

## NATURALIZATION FAQ

### 1. How can I become a United States citizen?

A person may become a U.S. citizen (1) by birth or (2) through naturalization.

### 2. Who is born a United States citizen?

Generally, people are born U.S. citizens if they are born in the United States or if they are born to U.S. citizens:

#### (a) By being born in the United States

If you were born in the United States (including, in most cases, Puerto Rico, Guam, and the U.S. Virgin Islands), you are an American citizen at birth (unless you were born to a foreign diplomat). Your birth certificate is proof of your citizenship.

#### (b) Through birth abroad to TWO United States citizens

In most cases, you are a U.S. citizen if ALL of the following are true:

- Both your parents were U.S. citizens when you were born; and
- At least one of your parents lived in the United States at some point in their life.

Your record of birth abroad, if registered with a U.S. consulate or embassy, is proof of your citizenship. You may also apply for a passport to have your citizenship recognized. If you need additional proof of your citizenship, you may file a Form N-600, "Application for Certificate of Citizenship". You may call the USCIS Forms Line at 1(800) 870-3676 to request a Form N-600.

#### (c) Through birth abroad to ONE United States citizen

In most cases, you are a U.S. citizen if ALL of the following are true:

- One of your parents was a U.S. citizen when you were born;
- Your citizen parent lived at least five (5) years in the United States before you were born; and
- At least two (2) of these five (5) years in the United States were after your citizen parent's 14th birthday\*.

Your record of birth abroad, if registered with a U.S. consulate or embassy, is proof of your citizenship. You may also apply for a passport to have your citizenship recognized. If you need additional proof of your citizenship, you may file an "Application for Certificate of Citizenship" (Form N-600) with USCIS to get a Certificate of Citizenship.

\*If you were born before November 14, 1986, you are a citizen if your U.S. citizen parent lived in the United States for at least ten (10) years and five (5) of those years in the United States were after your citizen parent's 14th birthday.

3. How do I become a naturalized citizen?

If you are not a U.S. citizen by birth or did not acquire U.S. citizenship automatically after birth, you may still be eligible to become a citizen through the normal naturalization process. People who are 18 years and older use the "Application for Naturalization" (Form N-400) to become naturalized. Persons who acquired citizenship from parent(s) while under 18 years of age use the "Application for a Certificate of Citizenship" (Form N-600) to document their naturalization. Adopted children who acquired citizenship from parent(s) use the "Application for a Certificate of Citizenship on Behalf of an Adopted Child" (Form N-643) to document their naturalization. You may call the Forms Line at 1(800) 870-3676 to request Form N-400, N-600, or N-643.

4. What are the requirements for naturalization?

For more details on the eligibility requirements for naturalization, please see the section of this website entitled Am I Eligible? and complete the Eligibility Worksheet or see Section 4 "Who is Eligible For Naturalization" in the Guide to Naturalization.

5. When does my time as a Permanent Resident begin?

Your time as a Permanent Resident begins on the date you were granted permanent resident status. This date is on your Permanent Resident Card (formerly known as Alien Registration Card).

6. What form do I use to file for naturalization?

You should use an "Application for Naturalization" (Form N-400). You may call the Forms Line at 1(800) 870-3676 to request a Form N-400.

7. If I have been convicted of a crime but my record has been expunged, do I need to indicate that on my application or tell an Immigration officer?

Yes. You should always be honest with Immigration regarding all:

- Arrests (including those by police, Immigration officers, and other Federal agents);
- convictions (even if they have been expunged); and
- crimes you have committed for which you were not arrested.

Even if you have committed a minor crime, Immigration may deny your application if you do not tell the Immigration officer about the incident. It is extremely important that

you tell Immigration about any arrest even if someone else has advised you that you are not required to do so.

8. Where do I file my naturalization application?

You should send your completed "Application for Naturalization" (Form N-400) to the appropriate USCIS Service Center. For information about the Service Center that serves your area, please refer to the state map under Where Do I Apply? Remember to make a copy of your application. DO NOT send original documents with your application unless the checklist on page 34 states that an original is required.

9. Will USCIS provide special accommodations for me if I am disabled?

Some people with disabilities need special consideration during the naturalization process. USCIS will make every effort to make reasonable accommodations in these cases. For example, if you use a wheelchair, USCIS will make sure your fingerprint location is wheelchair accessible. If you are hearing impaired and wish to bring a sign language interpreter to your interview, you may do so. Asking for an accommodation will not affect your eligibility for naturalization. USCIS makes decisions about making accommodations on a case-by-case basis.

10. Where is my local Immigration office?

See the "List of Field Offices" at <http://www.uscis.gov> [insert clickable link]

11. What is the fee for processing an application?

The current fee for processing a naturalization application, as well as the fees for other applications, can be found on the forms and fee page.

12. How can I pay my application fee?

You must pay your application fee with a check or money order drawn on a U.S. bank in U.S. dollars payable to "USCIS."

- Residents of Guam should make the fee payable to "Treasurer, Guam."
- Residents of the Virgin Islands should make the fee payable to "Commissioner of Finance of the Virgin Islands."
- You must send your fee with your application. Remember that your application fee is not refundable even if you withdraw your application or USCIS denies your case.

13. How long will it take to become naturalized?

The time it takes to be naturalized varies from one local office to another. In 1997, in many places, it took over two (2) years to process an application. USCIS continues to

improve the naturalization process. As of October 2001, USCIS reported that it takes, on average, between six (6) and nine (9) months to become naturalized.

14. Where can I be fingerprinted?

After USCIS has received your application, we will notify you of the location where you should get fingerprinted. For more information about fingerprinting, visit the site on Fingerprints or see page 36 of the Guide to Naturalization.

15. How do I determine the status of my naturalization application?

For information, please see "Finding the Status of Your Case" at <http://www.uscis.gov> [insert clickable link]

16. What if I cannot make it to my scheduled interview?

It is very important not to miss your interview. If you have to miss your interview, you should notify the office where your interview is scheduled by mail as soon as possible. In your letter, you should ask to have your interview rescheduled. Rescheduling an interview may add several months to the naturalization process, so try not to change your original interview date. If an emergency arises and you absolutely cannot make your appointment, call the National Customer Service Center at 1-800-375-5283 to request rescheduling. The NCSC will record the information, and pass it on to the local office, which will make the final decision whether to reschedule your appointment. If you miss your scheduled interview without notifying USCIS, USCIS will "administratively close" your case. Unless you contact USCIS to schedule a new interview within one (1) year after USCIS closes your case, USCIS will deny your application. USCIS will NOT notify you if USCIS closes your case because you missed your interview.

17. What do I do if my address has changed?

If you have a pending application or petition at a Service Center, go online at <http://www.uscis.gov> [insert clickable link] or call the NCSC toll-free number at 1-800-375-5283 when you move to report your address change. Please note that every alien must report a change of address whenever he or she moves. Special Registration address change requirements also apply to some aliens. Note you are required to file a Form AR11, Change of Address Form.

18. If USCIS grants me naturalization, when will I become a citizen?

You become a citizen as soon as you take the Oath of Allegiance to the United States. In some places, you can choose to take the Oath the same day as your interview. If that option is not available or if you prefer a ceremony at a later date, USCIS will notify you of the ceremony date with a "Notice of Naturalization Oath Ceremony" (Form N-445).

19. What should I do if I cannot go to my oath ceremony?

If you cannot go to the oath ceremony, you should return the "Notice of Naturalization Oath Ceremony" (Form N-445) that USCIS sent to you. You should send the N-445 back to your local office. Include a letter saying why you cannot go to the ceremony. Make a copy of the notice and your letter before you send them to USCIS. Your local office will reschedule you and send you a new "Notice of Naturalization Oath Ceremony" (Form N-445) to tell you when your ceremony will be.

20. What can I do if USCIS denies my application?

There is an administrative review process for those who are denied naturalization. If you feel that you have been wrongly denied naturalization, you may request a hearing with an immigration officer. Your denial letter will explain how to request a hearing and will include the form you need. The form for filing an appeal is the "Request for Hearing on a Decision in Naturalization Proceedings under Section 336 of the Act" (Form N-336).

21. Can I reapply for naturalization if USCIS denies my application?

In many cases, you may reapply. If you reapply, you will need to complete and resubmit a new N-400 and pay the fee again. You will also need to have your fingerprints and photographs taken again. If your application is denied, the denial letter should indicate the date you may reapply for citizenship. If you are denied because you failed the English or civics test, you may reapply for naturalization as soon as you want; however, you should not reapply until you believe you have learned enough English or civics to pass the test.

22. What do I do if I have lost my Certificate of Naturalization? What do I use as proof of citizenship if I do not have my certificate?

You may get a new Certificate of Naturalization by submitting an "Application for Replacement Naturalization/Citizenship Document" (Form N-565) to USCIS. You may call the Forms Line 1 800-870-3676 to request Form N-565.

Submit this form with the fee to your local USCIS office. It may take up to one (1) year for you to receive a new certificate. If you have one, you may use your passport as evidence of citizenship while you wait for a replacement certificate.

To obtain a U.S. passport, please visit the Department of State's website at <http://travel.state.gov> [insert clickable link]

23. Do I need to obtain a new Permanent Resident Card (formerly known as an Alien Registration Card) when USCIS issues a new version of the card?

No, you only need to renew your Permanent Resident Card when it expires.

24. If I am a U.S. citizen, is my child a U. S. citizen?

A child who is born in the United States, or born abroad to a U.S. citizen(s) who lived in (or came to) the United States for a period of time prior to the child's birth, is considered a U.S. citizen at birth.

A child who is:

- born to a U.S. citizen who did not live in (or come to) the United States for a period of time prior to the child's birth, or
- born to one U.S. citizen parent and one alien parent or two alien parents who naturalize after the child's birth, or
- adopted and is permanently residing in the United States can become a U.S. citizen by action of law on the date on which all of the following requirements have been met:
  - The child was lawfully admitted for permanent residence\*; and
  - Either parent was a United States citizen by birth or naturalization\*\*; and
  - The child was still under 18 years of age; and
  - The child was not married; and
  - The child was the parent's legitimate child or was legitimated by the parent before the child's 16th birthday (Stepchildren or children born out of wedlock who were not legitimated before their 16th birthday do not derive United States citizenship through their parents.); and
  - If adopted, the child met the requirements of section 101(b)(1)(E) or (F) and has had a full and final adoption; and
  - The child was residing in the United States in the legal custody of the U.S. citizen parent (this includes joint custody); and
  - The child was residing in the United States in the physical custody of the U.S. citizen parent.

If you and your child meet all of these requirements, you may obtain a U.S. passport for the child as evidence of citizenship. If the child needs further evidence of citizenship, you may submit an "Application for Certificate of Citizenship" (Form N-600) to USCIS to obtain a Certificate of Citizenship. If the child meets the requirements of Section 101(b)(1) of the Immigration and Nationality Act as an adopted child, you may submit an "Application for Certificate of Citizenship on Behalf of an Adopted Child" (Form N-643). (Note: a child who meets these requirements before his or her 18th birthday may obtain a passport or Certificate of Citizenship at any time, even after he or she turns 18.)

\*NOTE – Children who immigrate in the "IR-3" or "IR-4" categories must have had an immigrant petition filed on their behalf before their 16th birthday; see answers to Question 25 below. All adoptions for any other type of immigration benefit, including naturalization, must be completed by the child's 16th birthday, with one exception: A child adopted while under the age of 18 years by the same parents who adopted a natural sibling who met the usual requirements.

**\*\*NOTE –** The “one U.S. citizen parent” rule only applies to children who were under age 18 on or after February 27, 2001. For children claiming automatic citizenship prior to this date, the individual in certain cases would have to establish that the parent or parents who were not U.S. citizens by birth had naturalized (or that the naturalizing parent was separated or legally divorced and had legal custody of the child).

25. If I am a U.S. citizen, but my child does not meet the requirements listed above, can I still apply for citizenship for my child?

A child who is regularly residing in the United States can become a citizen of the United States only by meeting the requirements listed in the answer to Question 24 above. If a child regularly resides in the United States and is not a lawful permanent resident, he or she cannot acquire citizenship automatically until he or she is granted lawful permanent residence. If a child who has been lawfully admitted for permanent residence fails to qualify for citizenship under the provisions of law, the child may apply for naturalization by filing an N-400 after reaching 18 years of age, provided that he or she has the required five (5) years of lawful permanent residence.

U.S. citizens may apply for citizenship for their children by birth or adoption who do NOT regularly reside in the United States, if all of the following conditions are met:

- The child is under 18 years of age; and
- The child is not married; and
- The child regularly resides outside the United States; and
- The child is temporarily present in the United States pursuant to a lawful admission and is maintaining such lawful status; and
- The child is in legal and physical custody of a parent who is a U.S. citizen; and
- The child is the U.S. citizen’s legitimate child, or was legitimated before the child’s 16th birthday (stepchildren or children born out of wedlock who were not legitimated before their 16th birthday are not eligible for this procedure); and
- If adopted, the child meets the requirements of section 101(b)(1)(E) or (F) and had a full and final adoption; and either of the following is true:
  - The citizen parent has lived at least five (5) years in the United States, and at least two (2) of which were after the citizen parent’s 14th birthday; or
  - If the child’s citizen parent has not lived in the United States for at least five (5) years, two (2) of which were after that parent's 14th birthday, the citizen parent currently has a parent (the child's grandparent) who:
    - is also a U.S. citizen; and
    - lived in the United States for five (5) years, at least two (2) of which were after the citizen grandparent's 14th birthday; and
    - is still living at the time of the adjudication of the application and the taking of the Oath.

If the foregoing conditions are met, the citizen parent can apply for a certificate of citizenship on behalf of a legitimate or legitimated child using an "Application for Certificate of Citizenship" (Form N-600) or, in the case of an adopted child, an

“Application for Certificate of Citizenship on Behalf of An Adopted Child” (Form N-643). If the citizen parent is relying on the grandparent’s physical presence in the United States, the citizen parent should also submit Form N-643, Supplement A. Both the citizen parent and the child must appear at an interview with an Immigration officer in the United States. The child must meet ALL of the required conditions at the time when he or she takes the Oath of Allegiance (Note: the Oath may be waived if the child is too young to understand it).

26. If the U.S. citizen who transmitted citizenship to a child through one of the scenarios described in # 24 above or who could have applied for naturalization and the issuance of a Certificate of Citizenship through the procedure described in # 25 above has died, can the child still obtain a Certificate of Citizenship?

A person who became a U.S. citizen through one of the scenarios described in # 24 above can be issued a Certificate of Citizenship at any time in his or her life as long as he or she has not gone through the difficult procedure of renouncing U.S. citizenship. If the person has not yet reached their 18th birthday, a legal guardian can file the application. If the person has reached their 18th birthday, either the person or a legal guardian can file the application.

A child who could have been the beneficiary of an application filed through the procedure described in # 25 above, except for the death of a U.S. citizen parent, can become a U.S. citizen and can be issued a Certificate of Citizenship, if the following conditions are met:

- The application must be filed within five (5) years of the death of the U.S. citizen parent; and
- The application must be filed by either a U.S. citizen grandparent or a U.S. citizen legal guardian; and
- The child is under 18 years of age; and
- The child is not married; and
- The child regularly resides outside the United States; and
- The child is temporarily present in the United States pursuant to a lawful admission and is maintaining such lawful status at the time of the interview and adjudication of the application; and
- The person in whose legal and physical custody the child lives with outside the United States does not object to the application; and
- The child was the U.S. citizen’s legitimate child, or was legitimated before the child’s 16th birthday (stepchildren or children born out of wedlock who were not legitimated before their 16th birthday are not eligible for this procedure); and
- If adopted, the child meets the requirements of section 101(b)(1)(E) or (F) and had a full and final adoption; and
- The citizen parent has lived at least five (5) years in the United States, and at least two (2) of which were after the citizen parent’s 14th birthday; or
- If the child’s citizen parent has not lived in the United States for at least five (5) years, two (2) of which were after that parent's 14th birthday, at the time of the

citizen parent's death the citizen parent had a parent (the child's grandparent) who:

- was also a U.S. citizen; and
- at the time of the citizen parent's death had lived in the United States for five (5) years, at least two (2) of which were after the citizen grandparent's 14th birthday.

Once all of the requirements have been met, any U.S. citizen grandparent or duly appointed U.S. citizen legal guardian can file an application on behalf of an eligible child. The child must be residing outside the United States in order to be eligible for this benefit, but the applicant can reside in or outside the USA. Although the cutoff date for applications pursuant to § 322 (Immigration and Nationality Act) filed by a citizen grandparent or by a citizen legal guardian is five years after the death of the citizen parent, the joint interview of the applicant and the child beneficiary can be conducted at any Immigration Office in the United States that conducts these interviews at any time while the child is still under the age of eighteen years.

27. I lost my Naturalization Certificate and I need to travel outside the U.S., how can I obtain proof of my citizenship so that I can apply for a U.S. passport with the Department of State?

You should file Form N-565 (Application for Replacement Naturalization Citizenship Document) with your local office to replace the lost certificate. You may also contact the Department of State for information on how to obtain a passport.