APPENDIX 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.

APPENDIX 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:

- Be at least 18 years old;
- Have been present in the U.S. as a Permanent Resident 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 (\$640) and fingerprint fee (\$85) to the USCIS. The process takes approximately 16 - 20 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.

APPENDIX C

SFY 2020 NATURALIZATION CONTRACTS

Contractor	Contract Amount
REGION 1	
La Casa Hogar	\$ 107,000
World Relief – Spokane	\$ 274,000
World Relief – Tri Cities	<u>\$ 130,500</u>
Region 1 Total	\$ 511,500
REGION 2	
City of Seattle	\$ 746,800
International Rescue Committee	\$ 122,500
Refugee & Immigrant Services NW	\$ 233,500
Refugee Federation Service Center	\$ 175,000
Ukrainian Community Center of WA	<u>\$ 77,500</u>
Region 2 Total	\$1,355,300
REGION 3	
Korean Women’s Association	\$ 198,000
Lutheran Community Services NW (Clark & King Counties)	\$ 233,000
Multicultural Self-Sufficiency Movement	\$ 96,000
Tacoma Community House	<u>\$ 71,500</u>
Region 3 Total	\$ 598,500
STATEWIDE	
NW Immigrant Rights Project (Specialized Project)	<u>\$ 79,700</u>
Statewide Total	\$ 79,700
TOTAL CONTRACT AMOUNT	\$2,545,000