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Southern Californians Demand Citizenship After Excessive Delays

Along with the ACLU and CAIR, Ten Area Residents File a Class Action Lawsuit

Tuesday, August 1, 2006

[Read the Complaint](#) (862 kb)



LOS ANGELES - On behalf of a U.S. military veteran, a medical doctor, small business owners and others who have been illegally denied citizenship, the ACLU of Southern California, the ACLU Immigrants' Rights Project and the Council on American-Islamic Relations filed a class action lawsuit today against the federal government.

"These are people who have spent virtually their whole adult lives in this country and who want to pledge their allegiance to the United States and participate fully in our society as U.S. citizens," said ACLU/SC attorney Ranjana Natarajan. "There is no reason why anyone should have to wait so long for citizenship after meeting all the requirements."

The lawsuit, which was filed in federal district court in Los Angeles against high ranking officials in the U.S. Citizenship and Immigration Services and the Federal Bureau of Investigation, seeks citizenship for ten legal permanent residents who have satisfied all the criteria for citizenship, but whose applications have not been acted upon for two years or more. The lawsuit also seeks a policy change so that no other residents are forced to wait for years after meeting all naturalization requirements.

U.S. immigration law clearly states that legal residents who have fulfilled all the requirements including passing a naturalization exam and interview must be granted or denied citizenship within 120 days of their naturalization examinations.

For Irvine resident and Air Force veteran Mustafa Aziz such delays have forced him to wait almost seven times the legal maximum after completing the entire naturalization process.

"Despite serving in the U.S. Air Force, I have been waiting for my citizenship for more than two years," said Aziz, who with his family escaped war torn Afghanistan and came to the U.S. as a one-year old. "It was important to me to serve my country, but now I want to do more and without citizenship I cannot contribute my fullest to our society. I am part of this lawsuit because I hope the government will mend its broken system so this does not happen to anyone else."

According to the lawsuit: "Despite the fact that Plaintiffs have been waiting for over two years since their naturalization interviews, Defendants have failed to provide any time frames by which they will adjudicate Plaintiffs' naturalization applications. Defendants, through their callous inaction, have

deprived Plaintiffs of the rights and benefits of U.S. citizenship."

The purported reason for the delay is a background check known as a "name check," for which neither the CIS nor the FBI imposes any deadlines for completion.

"Longtime residents who have paid their dues and are contributing to our country deserve a timely decision as required by law," said Cecillia Wang, senior attorney for the ACLU Immigrants' Rights Project. "Our clients are among the hundreds or thousands of longtime residents around the country who have been waiting patiently for years. The time for fixing the system is long overdue."

The Southern California residents who are part of this class action lawsuit represent dozens of other people throughout the region who are in similar positions.

"Regardless of whether this delay is due to incompetence or discrimination, the ordeal for law-abiding and patriotic residents has to end," said Hussam Ayloush, executive director of the Southern California CAIR chapter. "The delay is causing a lot of distress to many Americans."

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