

This is an excerpt from *Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities*, a report published by Asian Americans Advancing Justice—AAJC and Asian Americans Advancing Justice—Los Angeles in June 2019. The report is available for download: <https://advancingjustice-aaajc.org/inside-the-numbers-report-2019>

ISSUE BRIEF: NATURALIZATION

While not all eligible immigrants choose to become United States citizens, for many naturalization is the culmination of their immigration journey, the step that grants them access to the same rights and privileges as natural-born citizens. Once naturalized, new U.S. citizens are able to fully participate in civic life and the democratic process; they can serve on juries, register to vote and participate in elections, and even run for office.

Asian immigrants are among the fastest to apply for naturalization once they become eligible. Individuals who naturalized in fiscal year (FY) 2017 spent a median of eight years in lawful permanent resident (LPR) status before becoming U.S. citizens. Immigrants from Asia, along with immigrants from Africa, spent the least number of years in LPR status, a median of six years, before becoming U.S. citizens.¹⁸⁰

Asian immigrants naturalize at high rates. As noted in the immigration pathways discussion in this report, approximately 58% of Asian American immigrants are naturalized citizens. The rate for the total population, in comparison, is 47%. Further, four groups of Asian American immigrants have naturalization rates of 70% and higher: Hmong, Vietnamese, Cambodian, and Laotian Americans.

Immigrants from Asia accounted for 36.1% of individuals who naturalized in FY 2017, just behind the 36.5% of immigrants from North America¹⁸¹ who naturalized during the same time period. With 118,559 new U.S. citizens, Mexico is the country of origin of the largest percentage of individuals (16.8%) who became U.S. citizens in FY 2017. Immediately following Mexico were India, China, and the Philippines. Six more Asian countries ranked among the top 20 countries of origin for those who naturalized in FY 2017: Vietnam, South Korea, Pakistan, Bangladesh, Iran, and Iraq.¹⁸²

Naturalization: Asian Countries of Origin

FY 2015–2017 | Ranked by Naturalizations FY 2017

FIGURE 29

Country	FY 2015	FY 2016	FY 2017
India	42,213	46,188	50,802
China	31,241	35,794	37,674
Philippines	40,815	41,285	36,828
Vietnam	21,976	24,848	19,323
South Korea	14,230	14,347	14,643
Pakistan	11,912	11,729	10,166
Bangladesh	9,750	9,949	8,629
Iran	10,344	9,507	8,324
Iraq	14,899	12,130	7,875
Burma*	6,045	6,956	6,825
Bhutan	4,562	5,563	5,557
Thailand	5,213	5,211	4,672
Nepal	4,225	5,004	4,509
Taiwan	4,420	4,043	4,151

FIGURE 29: U.S. Department of Homeland Security, Office of Immigration Statistics, Office of Strategy, Policy & Plans, *Annual Flow Report: 2017* (August 2018); U.S. Department of Homeland Security, "Table 21, Persons Naturalized by Region and Country of Birth: Fiscal Years 2015 to 2017," *2017 Yearbook of Immigration Statistics* (October 2, 2018).

*Also known as Myanmar

FIGURE 29, CONTINUED

Country	FY 2015	FY 2016	FY 2017
Cambodia	2,878	2,756	2,184
Laos	2,042	1,999	1,726
Japan	1,858	1,758	1,713
Hong Kong	1,716	1,662	1,623
Indonesia	1,743	1,641	1,566
Sri Lanka	1,246	1,497	1,364
Malaysia	1,113	1,189	1,170
Mongolia	324	437	416
Singapore	285	308	279
Macau	109	101	70
North Korea	23	16	15
Brunei	13	10	11

The number of individuals from the region of Oceania, which includes numerous Pacific Island nations as well as Australia and New Zealand was 3,327, or 0.05% of the total number of individuals who naturalized in FY 2017.

Naturalization: Pacific Island Countries of Origin

FY 2015–2017 | Ranked by Naturalizations FY 2017

FIGURE 30

Country	FY 2015	FY 2016	FY 2017
Fiji	850	996	841
Tonga	352	337	262
American Samoa	296	285	216
Samoa	213	192	164
Federated States of Micronesia	85	67	53
Palau	44	43	32
Marshall Islands	22	27	16
Papua New Guinea	21	19	13

FIGURE 30: Table 21, "Persons Naturalized by Region and Country of Birth: Fiscal Years 2015 to 2017," U.S. Department of Homeland Security.

Barriers to Naturalization

Compared to the challenges faced by many immigrants in gaining permanent resident status, the naturalization process is more straightforward. Still, the application process, including completing the 20-page application, gathering the required information and supporting documents, and paying the filing fees can be daunting. In addition, numerous requirements can pose barriers for many immigrants. These requirements include the ability to read, speak, and write basic English; knowledge of U.S. history and government measured by a civics test; "good moral character"; and payment of a \$725 filing fee.¹⁸³

Growing USCIS Backlogs as a “Second Wall” for Immigrants

Further, immigrants who seek to naturalize now face an additional obstacle to U.S. citizenship—growing backlogs that are preventing many from becoming U.S. citizens. As detailed in a series of recently published reports, the National Partnership for New Americans recounts that applications for naturalization spiked in FY 2016, with a total of 971,242 LPRs applying for U.S. citizenship, an increase of 188,267 applications over the previous year. While increased interest in naturalization often coincides with presidential election years, it is notable that demand for naturalization continued to increase following the 2016 election, with a total of 986,142 applications submitted in FY 2017. As more immigrants have applied to become U.S. citizens, the backlog of pending applications has steadily increased. In June 2017, there were 708,638 applications for U.S. citizenship waiting to be processed, up from 399,397 at the same time two years earlier. In its October 2017 report, the National Partnership for New Americans stated “(t)his backlog means that the wait time from the submission of the U.S. citizenship application, to being tested, and then attending the naturalization Oath Ceremony can take over one year in many regions.” By its third addendum to the report, published in July 2018, the National Partnership for New Americans cited U.S. Citizenship and Immigration Services data from the first quarter of 2018 to report a backlog of 729,400 applications for citizenship, representing an 87.59% increase in the backlog of citizenship applications over the last two years. At the time, applicants for naturalization could face processing times of up to 20 months. Only a few years ago, processing times were averaging less than 6 months.¹⁸⁴

If immigrants rely on processing timelines of 6 to 9 months, a reasonable expectation based on the not-so-distant past, by the time they turn their attention to naturalization in early 2020, for most it will already be too late to apply and complete the process in time to meet voter registration deadlines.

Immigration service providers and immigrant rights advocates are concerned that these lengthening processing times—backlogs—will deter eligible immigrants from naturalizing. As noted above, demand for naturalization generally spikes in election years. If immigrants rely on processing timelines of 6 to 9 months, a reasonable expectation based on the not-so-distant past, by the time they turn their attention to naturalization in early 2020, for most it will already be too late to apply and complete the process in time to meet voter registration deadlines. For example, during the first three months of 2019, the processing time for naturalization applications filed in the Washington, DC area fluctuated, with projections ranging from 9 months to as long as 22.5 months. As of March 2019, areas with lengthy processing times include Los Angeles (9.5–15.5 months); Atlanta (13–23 months); New York City (14.5–28 months); Las Vegas (15.5–18 months); Phoenix (17–18.5 months); and Dallas, Minneapolis–Saint Paul, Miami, and Houston with processing times ranging from 16 to 24 months. For immigrants in these areas, the window to begin the naturalization application process so as to be able to vote in 2020 is rapidly closing, which will shut many prospective immigrant voters out of an election that is still nearly two years away.¹⁸⁵

The Threat of Denaturalization

In addition, the current administration’s harsh stance toward immigrants has been extended to naturalized U.S. citizens. As noted above, naturalization is seen—and often celebrated—as the final step in the immigration process. U.S. citizenship has conveyed a sense of finality, assurance that one’s immigration status would no longer be in jeopardy and that one had gained all of the rights and privileges of U.S. citizenship permanently. Denaturalization, the process by which one is stripped of citizenship, has typically been deployed only in extreme cases of fraud or treason, including Nazis and other war criminals seeking to evade prosecution. From 2004 to 2016, an average of 46 denaturalization cases were filed each year. In each of the last two years, prosecutors filed nearly twice that many cases. Further, the Trump administration has signaled that it will be reviewing 700,000 files of U.S. citizens for evidence of fraudulent naturalization, and announced the creation of a Denaturalization Task Force in June 2018.¹⁸⁶

Individuals facing denaturalization in the criminal justice system have the right to counsel and a jury trial. Further, the prosecution must demonstrate beyond a reasonable doubt that the accused knowingly procured or attempted to procure naturalization in an unlawful manner. There is a 10-year statute of limitations on criminal denaturalization. In contrast, the grounds for denaturalization in civil proceedings are broader, and there is no requirement of intent; the standard of proof is clear, convincing, and unequivocal evidence; and there is no right to counsel, no right to a jury trial, and no statute of limitations.¹⁸⁷

Mass-scale denaturalizations threaten the meaning of citizenship and equality for immigrants. As Seth Freed Wessler wrote in the *New York Times Magazine*, the administration “has cast naturalized citizens as suspects for fraud, and the legal immigration process itself in need of urgent course-correction to prevent that abuse.” Mae Ngai, a Columbia University historian who writes on citizenship and immigration, has compared the denaturalization campaign to the conservative campaign against voter fraud, where scarce examples of fraudulent voting are used to justify imposing greater voter restrictions on communities of color even though there is no evidence of a widespread problem. “‘It’s trying to make a crisis out of an issue that is not by any measure a crisis,’ Ngai says, ‘an attempt to call the larger systems into question.’”¹⁸⁸

Policy Recommendations

Naturalization is essential to fully integrate immigrants as equal members of society and enable them to fully participate in our democracy. Welcoming aspiring new Americans and granting them a pathway to full citizenship stabilizes immigrant families and communities while strengthening the economy for everyone.

The U.S. should support immigrants in their path to U.S. citizenship by reducing the processing backlogs and addressing barriers to naturalization. Specifically, we recommend that processing take no longer than six months and that the federal government invest greater resources in adult English language and civics education as well as greater outreach and engagement to promote and encourage naturalization. In addition, we urge that fee waivers be maintained to make naturalization—and other immigration processes—accessible to people with limited means. Finally, naturalized citizens must not be relegated to second-class status by renewed scrutiny and the possibility of denaturalization.

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NOTES

¹⁸⁰ U.S. Department of Homeland Security, Office of Immigration Statistics, Office of Strategy, Policy & Plans, *Annual Flow Report: 2017* (August 2018).

¹⁸¹ North America includes Canada, Central America, and the Caribbean.

¹⁸² U.S. Department of Homeland Security, *Annual Flow Report: 2017* (August 2018).

¹⁸³ The filing fee is currently \$640 plus an additional \$85 biometrics fee.

¹⁸⁴ Emily Gelbaum, *Building a Second Wall: USCIS Backlogs Preventing Immigrants from Becoming Citizens*, National Partnership for New Americans (October 27, 2017); Emily Gelbaum, “NPNA Report Update: Building a Second Wall: USCIS Naturalization Backlogs Worsen,” *National Partnership for New Americans* (February 7, 2018); Diego Iniguez-Lopez, “Tearing Down the Second Wall: Ending USCIS’s Backlog of Citizenship Applications and Expanding Access to Naturalization for Immigrants,” *National Partnership for New Americans* (July 2018); U.S. Citizenship and Immigration Services, “Historical National Average Processing Time for All USCIS Offices” (March 31, 2019).

¹⁸⁵ U.S. Citizenship and Immigration Services website, “Check Case Processing Times.”

¹⁸⁶ Seth Freed Wessler, “Is Denaturalization the Next Front in the Trump Administration’s War on Immigration?,” *New York Times* (December 19, 2018).

¹⁸⁷ ACLU and Immigrant Legal Resource Center, “The Trump Administration’s Plan to Strip Citizenship from Thousands of Americans” (September 17, 2018).

¹⁸⁸ Wessler, “Is Denaturalization the Next Front?”