



PREVENTIVE LAW SERIES
IMMIGRATION: CITIZENSHIP



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Naturalization is the process of an immigrant becoming a U.S. citizen. Once achieved, the new citizen is entitled to all the rights and benefits of full U.S. citizenship. Congress established general requirements for administrative naturalization in the Immigration and Nationality Act (INA).

AM I ELIGIBLE TO BECOME A U.S. CITIZEN?

There are a number of ways that a Lawful Permanent Resident (LPR) can qualify to become a U.S. citizen. (If you have questions concerning becoming a LPR, please read the "Immigration: How to become a Lawful Permanent Resident" Handout 58). You may be eligible if

1. You have been a LPR for five years,
2. For the last three years you have been a LPR married to and living with your spouse who has been a U.S. citizen for at least 3 years,
3. You are the LPR child of U.S. citizen parents, OR
4. You have qualifying service in the U.S. Armed Forces.

In addition, an applicant must satisfy a number of other criteria to successfully obtain citizenship:

1. Residence in a particular United States Citizenship Immigration Service (USCIS) district prior to filing (except for service members and spouses)
2. Ability to read, write, and speak English
3. Knowledge and understanding of U.S. history and government
4. Good moral character
5. Attachment to the principles of the U.S. Constitution, and
6. Favorable disposition toward the United States.
7. Finally, the applicant will be interviewed by an USCIS officer and required to take an Oath of Allegiance to the United States.

Since immigration law, regulations and forms can be confusing, always consult an attorney or the USCIS for help in deciding whether you are eligible.

HOW DO I APPLY FOR CITIZENSHIP?

Because the many USCIS forms can be complicated, always consult an attorney or immigration specialist for advice about what and where to file. The following is a very basic explanation of the citizenship application process.

You must file an APPLICATION FOR NATURALIZATION (USCIS form N-400) and the correct accompanying
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FOR LEGAL ADVICE IN A PARTICULAR SITUATION, ALWAYS CONSULT WITH AN ATTORNEY.

documentation. For the N-400 form, this includes a copy of your alien registration receipt card, USCIS standard photographs, and fingerprints. The approximate time for N-400 approval is about 36 months from the date of filing (depending on which part of the country you reside in). After filing the N-400 along with the correct USCIS fee and an additional fee for fingerprinting, you will be notified of when and where you are to submit to fingerprinting. The USCIS may make requests for additional information. They may also request the originals of any documents that you have provided. Finally, you will be notified of a date and time for your citizenship interview. It is at that time that you will take the U.S. history and government test and be examined on your English language capabilities. If approved you will be assigned a time to take the Oath of Allegiance and officially become a U.S. Citizen.

WHERE DO I FILE THE CITIZENSHIP APPLICATION FORM (N-400)?

You must always file your USCIS documents at the correct USCIS Service Center (they are located in California, Texas, Nebraska and Vermont)! **If you aren't absolutely positive, always check with the USCIS, your attorney or the USCIS website before mailing any forms to USCIS! Each form must go to a particular P.O. Box and a particular Zip Code; failure to send the form to the right place at the right Service Center will result in rejection and delays.** Service members and their spouses submit their respective N-400 applications to: DHS USCIS, NEBRASKA SERVICE CENTER, PO BOX 87426, LINCOLN, NE 68501-7426

WHAT IF I AM IN THE U.S. MILITARY?

For those applicants who are, or were, in the U.S. Armed Forces, the USCIS gives certain breaks from the usual rules. For example, personnel serving honorably during designated periods of armed conflict may be eligible for naturalization with no waiting period. If you are or were in the U.S. military, consult your attorney, the USCIS, or an immigration specialist to determine whether you are eligible.

For service members who are filing based on their qualifying military service, you **must** also submit a completed REQUEST FOR CERTIFICATION OF MILITARY OR NAVAL SERVICE (USCIS form N-426) with your application package.

Active duty military should have their command immigration representative send all correspondence to the Nebraska Service Center, P.O. Box 87426, Lincoln, NE 68501-7426. This is an expedited process and is the recommended path for active duty military.

After reviewing your application and performing the necessary security checks the Service Center will send it to the district office closest to your location. You can attach a cover letter to your naturalization packet if you have a preference as to where you want to be interviewed. The district office will test your knowledge of English and Civics and take your oath of allegiance.

USCIS has established a toll-free military help line, (877) CIS-4MIL, exclusively for service members and their families. USCIS customer service specialists are available to answer calls Monday through Friday from 0800 to 1630 (CST), excluding federal holidays.

LEGAL ASSISTANCE SERVICES

A legal assistance attorney is available by appointment Monday from 0800 - 1100 and 1300 - 1500, Tuesday through Thursday (excluding the fourth Wednesday of the month) from 0900 - 1100 and 1300 - 1500 and Friday from 0900 - 1045. Powers of attorney and notaries are available at the same times. For more information, please contact the Legal Assistance Office, located in Building 56, 32nd Street Naval Station, San Diego, CA, by telephone at (619) 556-2211, or our office at Naval Air Station North Island – Coronado, Building 318 – Second Deck, above the Fleet and Family Support Center, Saufley Road, by telephone at (619) 545-6437.

RESOURCES

U.S. Citizenship and Immigration Services, www.uscis.gov

- San Diego District: 880 Front St. Ste. 1234, San Diego, CA 92101
- Military Help Line: (877) CIS-4MIL
- Make an Appointment to Speak with an Immigration Officer: www.infopass.uscis.gov

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