

IMMIGRATION REFORM 2013

The Financial Barrier to Citizenship

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The Senate bipartisan [immigration reform bill](#), the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013 (S. 744), will provide a road to U.S. citizenship for millions of unauthorized immigrants if it is enacted.¹ Providing citizenship to these 11 million people will make the United States stronger and “bring about significant economic gains in terms of growth, earnings, tax revenues, and jobs.”²

But for immigration reform to succeed, the process for earning legalization and citizenship must be affordable and achievable for all eligible would-be citizens and their families. It must not be weighed down with conditions, complexities, and costs that effectively preclude a viable path to citizenship for millions of people who aspire to it.

Under the Senate bill, most unauthorized immigrants will face a waiting period of 13 years or more before they become citizens; a criminal background check; work requirements; documentation demands; English-language and citizenship exams; and employment eligibility verification. In addition, they will be required to pay significant fees and penalties that could total more than a month’s worth of their gross yearly income. Immigrants who can satisfy these conditions will be denied access to safety-net services, including basic health care and nutrition assistance — even after they secure a lawful status. Taken together, will these financial demands and other requirements price people out of getting on the road to citizenship? Will these mandates block them from integrating fully into the U.S. and thus undermine the reform’s success?

WHO ARE THE 11 MILLION?

The 11 million . . . ³

- **Are workers.** These immigrants have a high work-force-participation rate, and represent 21 percent of all low-wage workers.⁴
- **Are employed in low-wage industries.** A third work in service jobs, in restaurants, or as janitors or cleaners. Many are employed in construction and food processing.⁵
- **Have young children.** Nearly half of the households are couples with young children,⁶ about 80 percent of whom are U.S. citizens.⁷

FEES AND FINES

Requirements and amounts

The Senate immigration reform bill *does not* specify the amount of fees that people on the road to citizenship will be required to pay, but rather it states that fees must cover the “full costs of processing” applications and that applicants will have to pay a fee at the following steps:

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1. To file for the initial “registered provisional immigrant” (RPI) status the bill would create; *and*
2. To renew RPI status after 6 years; *and*
3. To adjust to lawful permanent resident (LPR or “green card”) status; *and*
4. To apply for citizenship.

Although we *do not* yet know the specific fee amounts that would be charged, U.S. Citizenship and Immigration Services (USCIS) currently charges **\$985** to file a green card application (step 3, above), plus applicants have to pay an additional **\$85** biometrics (fingerprinting) fee; and the citizenship application fee currently is **\$680**.⁸ These and other fees help fund USCIS.

In addition to having to pay the application-related fees, under S. 744 an adult applicant (age 21 or older) would be required to **pay penalties totaling \$2,000**: \$500 when the applicant files for RPI status, \$500 when he or she renews RPI status, and \$1,000 when the applicant files for LPR status.

Barriers to citizenship

In its current form, the bill will assess significant fees and penalties on immigrants applying to get on the path to citizenship. This will be particularly problematic given the realities the low-wage immigrant workforce faces. Consider the average median wages of a few industries with significant populations of immigrant workers:⁹

Occupation	Hourly wage (2012 median)	Hourly wage (2012 mean)	Yearly wage (2012 mean)*
Food preparation workers	\$9.28	\$10.05	\$20,910
Childcare workers	\$9.38	\$10.25	\$21,310
Agricultural workers	\$9.14	\$10.54	\$21,920
Janitors; building cleaners	\$10.73	\$11.95	\$24,850
Nursing aides	\$11.07	\$11.69	\$24,320
Maids; housekeeping cleaners	\$9.41	\$10.49	\$21,820
Federal minimum wage	\$7.25	\$7.25	\$13,195

*Based on a 40-hour workweek.

Given the low wage-rates of many immigrants, the bill’s current fees and fines will put significant strain on low-wage immigrant families. Experience shows that attempts to increase fees and fines could make the path to citizenship unattainable for large numbers of otherwise eligible people:

- In 2010, the National Council of La Raza (NCLR) found that 43 percent of all immigrants who attended naturalization workshops but delayed applying did so because of cost.¹⁰

- Organizers of Deferred Action for Childhood Arrivals (DACA) workshops report that the most common reason given for not applying for DACA is that would-be applicants cannot afford the application fees.¹¹
- 8.5 million immigrants in the U.S. are eligible for but have not yet taken the final step of applying for naturalization, often due to the cost of applying.¹²

THE HIGH COST OF CITIZENSHIP

Low-income immigrant workers who potentially could become U.S. citizens under the Senate immigration reform bill's provisions will face a choice: Should I get on the road to citizenship (Can I afford it?), or should I, instead, feed, clothe, and shelter my kids and family? Many immigrants who aspire to U.S. citizenship will likely have to borrow money to pay the application fees and penalties, which will make them vulnerable to predatory lenders. It is essential that Congress reject any effort to increase the fees and penalties in S. 744. Any effort to do so would undermine immigration reform's most fundamental goal: to bring the 11 million aspiring citizens out of the shadows and onto the path to citizenship so they can be full-fledged members of American society.

FOR MORE INFORMATION, CONTACT

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¹ A general summary of the bill, as well as more in-depth analyses of Titles I, II, and III of the bill, are available at www.nilc.org/irsenate2013.html.

² Robert Lynch and Patrick Oakford, *The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants* (Center for American Progress, Mar. 20, 2013), www.americanprogress.org/issues/immigration/report/2013/03/20/57351/the-economic-effects-of-granting-legal-status-and-citizenship-to-undocumented-immigrants/.

³ Jeffrey Passel and D'Vera Cohn, *A Portrait of Unauthorized Immigrants in the United States* (Pew Research Hispanic Center, Apr. 14, 2009), www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/.

⁴ Randy Capps, *U.S. Immigration and Immigrant Integration: Implications for States* (Migration Policy Institute, June 3, 2009), www.nga.org/files/live/sites/NGA/files/pdf/0906WEBCASTIMMIGRANTSCAPPS.PDF.

⁵ *Id.*

⁶ *A Nation of Immigrants: A Portrait of the 40 Million, Including 11 Million Unauthorized* (Pew Hispanic Center, Jan. 29, 2013), www.pewhispanic.org/files/2013/01/statistical_portrait_final_jan_29.pdf, p. 3.

⁷ Randy Capps, et al., *A Demographic, Socioeconomic, and Health Coverage Profile of Unauthorized Immigrants in the United States* (Migration Policy Institute, May 2013), www.migrationpolicy.org/pubs/CIRbrief-Profile-Unauthorized.pdf, p. 3.

⁸ *A Guide to Naturalization* (U.S. Citizenship and Immigration Services, Mar. 2012), www.uscis.gov/files/article/M-476.pdf.

⁹ *Occupational Employment Statistics: May 2012 National Occupational Employment and Wage Estimates: United States* (Bureau of Labor Statistics), www.bls.gov/oes/current/oes_nat.htm#35-0000.

¹⁰ *The Who and How of an Inclusive Pathway to Citizenship* (America's Voice, Mar. 2013), <http://americasvoiceonline.org/research/the-who-and-how-of-an-inclusive-pathway-to-citizenship/>.

¹¹ *Id.*

¹² *Affording Citizenship and Securing a Sound Financial Future* (National Council of La Raza, Sept. 2012), www.nclr.org/images/uploads/publications/citizenship_financial_barriers_92812.pdf, p. 5.