

Congress Seeks Tougher Naturalization Rules

By Reuben S. Seguritan

In continuing efforts to reform the troubled naturalization program, Congress has introduced legislation that would impose stricter naturalization requirements and improve the naturalization process.

The Naturalization Reform Act of 1998 was introduced by Sen. Spencer Abraham and Rep. Lamar Smith, chairmen of the Senate and House immigration subcommittees, respectively. It would make it harder for naturalization applicants to meet certain requirements, and easier for the INS to denaturalize individuals. It would also bar deportable aliens from naturalization, and would give the INS more reasons to refuse to naturalize individuals, including failing to file a change of address card with the Service.

In the past, applicants have had to show that they have maintained "good moral character" for five years. This new bill would require that individuals show that they have maintained "good moral character" for ten years.

While the Abraham-Smith bill is meant to deter naturalization of "morally undeserving" applicants, it makes it doubly hard for deserving and/or otherwise eligible applicants to qualify for naturalization. Critics of the Naturalization Reform Act may be a little more disposed to another bill sponsored by Sen. Edward Kennedy and House Minority Leader Richard Gephardt. Entitled "The New American Citizenship Act," the bill aims to reduce the waiting time for naturalization and strengthen the participation of community based organizations.

Sen. Kennedy noted that under the current system, applicants have to wait for as long as four years for adjudication of their cases. The bill would give the Attorney General three months to produce a backlog reduction plan with target dates for when the backlog will be eliminated. It would cap the naturalization fee at \$150 until the INS reduces the backlog, and would authorize the appropriation of funds for backlog reduction. It would also require the Attorney General to develop a plan to redesign the naturalization system so that it would take less than six months for the entire process.

The Kennedy-Gephardt bill also aims to curb fraud by requiring INS-approved proctors for all exams conducted by entities other than the INS and barring for-profit organizations from teaching citizenship courses and administering tests. It also seeks to set up a pilot program to develop a standardized naturalization test and give community-based organizations the wherewithal to teach citizenship classes.

In the interim, the INS has released new procedures meant to expedite the naturalization process by conducting tests long before interviews, thereby saving time that would otherwise have been spent on rescheduling. The new system will combine testing and fingerprinting procedures. It will be piloted beginning July 1, 1998 and implemented by September 1, 1998. In a press statement, INS Commissioner Doris Meissner said, "By combining testing and fingerprinting into the same visit, the INS will be saving naturalization applicants time and expense while maintaining firsthand supervision of two of the essential requirements for citizenship."

The new testing procedures will be piloted and implemented on a voluntary basis at selected Application Support Centers (ASCs), which are new offices being opened to take fingerprints for immigration purposes. By September, there will be over 100 ASCs and mobile units in operation. Beginning January 1, 1999, all naturalization applicants will be required to be tested at an ASC or INS-supervised location. All outside testing organizations will continue to operate until August 30, 1998, and the INS will continue to accept certificates dated through August 30 from these organizations for up to one year.