

116TH CONGRESS  
1ST SESSION

# S. 1862

To limit the fees charged and collected from applicants for naturalization and related benefits based on poverty, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. MENENDEZ (for himself, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. HARRIS, Ms. CANTWELL, Ms. HIRONO, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To limit the fees charged and collected from applicants for naturalization and related benefits based on poverty, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Citizenship Afford-  
5 ability Act”.

6 **SEC. 2. PERMANENT FULL AND PARTIAL INCOME-BASED**  
7 **NATURALIZATION FEE WAIVERS.**

8 Section 344(b) of the Immigration and Nationality  
9 Act (8 U.S.C. 1455(b)) is amended—

1           (1) in the enumerator, by striking “(b)” and in-  
2           serting “(b)(1)”; and

3           (2) by adding at the end the following:

4           “(2) Notwithstanding the provisions of this Act or  
5 any other law, the following fee waivers shall apply:

6           “(A) In the case of an alien whose income is  
7           less than 150 percent of the Federal poverty line, no  
8           fee shall be charged or collected for—

9                   “(i) the filing of an application for natu-  
10                   ralization or the issuance of a certificate of nat-  
11                   uralization upon admission to citizenship;

12                   “(ii) the filing of an application to preserve  
13                   residence for naturalization purposes;

14                   “(iii) the filing of an application for a re-  
15                   placement naturalization or citizenship docu-  
16                   ment;

17                   “(iv) the filing of an application for citi-  
18                   zenship and issuance of certificate of citizenship  
19                   under section 322 (Form N-600K);

20                   “(v) the filing of an application for certifi-  
21                   cate of citizenship (Form N-600); or

22                   “(vi) a biometrics capture or background  
23                   check associated with any application described  
24                   in clauses (i), (ii), (iii), and (iv).

1           “(B) In the case of an alien whose income is  
2           less than 250 percent of the Federal poverty line,  
3           not more than 50 percent of the applicable fee shall  
4           be charged or collected for—

5                   “(i) the filing of an application for natu-  
6                   ralization or the issuance of a certificate of nat-  
7                   uralization upon admission to citizenship;

8                   “(ii) the filing of an application to preserve  
9                   residence for naturalization purposes;

10                   “(iii) the filing of an application for a re-  
11                   placement naturalization or citizenship docu-  
12                   ment;

13                   “(iv) the filing of an application for citi-  
14                   zenship and issuance of certificate of citizenship  
15                   under section 322 (Form N-600K);

16                   “(v) the filing of an application for certifi-  
17                   cate of citizenship (Form N-600); or

18                   “(vi) a biometrics capture or background  
19                   check associated with any application described  
20                   in clauses (i), (ii), (iii), and (iv).

21           “(3) Notwithstanding any other provision of law, the  
22           Secretary of Homeland Security shall consider the receipt  
23           of means-tested benefits as a criterion for the purpose of  
24           demonstrating eligibility for a fee waiver under paragraph  
25           (2).

1       “(4) In this subsection, the term ‘Federal poverty  
2 line’ has the meaning given such term by the Director of  
3 the Office of Management and Budget, as revised annually  
4 by the Secretary of Health and Human Services, in ac-  
5 cordance with section 673(2) of the Omnibus Budget Rec-  
6 onciliation Act of 1981 (42 U.S.C. 9902).”.

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