

CRS Report for Congress

Received through the CRS Web

Naturalization Trends, Issues, and Legislation

Updated June 24, 1998

Ruth Ellen Wasem
Specialist in Social Legislation
Education and Public Welfare Division

ABSTRACT

Naturalization — the process by which immigrants become U.S. citizens — is an important function within the Immigration and Naturalization Service that is plagued by mismanagement, fraud, and huge backlogs. This report analyzes the trends in naturalization, discusses the controversies and issues, and tracks the legislative proposals to reform the naturalization process.

Naturalization Trends, Issues, and Legislation

Summary

In recent years, the number of immigrants petitioning to naturalize has surged, jumping from just over half a million applicants in FY1994 to surpassing one million in FY1995. There were 1.6 million petitions in FY1997 and — with 568,799 cases approved last year — the backlog of cases is up to almost 1.7 million. An initiative INS began in 1995 to streamline the process and respond to the increasing caseload, *Citizenship USA*, has been plagued by fraud and abuses. Most notably, audits documenting the improper naturalization of immigrants with criminal convictions as well as indictments of individuals who ran a citizenship testing fraud ring have led many in Congress to call for reform of the naturalization process. In response, legislation aimed at curbing fraud and abuses of naturalization has been introduced in both chambers.

Under U.S. immigration law, all aliens who enter legally as permanent residents have the potential to be citizens. To naturalize, aliens must have continuously resided in the United States for 5 years (3 years in the case of spouses of U.S. citizens), show that they have good moral character, demonstrate the ability to read, write, speak, and understand English, and pass an examination on U.S. government and history. Applicants pay a fee when they file their petitions and have the option of taking a standardized civics test or of having the INS examiner test them on civics as part of their interview. Certain requirements are waived for those who are over 50 years old (and lived in the United States at least 20 years), have mental or physical disabilities, or served in the U.S. military.

The Chairmen of both the Senate Judiciary Subcommittee on Immigration (Abraham) and the House Judiciary Subcommittee on Immigration and Claims (Smith) have introduced bills (S. 1382/H.R. 2837) that would reform the naturalization process. These bills would extend the period in which the alien must demonstrate good moral character, would amend sections pertaining to the revocation of naturalization, would codify some policies and procedures that lack a statutory basis, and would provide for ongoing quality assurance practices and reports for congressional oversight of naturalization. The House Judiciary Subcommittee on Immigration and Claims has reported the chairman's substitute version of H.R. 2837, and the Senate Judiciary Subcommittee on Immigration is expected to consider a substitute bill at their subcommittee mark-up. The ranking Democrat on the Senate Judiciary Subcommittee on Immigration (Kennedy) and the House Minority Leader (Gephardt) have introduced reform bills (S. 1717/H.R.3341) as well.

INS has proposed a fee increase for filing the naturalization petition that is based upon the estimated cost of providing the benefit, seeking to raise it from \$95 to \$225. Given the sheer size of the backlog, some observers challenge how these increased fees would result in improved services for the new petitioners. Immigrant advocates, moreover, assert that the Administration and Congress need to invest more resources into naturalization to assure both that the system is not abused and that petitioners are processed within a reasonable time. Congress already earmarked an additional \$163 million for naturalization in the FY1998 appropriations, and the Administration is seeking essentially the same levels for FY1999.

Contents

Basic Requirements	1
Trends	1
Issues and Concerns	2
Citizenship USA	2
Fingerprint checks	4
Language and Civics Testing	5
Good Moral Character	6
Backlogs and Waiting Times	7
Proposed Fee Increase	8
Legislative Activity	9
Funding	9
Reform	9

List of Tables

Table 1. Naturalization Caseload, 1990-1997	2
---	---

List of Figures

Figure 1. Monthly Naturalization Trends, October 1994 to November 1997	
---	--

Naturalization Trends, Issues, and Legislation

Basic Requirements

Under the Immigration and Nationality Act (INA), all aliens who enter legally as permanent residents have the potential to become citizens through naturalization. To naturalize, aliens must have continuously resided in the United States for 5 years (3 years in the case of spouses of U.S. citizens), show that they have good moral character, demonstrate the ability to read, write, speak, and understand English, and pass an examination on U.S. government and history. Applicants pay a fee when they file their petitions and currently have the option of taking a standardized civics test or of having the Immigration and Naturalization Service (INS) examiner test them on civics as part of their interview.

The language requirement is waived for those who are at least 50 years old and have lived in the United States at least 20 years or who are at least 55 years old and have lived in the United States at least 15 years. For these individuals, the civics test is given in their native language. Special consideration on the civics requirement is to be given to aliens who are over 65 years and have lived in the United States for at least 20 years. Both the language and civics requirements are waived for those who are unable to comply due to physical or developmental disabilities or mental impairment.¹ Certain requirements are waived for those who served in the U.S. military.

Trends

The number of immigrants petitioning to naturalize has surged in recent years, jumping from just over half a million applicants in FY1994 to more than 1 million in FY1995 (**Table 1**). There were 1.6 million petitions in FY1997, and the INS estimates that about 6 million permanent resident aliens currently are eligible to apply for naturalization. Estimates of the proportion of immigrants who ultimately become citizens vary by the methods in which the data are collected but typically have ranged from 30% to 40%.²

¹ 8 CFR Parts 299, 312, and 499.

² For an analysis of naturalization trends and characteristics of those who naturalize as well as a discussion of why the naturalization rates vary by data sources, see: CRS Report 95-298, *Naturalization of Immigrants: Policy, Trends, and Issues*, by Ruth Ellen Wasem.

Table 1. Naturalization Caseload, 1990-1997

Fiscal year	Petitions filed	Petitions approved	Petitions denied
1990	233,843	270,101	6,516
1991	206,668	308,058	6,268
1992	342,269	240,252	19,293
1993	522,298	314,681	39,931
1994	558,139	417,847	42,574
1995	1,012,538	500,892	49,117
1996	1,347,474	1,148,574	244,001
1997	1,620,870	568,799	130,718

Source: INS Statistics Division.

Note: As of November 30, 1997, a total of 1,659,489 cases were pending.

There are several demographic factors that may account for the increase in naturalization petitions, most notably the fact that the aliens who legalized through the Immigration Reform and Control Act (IRCA) of 1986 are now eligible to naturalize, thus creating a one-time-only surge in the number of people seeking to naturalize. In addition to the IRCA legalized population, there has been a steady rise over the past decade in the overall number of immigrants who, in turn, have increased the pool of people eligible to naturalize.

Some contend that an anti-immigrant mood in the country is prompting this increase in naturalization petitions. Some speculate, in particular, that this increase is sparked by newly restricted eligibility for welfare and other federal assistance. While some immigrants may feel pressured into become citizens because they fear they are otherwise disadvantaged, other immigrants may become motivated to obtain citizenship so they can vote and participate more fully in these political debates.

Issues and Concerns

Citizenship USA. The time waits for aliens petitioning to naturalize in 1994 had grown to 2 years in San Diego and Los Angeles, was projected to be almost 4 years in Miami, and averaged about a year in other locations. Since naturalization is a straightforward, nonadversarial procedure, many immigrants and immigrant-serving entities had urged INS to streamline the process. In August 1995, INS initiated *Citizenship USA*, a campaign to encourage naturalization and ensure that eligible applicants become citizens within 6 months of filing a petition. The *Citizenship USA* campaign, targeted to certain cities with large immigrant populations, proved to be highly controversial, and *Citizenship USA* — rightly or wrongly — became synonymous with a naturalization process fraught with problems.

Concerns arose in the summer of 1996 that *Citizenship USA* had streamlined the process to the degree that basic requirements of the INA were not being met. Some alleged that the White House pressured INS district offices to quickly process cases so the new citizens could vote in the 1996 elections, under the assumption that

immigrants were likely to vote for Democratic candidates. INS countered that the naturalization process was selected as a “Reinventing Government” activity and that the involvement of the staff of Vice President Gore in redesigning the naturalization process was part of the National Performance Review activity. INS asserted that *Citizenship USA* was a warranted response to handle the growing caseload. INS — pointing out that the number and rate of denied petitions had risen since *Citizenship USA* was initiated — maintained that standards had not been lowered.

Meanwhile, investigations both inside and outside of the Department of Justice (DOJ) revealed irregularities in the processing, most notably that INS had naturalized immigrants with criminal records. On November 29, 1996, INS Commissioner Doris Meissner released a memorandum aimed at correcting reported problems with the naturalization process and enhancing supervisory controls and quality assurances. The U.S. Department of Justice subsequently contracted with KPMG Peat Marwick to review the implementation of the November 1996 memorandum and with Coopers and Lybrand to propose an overall design of the program.

When KPMG Peat Marwick issued a report in the spring of 1997, it identified several problem areas. The report found that the Commissioner’s November 1996 memorandum outlining the new naturalization quality assurance program had not been disseminated through the chain of command to the first line supervisors, though an unsigned email version with fewer and different requirements did appear to be widely circulated as was an earlier draft by the Deputy Commissioner. The report also indicated that the training for the naturalization quality assurance program (what they referred to as NQP) was decentralized to the local INS office and cited this lack of training standards and curriculum set by INS headquarters as a major contributing factor in INS’s inability to fully implement the quality assurances. KPMG Peat Marwick offered the following conclusion:

As a result of our site visits, it is now clear that the NQP has increased the internal control and helped reduce the risk of incorrectly naturalizing an applicant. But it is also clear that criminal history validation, a key control of the NQP, remains ineffective Due to the inherent weaknesses in the FBI and INS matching, and the continued lack of control within the overall fingerprint process, we cannot provide assurances that INS is not continuing to incorrectly naturalize aliens with disqualifying conditions.³

On February 9, 1998, DOJ released the findings of KPMG Peat Marwick that 369 people were naturalized despite a conviction of a felony or a crime of moral turpitude. KPMG Peat Marwick reviewed the criminal records of 1,049,867 immigrants naturalized from August 1995 through September 1996, the span of *Citizenship USA*. In addition to the 369, there were 5,954 (about 0.6%) that required further action. Many of these immigrants failed to reveal on their petitions that they had been arrested for a felony or crime of moral turpitude, though KPMG Peat Marwick reports that 40% of these people were either acquitted or the conviction was not one that would disqualify them from naturalization. Although an arrest without

³ KPMG Peat Marwick. *Department of Justice Immigration and Naturalization Service Naturalization Quality Procedures Implementation Review*. Final Report. Washington, D.C. April 17, 1997. p. ii-iii.

a conviction does not in and of itself disqualify an alien from naturalization, providing false testimony does not meet the “good moral character” standard. INS is proceeding to revoke the citizenship of the 369 people with convictions and is reviewing the cases of the another 5,954 individuals for good moral character. As of January 1, 1998, INS had reviewed 2,158 cases and served 1,481 people with notices that they intend to revoke their naturalization. INS is also reviewing the cases of 38 naturalized persons who had deportation or removal cases pending when they naturalized.

In addition, from a sample of the approximately 1 million petitions, KPGM Peat Marwick estimated that 38,845 (about 3.7% overall) failed to meet at least one of the basic requirements of naturalization. About two-thirds were immigrants who filed their petitions before they had met the residency requirements, but the overwhelming majority (96%) of those had met that requirement by the time they took the oath of citizenship. KPGM Peat Marwick also found paperwork or processing errors in about 91% of cases they sampled.

Fingerprint checks. INS and the FBI reportedly had an understanding since 1982 that INS could assume that the FBI would notify INS within 60 days if the alien had a criminal record. When INS, in August 1995, set an objective to complete the processing of applications within 6 months, it put pressure on the FBI to conduct fingerprint checks more expeditiously. After widespread reports in 1996 that some aliens with disqualifying criminal records became citizens because INS did not have complete FBI fingerprint checks, the INS instituted in November of that year a new policy of waiting for a reply from the FBI before approving the naturalization petition. INS, however, was not successful communicating this policy to the field, as noted above.

In addition to the problem of incomplete FBI fingerprint checks, the DOJ Inspector General and the U.S. General Accounting Office (GAO) had alerted INS several years earlier to the problem of aliens submitting fraudulent fingerprints.⁴ INS phased out the provision of fingerprint services in the mid-1980s, and entrepreneurs sprung up immediately around INS district offices to take advantage of the large demand for fingerprints.⁵ For about a decade these fingerprint vendors operated without regulations — without even being required to verify the identity of the person they were fingerprinting. On June 4, 1996, INS finally issued regulations on what entities could take fingerprints for immigration benefits, establishing a system of “designated fingerprinting services” comprised of law enforcement agencies and private entities that would go into effect early in 1997.

Many Members of Congress were concerned that this system of designated fingerprinting services did not provide adequate safeguards against fraud. The

⁴ U.S. Department of Justice Office of Inspector General, *Alien Fingerprint Requirements in the Immigration and Naturalization Service*, Washington, Feb. 16, 1994; and U.S. General Accounting Office, *INS Fingerprinting of Aliens: Efforts to Ensure Authenticity of Aliens' Fingerprints*, GAO/GGD-95-40, Dec. 22, 1994.

⁵ Fingerprints are routinely required for many other immigration benefits and adjudications in addition to naturalization.

conference agreement for the FY1998 Commerce, Justice, and State Departments Appropriations Act (P.L. 105-119, H.R. 2267) contains language prohibiting the acceptance of fingerprints cards made by any individual or entity other than INS, the Departments of State and Defense, or a state or local law enforcement agency. This new fingerprint policy, which covers all immigration benefits and services, went into effect in December 1997.

Language and Civics Testing. Fraud involving the entities contracted to administer the citizenship test and English language proficiency has been uncovered as well, and some — including INS Commissioner Doris Meissner — began questioning whether outside contractors should continue to administer the test. INS had begun standardized testing of immigrants by outside contractors during the 1980s when aliens legalizing through IRCA were required to demonstrate an understanding of English and civics. Based on this experience, INS initiated a program in 1991 for outside entities to administer a standardized English language and civics test.⁶ Ultimately INS contracted with six private testing services: Educational Testing Service (ETS); Comprehensive Adult Student Assessment System (CASAS); Southeast Community College; Marich Associates; Naturalization Assistance Services (NAS); and American College Testing (ACT). By 1996, INS reported that these six entities operated about 1,000 testing sites through subcontractors around the country.

Reports of testing fraud aired nationally in a July 1996 episode of the “20/20” television news program, with a focus on one particular testing service. In September 1996, congressional hearings were held on the testing fraud problems, as well as other alleged violations of naturalization law and procedures.⁷ INS placed this contractor on probation and ultimately dropped the contractor. INS also discovered that a subcontractor of another testing service contractor was involved in test fraud, reportedly as far back as 1994. After an 18-month undercover probe by INS, DOJ, FBI and the Internal Revenue Service, 20 people were recently indicted in a nationwide scheme to falsify the English and civics test results. The defendants — who operated or worked for the local testing sites — allegedly collected more than \$3 million from approximately 13,000 immigrants in return for promises that they would pass the tests.

In their proposal to re-engineer the naturalization process, Coopers and Lybrand recommend a complete overhaul of the process, including a standardized test for all applicants. Since about 10% of all petitioners are denied because they fail the tests, Coopers and Lybrand also recommend that the testing occur earlier in the process so that staff time is not wasted. The proposal also recommends that the applicants present two forms of identification and have their fingerprints verified electronically

⁶ *Federal Register*, v. 56, no. 125, p. 29714 (June 28, 1991).

⁷ Oversight of the Immigration and Naturalization Service Program Citizenship USA, hearing before the House Committee on Government Reform and Oversight Subcommittee on National Security, International Affairs, and Criminal Justice, 104th Congress, 2nd Session, Sept. 10 and 24, 1996.

when they arrive to take the test.⁸ Test scores will be submitted electronically to a central INS database according to the re-engineering proposal. INS has joined Coopers and Lybrand in making these recommendations. Congressional hearings on these recommendations are scheduled.

There is also a more basic testing issue: What levels of proficiency should be required? While some express concern that the proficiency level the immigrant needs to demonstrate the ability to read, write, speak, and understand English is too low, others view the current language requirement as a barrier to naturalization. Likewise, some have criticized the civics questions as too easy. Others contend that most high school seniors could not pass the test, and cite instances of U.S. citizens not being able to answer many of the questions when quizzed by the media. Currently, the sample questions range from “what are the colors of our flag?” and “what do the stripes on the flag mean?” to “who becomes President if both the President and Vice President die?” and “who has the power to declare war?” There are also concerns that the standards for the civics and language requirements are not uniformly applied.

Good Moral Character. Some observers and policymakers maintain it is time to take a new look at the “good moral character” criteria for naturalization. There are two questions at issue: What time period should be considered in making this determination? What types of behavior should bar a person from meeting the good moral character condition?

Under current law, to be eligible for naturalization, petitioners must demonstrate that they have been persons of good moral character during the applicable statutory period (five years in most cases) preceding their petition. The INA bars from naturalization those persons who, over the course of the applicable statutory period, meet any of the following criteria:

- habitual drunkards;
- practicing polygamists;
- those engaged in prostitution;
- those convicted of crimes of moral turpitude;
- those convicted of two or more crimes in which the total sentence was 5 or more years incarceration;
- those convicted of offenses involving controlled substances;⁹
- those who are known traffickers of controlled substances — whether or not they have been convicted;
- those who derive their income primarily from illegal gambling;
- those who have been convicted two or more times for gambling; those who have given false testimony to obtain immigration benefits; and,
- those who have been confined in a penal institution for at least 180 days as a result of a conviction.

⁸ Indeed, the Coopers and Lybrand re-engineering naturalization proposal would verify the applicants’ fingerprints at every stage of the process.

⁹ Drug convictions for a single instance of simple marijuana possession of 30 grams or less are excepted.

The INS naturalization examiner may go beyond the above list to assess good moral character. For example, failure to pay child support may be a significant factor. Although adultery was removed as a statutory bar to naturalization in 1981, it may still be a basis for denying a petition if it either destroys a viable marriage, is grossly incestuous, is commercialized, is flaunted openly, is committed in the home with minors present, results in a child born out-of-wedlock who becomes a public charge, or indicates a disregard for any standard of sexual morality.

Anyone who has been convicted of an aggravated felony **at any time** is statutorily barred from naturalization. The INA lists a range of crimes that are considered aggravated felonies, such as: murder, rape, and sexual abuse of a minor; illegal trafficking in firearms; supervising a prostitution business; receiving stolen property; and, fraud or deceit in which the victims' losses exceed \$10,000.¹⁰ According to the legal opinion of the INS General Counsel, if such a conviction — with the exception of murder — occurred on or before the enactment of this provision in INA (November 29, 1990), it does not mandate a finding that the immigrant is not of good moral character. However, the INS General Counsel advises that an aggravated felony conviction occurring prior to November 29, 1990 would still be relevant to the ultimate determination of good moral character.¹¹

One practical matter that confounds the determination of good moral character is what information INS can reasonably discover about the petitioner. Criminal records are available systematically from the FBI, but some of the other behaviors on the list above are not necessarily recorded in a searchable database. Some argue that if the information on which to determine good moral character is not uniformly available for all petitioners, then that factor should not be used as a criterion. Others counter that egregious behavior should not be disregarded simply because it is not available in a searchable database; instead, they maintain the INS examiner should conduct basic background checks, weighing all information obtained to determine whether the petitioner meets the standards.

In a related concern, proposals to extend the applicable statutory period beyond 5 years raise the question of how INS will discover if the petitioners had criminal records or other problems in the country of their previous residence. Proponents of expanding the period for determining good moral character, however, argue that limiting consideration to 5 years, particularly for criminal convictions, disregards potentially important facts about the petitioner's character.

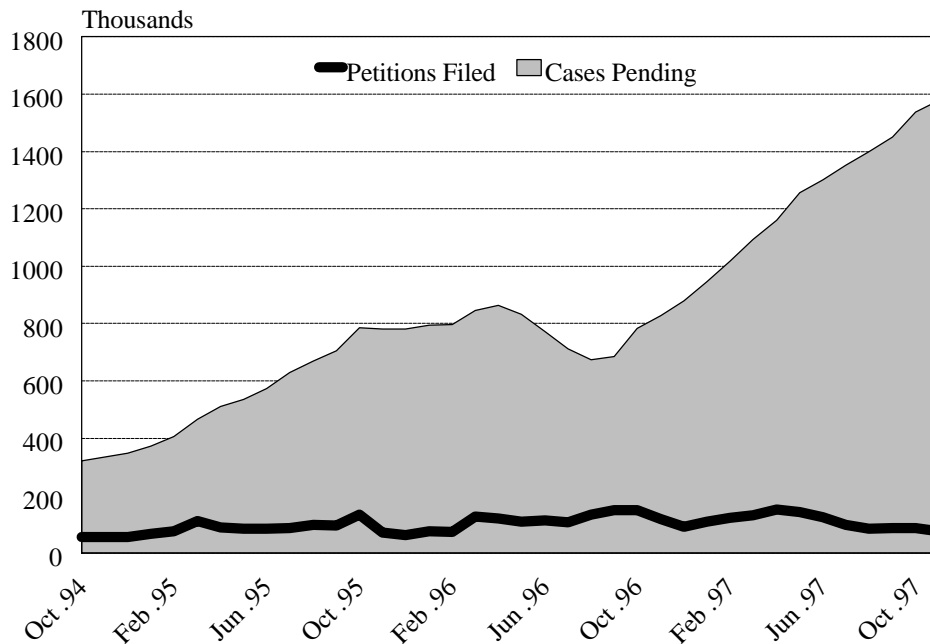
Backlogs and Waiting Times. There were 1.7 million immigrants with naturalization petitions pending as of November 30, 1997. While **Table 1** above presents aggregate annual caseload data detailing the rise in petitions during the 1990s, **Figure 1** illustrates with monthly caseload data that the backlog has grown sharply in recent years as INS has not been able to keep pace with this rise in petitions. The exception was during the ill-fated *Citizenship USA* campaign when INS sought to process petitions within 6 months, and **Figure 1** indicates there was flattening — even a slight dip — in the backlog during period of *Citizenship USA*

¹⁰ *Interpreter Releases*, v. 73, no. 43, Nov. 11, 1996, p. 1585-1588.

¹¹ *Interpreter Releases*, v. 74, no. 38, Oct. 6, 1997, p. 1515-1517, 1530-1532.

(August 1995 through September 1996). The American Immigration Lawyers Association reports that immigrants filing a naturalization petition in February 1998 will wait an estimated 2 years for INS to make a decision to approve or deny U.S. citizenship for them.

**Figure 1. Monthly Naturalization Trends,
October 1994 to November 1997**



CRS presentation of unpublished INS Performance Analysis System data. Figure does not depict 178,557 cases not entered into the system as of Nov. 30, 1997.

At issue now are whether the re-engineering of naturalization that Coopers and Lybrand have proposed (and INS has embraced) will be put into place and whether INS will have sufficient funding to address the myriad of problems as well as the growing backlog. Some argue that INS has lost all credibility to reform and redesign naturalization and are suspicious of any efforts to speed up the process that are undertaken at this time. Others maintain that the backlog and waiting times are untenable and that further action must be taken to provide INS with the resources to restore integrity to the naturalization process.

Proposed Fee Increase. INS has proposed a fee increase for filing the naturalization petition, raising it from \$95 to \$225. The naturalization fee increase is part of an across-the-board proposal for increased fees based upon an audit of the costs of providing immigration services and benefits. Proponents of the fee increase maintain that immigration benefits such as naturalization should be self-financing and that the beneficiaries should bear the costs.

Given the sheer size of the naturalization backlog, however, some observers challenge how these increased fees will result in improved services for the new petitioners. Some further question how much money from the fees collected actually

go to funding the naturalization process and assert that the Administration and Congress need to invest more resources into naturalization to assure both that the system is not abused and that petitioners are processed within a reasonable time.

Legislative Activity

Funding. Through the FY1998 Commerce, Justice, and State Departments Appropriations Act (P.L. 105-119, H.R. 2267), Congress appropriated INS an increase of \$163 million aimed at improving the naturalization process and restoring its integrity. Of that amount, \$63 million is targeted to staff increases and quality assurance procedures, and an additional \$3 million is included to revoke citizenship of those improperly naturalized. Nearly \$84 million of this \$163 million is designated to improve INS's capacity to scan fingerprints, with \$16.8 million earmarked for INS to purchase and install fingerprint scanners.¹²

INS built this FY1998 increase (\$163 million) for naturalization activities into its proposed FY1999 base budget. Funding for naturalization is presented in the Adjudications and Naturalizations budget program.¹³ Most of the funding for this Adjudications and Naturalizations program comes from the examinations fee account, and total funding for this budget program has increased from \$137 million in FY1993 to \$310 million in FY1997. INS anticipates a \$392 million budget allocation for this program for FY1998, and has requested \$389 million allocation for FY1999. In addition, INS naturalization activities have benefitted from funding increases to the Data and Communications program and the Information and Records Management program.

Reform. The Chairmen of both the Senate Judiciary Subcommittee on Immigration (Abraham) and the House Judiciary Subcommittee on Immigration and Claims (Smith) have introduced bills (S. 1382 and H.R. 2837) that would reform the naturalization process. As introduced, these companion bills had several key features:

- extending the period in which the alien must demonstrate good moral character from what is typically at least 5 years to 10 years;
- codifying in statute a procedure for conducting the criminal background check;
- codifying in statute the requirements for a personal interview for all petitioners;
- detailing the Attorney General's authority to permit and oversee outside entities to administer the civics and English language tests;
- codifying in statute the requirement that the resident alien card (i.e., green card) be turned in when the certificate of naturalization is awarded and adding civil penalties for the failure to timely report the loss, theft or destruction of the resident alien card;
- amending sections pertaining the revocation of naturalization; and,
- providing for ongoing quality assurance practices and reports for congressional oversight of naturalization.

¹² H.Rept. 105-405, p. 106; for a discussion of these funding issues, see: CRS Report 97-515, *Immigration and Naturalization Service's FY1998 Budget*, by William J. Krouse.

¹³ Monies allocated specifically for naturalizations are not separated out in budget documentation.

Prior to the House Judiciary Subcommittee on Immigration hearings on naturalization held March 12, 1998, Chairman Lamar Smith circulated a draft substitute of H.R. 2837. On June 11, 1998, the Immigration Subcommittee favorably reported the Chairman's substitute of H.R. 2837, after a series of amendments offered by the minority failed along party lines. As reported H.R. 2837 also would:

- require a standardized test and would further limit the outside testing to a single contractor;
- consider all criminal offenses committed any time prior to filing the petition, if brought to INS's attention;¹⁴
- codify in statute a procedure for conducting the criminal background check;
- codify in statute the requirements for a personal interview for all petitioners;
- codify in statute the requirement that the resident alien card (i.e., green card) be turned in when the certificate of naturalization is awarded and adding civil penalties for the failure to timely report the loss, theft or destruction of the resident alien card;
- revise sections pertaining the revocation of naturalization, including codification of policy that INS may administratively denaturalize persons within 3 years;
- provide for ongoing quality assurance practices and reports for congressional oversight of naturalization.
- establish a goal of 90 days to process petitions and provide incentives as well as authorize additional appropriations (\$82 million over FY1998-FY1999) for INS to achieve that goal; and,
- provide for the publication and distribution of civics textbooks and study guides (funded by fee paid by naturalization applicants).

The Senate Judiciary Subcommittee on Immigration also held hearings on March 12, 1998, and Chairman Spencer Abraham reportedly is planning to move a substitute amendment for S. 1382 as a result of this hearing and other recent findings pertaining to naturalization.

The ranking Democrat on the Senate Judiciary Subcommittee on Immigration (Kennedy) and the House Minority Leader (Gephardt) have introduced their naturalization reform bills (S.1717/H.R.3341). The Kennedy-Gephardt bill would take aim at reducing the naturalization backlog and would cap the petitioning fee at \$150 until the backlog has been substantially reduced. Other provisions would require the Administration to redesign the naturalization process to ensure efficiency and integrity, would seek to deter testing fraud, and would reform the testing procedures. S. 1717/H.R. 3341 also would require FBI criminal background checks. Under S. 1717/H.R. 3341 the INS would provide naturalization handbooks and study material to immigrants (at no cost).

¹⁴ This provision was a revision of H.R. 2837 as introduced which contained the language extending the period in which the alien must demonstrate good moral character from what is typically at least 5 years to 10 years.

In addition to these major bills that would reform the naturalization process, there are a wide variety of bills addressing particular aspects of naturalization. The primary aim of these other bills is to ease the naturalization requirements of selected groups or types of legal permanent residents who were barred from receiving certain forms federal public assistance when these programs became limited to citizens.¹⁵ These bills typically would broaden the age and disability exceptions to the language and civics requirements.

¹⁵ For background on the new rules for use of federal public assistance by immigrants, see: CRS Report 96-617, *Alien Eligibility for Public Assistance*, by Joyce C. Vialet and Larry M. Eig.