



SEATTLE CITY COUNCIL

June 30, 2016

Samantha Deshommes
Acting Chief
Regulatory Coordination Division, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue NW,
Washington, DC 20529-2020

RE: DHS Docket No. USCIS-2016-0001

Dear Acting Chief Deshommes:

As councilmembers of the City of Seattle, we are writing to submit comments in response to the request for public comment by the U.S. Citizenship and Immigration Services (USCIS) on the proposal to make changes to several immigration and naturalization application fees published in the Federal Register on May 4, 2016.

We believe it is critical to reduce the financial barriers to naturalization for the 8.8 million legal permanent residents (LPRs) who are eligible for U.S. citizenship, including the 4.4 million who are Latinx.¹ The LPRs who face particular challenges are lower-income and working-class families who cannot afford the fees, but are not at the poverty level that would allow them to qualify for the USCIS' existing fee waiver. According to the USC Center for the Study of Immigrant Integration [52% of the 8.8 million LPRs are low-income](#).

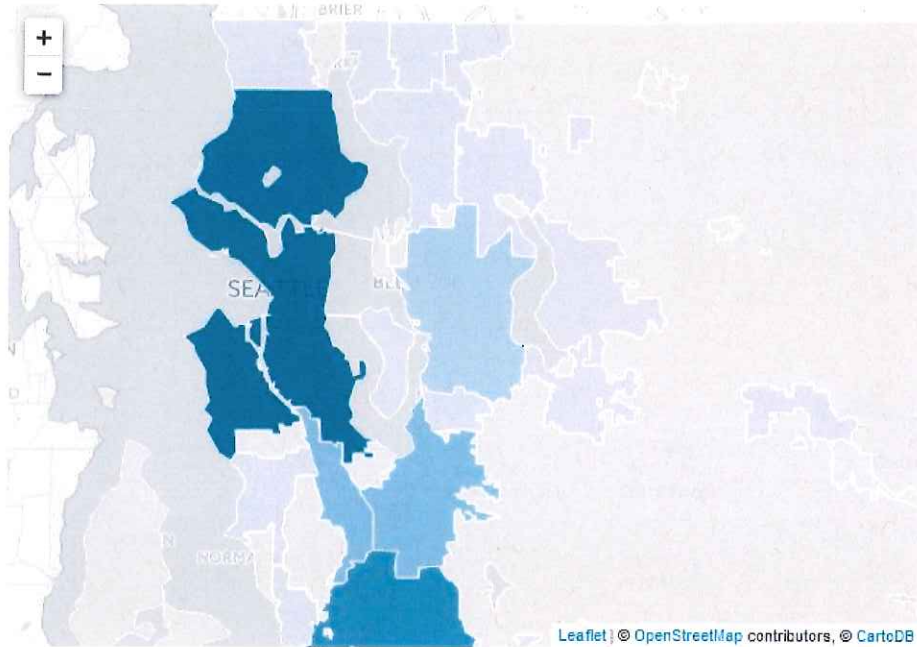
Indeed, according to the Migration Policy Institute's 2014 data, the number of immigrants and refugees living in poverty in Washington State is astonishing: 15.9% of immigrants are living below the 100% poverty level, 21.9% are at 100-199% of the poverty level and 62.2% are at or above the 200% poverty level.

In King County, one of five residents is foreign born and, as shown below, a significant concentration of those immigrants and refugees live and/or work in the City of Seattle.

¹ As [estimated](#) by the Office of Immigration Statistics (OIS-DHS).



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Number of refugees in each city in King County since 2003



Source: U.S. Department of State

GARLAND POTTS / THE SEATTLE TIMES

Through our Council's Committee on New Americans and the Mayor's Office of Immigrant and Refugee Affairs, the City of Seattle seeks to better serve our immigrant and refugee population through funding of programs such as the [New Citizen Program](#) (NCP), which serves low-income immigrants and refugees eligible for U.S. citizenship by funding 14 community-based organizations to provide free naturalization assistance and support in Seattle/King County, including technical and legal assistance.

While the City's efforts continue to focus on improving the integration and civic engagement of immigrants and refugees, we also recognize that the contributions of naturalized immigrants and refugees would further benefit the economic status of immigrants and refugees and our region. In December 2015, the New York City Mayor's Office of Immigrant Affairs (MOIA) and Citi Community Development unveiled research conducted by the Urban Institute on the economic effects of naturalization on immigrants and their local economies. Some of the top findings of the report titled [The Economic Impact of Naturalization on Immigrants and Cities](#) include:

- If all of the eligible immigrants across the 21 U.S. cities studied were to become citizens, their increased employment rate and earnings would generate millions in new tax revenues.
- Naturalization may lead to an average increase in individual earnings of 8.9%, or \$3,200, in the first year after becoming a U.S. citizen.



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- The effects of naturalization may cause the cost to local governments of providing public benefits to either remain relatively steady or actually decrease.
- Nearly 9 million immigrants across the country are currently eligible to naturalize but have not yet done so, and less than 10% of them do so per year.

This is precisely why it is critically important that we remove financial barriers to allow eligible immigrants and refugees to naturalize.

Form N-400 and Partial Fee Waiver

We are concerned about the impact of the proposed increase in the fee for filing the Form N-400 Application for Naturalization, from \$595 to \$640. If the proposed increase is implemented, it is very likely that potential applicants will delay their applications or forego filing them entirely. At the same time, we are pleased to see that the USCIS shares the recognition that financial barriers should not put U.S. citizenship out of the reach of any eligible individual. Thus, we commend the USCIS for proposing a new partial fee waiver that would charge a reduced fee of \$320 for naturalization applicants with family income greater than 150 percent and not more than 200 percent of the Federal Poverty Guidelines.

As noted above, we believe that there are a significant number of LPRs who cannot afford the full cost of the fee, but have family incomes that prevent them from qualifying for the existing fee waiver. The proposed 50% reduction in the naturalization fee will make U.S. citizenship more accessible to lower-income and working class applicants. To ensure that all eligible LPRs can utilize the proposed partial waiver, we also urge the USCIS to adopt a fee waiver form and procedures that are as streamlined and as simplified as possible. In particular, the agency should not impose any burdensome documentation requirements on applicants who pursue the waiver.

Form N-600/N-600K

We are extremely concerned about the proposed 95% increase in the fee associated with submission of an N-600/N-600K Application for Certificate of Citizenship, from \$600 to \$1,170, which is the form commonly used by the minor children of U.S. citizens to obtain documentation of their citizenship status when they derive or automatically acquire it from their parents. While some derivative and foreign-born U.S. citizens may obtain this documentation by acquiring U.S. passports, there are circumstances where the certificate of citizenship is the specific documentation required for many individuals to work or vote. Under these circumstances, U.S. citizens might wrongfully be denied employment or voter registration, if they cannot afford the certificate.

In addition, whereas the State Department charges just \$120 for a passport book for a child younger than 16, the certificate of citizenship would cost 11 times more even though it appears likely that the State Department and the USCIS undertake similar activities to process these documents. We urge USCIS to investigate the feasibility of cooperating with the State Department to streamline



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procedures around recognition of foreign-born individuals' citizenship, and eliminate the need for individuals to seek duplicative, separate review of their status by both agencies.

Form N-565

We are also very concerned about the potential negative consequences of the proposed large increase to the fee for the Form N-565 to replace a naturalization or citizenship certificate, from \$345 to \$555. Americans may lose critical personal documents for numerous reasons, and often through no fault of their own. Each year, thefts, natural disasters, and other unforeseen circumstances affect millions of us. Americans may face catastrophic consequences if exorbitant fees prevent them from replacing documentary proof of their U.S. citizenship. For example, they may not be able to fulfill the requirements that several states impose on prospective voters to show proof of U.S. citizenship. They would lack the documentation that is required for certain jobs or public benefits. The proposed increase in the naturalization certificate replacement application would force many U.S. citizens to confront serious obstacles in their efforts to work, vote or pursue other opportunities.

The Need for Appropriated Funding to Support USCIS Activities

Finally, we would like to highlight the challenges presented by the fundamental system our nation uses to finance the USCIS' immigration and naturalization services, which requires that revenue from application fees fund virtually all of those services, even those services for which fees are charged. Thus, when the USCIS sets fees for immigration and naturalization services, it must essentially add a "surcharge" to those fees to cover activities for which it does not charge fees or earn revenue. For example, application fees must cover the adjudication of refugee and asylum processing, the Systematic Alien Verification for Entitlements (SAVE) program and the operation of the Office of Citizenship. The surcharge must also cover the costs of adjudication activities for which fee waivers were granted.

The analysis of the proposed changes in naturalization fees presented in the Federal Register notice and supporting documentation demonstrates the impact of the surcharge on the increase in the fee for the Form N-565 and Form N-600/600K – the surcharge adds \$157 to the Form N-565 fee, and \$330 to Form N-600/600K. In light of the foregoing, we urge the USCIS to continue to seek appropriated funds from Congress to cover the costs of services for which no fees are charged. Consistent with our nation's humanitarian values, it is appropriate that there are no fees charged for refugee and asylum processing, and that the USCIS grant fee waivers to immigrants who cannot afford immigration services. However, it is simply not fair to pass those costs on to other immigrants and require them to pay for services and activities that are unrelated to the adjudication of their applications.

Conclusion

As elected officials committed to the future prosperity of the nation and the strength of its democracy, we support the USCIS' continued efforts to promote U.S. citizenship and to help qualified LPRs complete the naturalization process.



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There are millions of LPRs in the United States who are immediately eligible for U.S. citizenship. Greater naturalization would help our nation realize talented immigrants' full potential to ensure the United States' long-term prosperity. In addition, it would enable thousands of new Americans to become full participants in our country's electoral process, and make our democracy stronger and more robust. It is in our nation's best interest to promulgate a fee structure and policies that encourage as many eligible LPRs as possible to achieve their dream of U.S. citizenship. As you consider changes to the USCIS' fee schedule, we urge you to adopt the foregoing recommendations in order to make sustained progress toward achieving this goal.

We thank you for your consideration of our recommendations. Should you have any questions, please do not hesitate to contact the Office of Councilmember M. Lorena González (Position 9, Citywide) at (206) 682-8802.

Sincerely,

Council President Bruce Harrell

Councilmember Sally Bagshaw

Councilmember Tim Burgess

Councilmember M. Lorena González

Councilmember Lisa A. Herbold

Councilmember Rob Johnson

Councilmember Debora Juarez

Councilmember Mike O'Brien

Councilmember Kshama Sawant