

## Naturalization

Naturalization is the process established by Congress where an individual not born as a U.S. Citizen can apply for and become a citizen of the United States.

### Summary of Basic Requirements

In order for a person to apply for Naturalization, he or she will have to comply with the following requirements:

1. Unless the person served honorably with the United States in time of war or declared hostilities, the applicant must be a Legal Resident Permanent (green card holder). A person holding a conditional permanent resident status may also apply if he or she has accumulated the required period of residency.
2. The applicant must be 18 years old, unless a permanent resident child is applying with a parent applicant and qualifies under the Child Citizenship Act.
3. Must have resided continuously in the U.S. for a period of 5 years as a Legal Permanent Resident. That period is 3 years for a person married to a U.S. citizen if the U.S. citizen spouse has been a citizen for 3 years and the parties have been legally married for 3 years. Exceptions apply to individuals applying for naturalization through their service in the U.S. Military.
4. Must have resided in the state where the petition is being filed for the last 3 months. The 3 month-period does not have to have occurred immediately before the application is filed.
5. The applicant must have been physically present in the U.S. for at least half of the 5 years and half of the 3 years for a person applying as a spouse of a U.S. citizen. Absences of 1 year or more will break the continuous residency requirement. Absences of less than one year but more than 6 months will raise a presumption that the continuous residency has been interrupted. However, this presumption can be overcome.
6. From the date of filing the application until being sworn as a citizen, the applicant must have resided continuously in the U.S.
7. The applicant must show that he is a person of good moral character for the required 5 or 3 years. A conviction for a petty theft offence with a sentence of less than 6 months will not disqualify the individual. However, certain crimes will not only cause the application for naturalization to be denied, but could result in the applicant being placed in removal or deportation proceedings. A person with **ANY** criminal arrest or conviction should consult an immigration attorney prior to applying for naturalization.
8. The applicant must be attached to the principles of the Constitution and well disposed to the good order and happiness of the United States. The applicant must be willing to take the oath of allegiance (or a modified oath based on religion) which includes the promise to bear arms to protect and defend the United States. The applicant is required to disclose all organizations of which he or she was a member. Membership in certain organizations could be a ground for the denial of the naturalization application.

9. The applicant must show an elementary knowledge level of reading, writing and understanding of the English language and knowledge of the fundamentals of U.S. history, the government and the U.S. Constitution. Applicants who are over 50 years old and have been living in the U.S. as Legal Permanent Residents for the past 20 years and persons who are over 55 years of age and have been living as Legal Permanent Residents for the past 15 years are not required to pass the English exam, however, they remain responsible for the history and government examination which will be tested in their own language.

Applicants who are over 65 years old and have been living in the U.S. as Legal Permanent Residents for the past 20 years will be given a limited number of history and language questions to study from.

Individuals who have a physical or developmental disability can be excused from the English, history, and government examinations if a medical doctor completes an N-648 and certifies that the disability prevents the applicant from taking the examination.

10. Applicants who apply for naturalization through their service in the military are not required to pay any fees in connection with their naturalization application.