

## **Naturalization Guide: Everything You Need to Know About Naturalization**

Naturalization is the process by which U.S. citizenship is granted to someone after they satisfy certain requirements set-forth in the U.S. immigration regulations.

In this guide, I will explain what you need to know about the naturalization process.

If you have any questions, please feel free to email me directly at [Info@immigrationlawfirmlltd.com](mailto:Info@immigrationlawfirmlltd.com). I'm a U.S. immigration lawyer, I'm very responsive via email, and I'd be happy to help you.

### **Overview**

1. Introduction to Naturalization
2. Benefits of Naturalization
3. Naturalization Requirements
4. Naturalization Process
5. Required Documents for Naturalization
6. Naturalization Fees
7. Naturalization Processing Time
8. Conclusion

## **1. Introduction to Naturalization**

There are multiple ways for someone to become a citizen of the United States.

### **Birthright Citizenship**

If you are born in the United States, you are granted U.S. citizenship based on the principle of birthright citizenship which is protected under the 14th Amendment. The 14th Amendment of the United States Constitution states that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” [[U.S. Constitution Amendment XIV, Section 1](#)]

### **Birth to U.S. Citizen Outside of the United States**

In addition to birthright citizenship, someone who was born outside of the United States to U.S. citizen parents may also be granted U.S. citizenship. There are many details and requirements for this form of acquiring citizenship. If you were born outside of the U.S. to U.S. citizen parents, you should discuss with an immigration lawyer to see if you may qualify for U.S. citizenship through this route. [[7 Foreign Affairs Manuel \(FAM\) 1110.](#)]

### **Naturalization**

Naturalization is the process by which U.S. citizenship is granted to a foreign citizen or national after he or she satisfies certain requirements established by Congress. [[Citizenship Through Naturalization, USCIS](#)]

## 2. Benefits of Naturalization

**There are multiple benefits associated with naturalizing to become a U.S. citizen. Here are a few:**

- Ability to vote in U.S. elections
- Ability to travel with a U.S. passport
- More options to sponsor family members to get U.S. immigration benefits
- Ability to get citizenship for children born outside of the U.S.
- Ability to leave the live outside of the U.S. without the risk of losing your status

## 3. Naturalization Requirements

**There are multiple requirements to become a U.S. citizen through naturalization:**

### Age

In order to apply for naturalization, you must be at least 18 years old. [[8 CFR Section 316.2\(a\)\(1\)](#)]

## Must be a U.S. Lawful Permanent Resident

In order to naturalize, you must be a lawful permanent resident of the United States. [[8 CFR Section 316.2\(a\)\(2\)](#)]

**Important point:** Please note that at the time of the naturalization interview, USCIS may inquire and investigate as to how you became a permanent resident.

## Continuous Residence

In order to naturalize, you must have “continuously resided” in the United States for five years. **This requirement is one of the more confusing requirements for naturalization.** To satisfy this requirement, you should be able to show that you do not have any prolonged absences from the United States. Absences from the U.S. for between 6 months and 1 year will likely be seen as a disruption in continuous residence unless you can show otherwise. Absences of longer than 1 year will certainly be seen as a break in continuity of residence. [[8 CFR Section 316.2\(a\)\(3\)](#)]

### Absences of Between 6 Months to 1 Year

Absences of between 6 months and 1 year will break the continuity of residence requirement, unless you can demonstrate that you did not disrupt your continuity of residence.

**Here is some helpful evidence to show that you did not disrupt your continuity of residence:**

- Showing that you maintained employment in the U.S.
- Showing that you did not obtain employment outside of the U.S.
- Showing that your immediate family remained in the U.S.
- Showing that you maintained a U.S. residence (ex. Lease agreement, utility bills, etc.)

### **Absences of More than 1 Year**

If you remain outside of the U.S. for longer than 1 year, you will certainly be found to have disrupted the continuity of residence. You will not be able to provide evidence.

### **Important Points Regarding Continuous Residence:**

- **Reentry Permits:** A reentry permit will not preserve your continuity of residence. If you leave the U.S. for longer than 6 months with a reentry permit, you may be permitted to re-enter the U.S. using the reentry permit, but the reentry permit will not help to preserve your “continuous residence.”
- **N-470:** The [N-470](#) is the Application to Preserve Residence for Naturalization Purposes. If you must leave the U.S. for a certain period of time and want to preserve your “continuous residence” you may wish to explore the N-470 as a possible solution. The N-470 has very specific requirements and only certain people are eligible.

- **Special Rule if Married to a U.S. Citizen (3-Years of Continuous Residence Instead of 5):** For certain applicants, you only have to show 3 years of continuous residence in the United States. To qualify, you must be a lawful permanent resident and show that you are married to a U.S. citizen spouse and that you have been living with your U.S. citizen spouse in marital union for at least 3 years since becoming a permanent resident. This is a highly technical rule that requires detailed explanation to fully understand. If you have questions, feel free to email me directly at [Info@immigrationlawfirmlltd.com](mailto:Info@immigrationlawfirmlltd.com). [[8 CFR Section 319.1\(a\)\(2\)](#)]
- **Applying Early:** You may be eligible to apply for naturalization up to 90 days **before** the day that you will actually satisfy the continuous residency requirement. So, if you must show 5 years of continuous presence, you may be eligible to apply for naturalization after 4 years and 275 days of continuous presence. If you must show 3 years of continuous presence, you may be eligible to apply for naturalization after 2 years and 275 days of continuous presence.

### **3 Months of Residence in a State**

To qualify for naturalization, you must show that you have resided in the state or service district, that you will apply for naturalizing in, for at least 3 months before filing your application for naturalization. [[8 CFR Section 316.2\(a\)\(3\)](#)]

**Special Rule if Married to a U.S. Citizen:** If you are applying for naturalization early (based on marriage to a U.S. citizen) then you must show that you resided in a particular state for at least months before your naturalization interview (not 3 months before filing the application for naturalization).

## Physical Presence

In order to naturalize, you must show that you have been physically present in the U.S. as a lawful permanent resident for at least half of the previous **5 years** prior to applying for naturalization. This requirement is very straightforward compared to the “continuous residence” requirement. To satisfy this requirement, you must show that you have been physically present inside the United States for at least 30 months over the last 5 years. [[8 CFR Section 316.2\(a\)\(4\)](#)]

**Special Rule if Married to U.S. Citizen:** For certain applicants, you only have to show that you’ve been physically present in the U.S. as a lawful permanent resident for half of the previous **3 years** (not 5 years) prior to applying for naturalization. To qualify, you must be a lawful permanent resident and show that you are married to a U.S. citizen spouse and that you have been living with your U.S. citizen spouse in marital union for at least 3 years since becoming a permanent resident. [[8 CFR Section 319.1\(a\)\(4\)](#)]

## Good Moral Character

In order to naturalize, you must show that you’ve been a person of good moral character throughout the previous 5-year period prior to filing your naturalization application. To determine that you satisfy this requirement, USCIS looks at several factors including prior criminal convictions, drinking habits, tax payment history, etc. [[8 CFR Section 316.10](#)]

**Special Rule if Married to U.S. Citizen:** For certain applicants, you only have to show that you’ve have good moral character for the previous **3-**

**year** period (not 5 years) prior to applying for naturalization. To qualify, you must be a lawful permanent resident and show that you are married to a U.S. citizen spouse and that you have been living with your U.S. citizen spouse in marital union for at least 3 years since becoming a permanent resident.

**There are multiple reasons that someone can be found to lack good moral character. Here are just a few:**

- Committing one or more “crimes involving moral turpitude” (CIMT)
- Being involved in prostitution
- If you’ve violated any laws regarding controlled substances (other than single offense for simple possession of 30 grams or less of marijuana)
- If you’ve been involved in alien smuggling
- If you have practiced or are practicing polygamy

In addition to these reasons, there are several other ways that USCIS can determine that someone lacks good moral character. It is important to discuss your case with an experienced immigration lawyer prior to applying for naturalization.

Applying for naturalization with certain criminal conviction can lead to serious consequences to your immigration status, including being permanently ineligible to naturalize or even getting put into removal proceedings! For these reasons, it is highly important to consult with an immigration lawyer before filing your naturalization application.

**English Proficiency**



In order to naturalize, you must demonstrate that you have an understanding of the English language. You demonstrate this by reading and writing a sentence in English. [[8 CFR Section 316.10](#)]

Certain people are exempt from this requirement. To see if you are exempt, please feel free to email me directly at [Info@immigrationlawfirmllc.com](mailto:Info@immigrationlawfirmllc.com).

## **Civics Test**

In order to naturalize, you must demonstrate that you have a basic knowledge of the form of government of the United State, as well as a basic understanding of U.S. history. [[8 CFR Section 316.10](#)]

To test your knowledge, you are required to take a 10-question test and you must answer at least 6 of the 10 questions correctly.

There are many study materials available to help you pass the civics test.

## **Oath of Allegiance**

In order to naturalize, you must take an oath stating that you will support and defend the constitution among other things. [[8 CFR Section 316.11](#)]

You may qualify to take a modified Oath of Allegiance if certain circumstances apply.

#### **4. Naturalization Process**

**The process of naturalization to become a U.S. citizen consists of 3 main steps:**

- File Form N-400
- Attend Biometrics Appointment
- Attend Naturalization Interview
- Oath of Allegiance Ceremony

#### **File Form N-400**

The [N-400](#) is the Application for Naturalization. This is the form that must be filed with USCIS in order to apply for naturalization. The N-400 may be filed online or by paper application.

#### **Attend Biometrics Appointment**

About 4 to 6 weeks after filing the Form N-400, you will receive a notice in the mail to attend a mandatory biometrics appointment. At the biometrics appointment, you will have your fingerprints taken digitally.

## Attend Naturalization Interview

Several months after you file the Form N-400 and attend the biometrics appointment, you will be called in to attend a naturalization interview. At the naturalization interview you will be required to answer various questions about your application for naturalization (Form N-400). At the naturalization interview, you will also perform your English proficiency test as well as your civics test.

## Attend Oath of Allegiance Ceremony

About 2 to 4 weeks after your successful naturalization interview, you will be required to take the Oath of Allegiance. At this ceremony you must take an oath stating that you will support and defend the constitution among other things. After the Oath of Allegiance, you receive your Certificate of Naturalization.

## 5. Required Documents for Naturalization

### Documents Necessary to Include with N-400

In order to apply for naturalization, you must submit multiple documents along with your Form N-400. The documents you will need to submit will depend on the facts of your particular case. With that said, here is a general list which includes **some** of the documents you **may** need to include with your application:

- 2 Passport Photos

- Copy of Green Card (Form I-551)
- Copy of Driver's License
- Copy of Your Marriage Certificate (if applicable)

### **Documents Necessary at Naturalization Interview**

In addition to the required documents to include with your N-400 application, it is also required that you bring certain documents with you to the naturalization interview.

Here is a general list of **some** of the documents that you **may** need to bring with you to the naturalization interview:

- Green Card
- State-Issued I.D. Card or Driver's License
- Passport
- Marriage Certificate (if applicable)
- Evidence of Name Change (if applicable)
- Tax Returns for the Past 5 Years (or 3 Years in Certain Cases)
- Evidence that you Maintained Continuous Residence in the U.S.

## **6. Naturalization Fees**

The current filing fee for the N-400 (at the time of the publication of the guide) is \$640. There is also an additional fee of \$85 for biometrics. **So, the total fee is \$725.**

You may check [here](#) to see the current filing fee for the N-400.

## **7. Naturalization Processing Time**

The naturalization processing time, from start to finish, typically takes around 10-14 months. The processing time will vary depending on the jurisdiction you are filing your naturalization application in. In some jurisdictions, the naturalization processing time is shorter than other jurisdictions.

You may click [this link](#) to check the average processing time in your jurisdiction.

## **8. Conclusion**

The process of naturalizing to become a U.S. citizen can be an extremely exciting time. There are many benefits to U.S. citizenship, some of which have been discussed in this guide. However, the process of naturalization can also be stressful and confusing. Therefore, if you have any questions about naturalization, or if you need help applying for naturalization, email me directly at [Info@immigrationlawfirmlltd.com](mailto:Info@immigrationlawfirmlltd.com). I'd be happy to answer your questions.