

General Naturalization Requirements

Age

Applicants must be at least 18 years old.

Refer to the section, Naturalized Citizen's Children under Waivers, Exceptions, and Special Cases for information on applicants who are less than 18 years old.

See Also INA 334

Residency

An applicant must have been lawfully admitted to the United States for permanent residence. Lawfully admitted for permanent residence means having been legally accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws. Individuals who have been lawfully admitted as permanent residents will be asked to produce an I-551, Alien Registration Receipt Card, as proof of their status.

See Also INA 316

Residence and Physical Presence

An applicant is eligible to file if, immediately preceding the filing of the application, he or she:

- has been lawfully admitted for permanent residence (see preceding section);
- has resided continuously as a lawful permanent resident in the U.S. for at least 5 years prior to filing with absences from the United States totaling no more than one year;
- has been physically present in the United States for at least 30 months out of the previous five years (absences of more than six months but less than one year break the continuity of residence unless the applicant can establish that he or she did not abandon his or her residence during such period)
- has resided within a state or district for at least three months

Good Moral Character

Generally, an applicant must show that he or she has been a person of good moral character for the statutory period (typically five years or three years if married to a U.S. citizen or one year for Armed Forces expedite) prior to filing for naturalization. The Service is not limited to the statutory period in determining whether an applicant has established good moral character. An

applicant is permanently barred from naturalization if he or she has ever been convicted of murder. An applicant is also permanently barred from naturalization if he or she has been convicted of an aggravated felony as defined in section 101(a)(43) of the Act on or after November 29, 1990. A person also cannot be found to be a person of good moral character if during the last five years he or she:

- has committed and been convicted of one or more crimes involving moral turpitude
- has committed and been convicted of 2 or more offenses for which the total sentence imposed was 5 years or more
- has committed and been convicted of any controlled substance law, except for a single offense of simple possession of 30 grams or less of marijuana
- has been confined to a penal institution during the statutory period, as a result of a conviction, for an aggregate period of 180 days or more
- has committed and been convicted of two or more gambling offenses
- is or has earned his or her principle income from illegal gambling
- is or has been involved in prostitution or commercialized vice
- is or has been involved in smuggling illegal aliens into the United States
- is or has been a habitual drunkard
- is practicing or has practiced polygamy
- has willfully failed or refused to support dependents
- has given false testimony, under oath, in order to receive a benefit under the Immigration and Nationality Act.

An applicant must disclose all relevant facts to the Service, including his or her entire criminal history, regardless of whether the criminal history disqualifies the applicant under the enumerated provisions.

See Also INA 316

Attachment to the Constitution

An applicant must show that he or she is attached to the principles of the Constitution of the United States.

See Also INA 316

Language

Applicants for naturalization must be able to read, write, speak, and understand words in ordinary usage in the English language. Applicants exempt from this requirement are those who **on the date of filing:**

- have been **residing in the United States subsequent to a lawful admission** for permanent residence for at least 15 years and are **over** 55 years of age;
- have been **residing in the United States subsequent to a lawful admission** for permanent residence for **at least** 20 years and are **over** 50 years of age; or
- have a medically determinable physical or mental impairment, where the **impairment affects** the applicant's ability to learn English.

See Also [INA 312](#)

United States Government and History Knowledge

An applicant for naturalization must **demonstrate a knowledge** and understanding of the fundamentals of the history and of the principles and form of government of the United States. Applicants exempt from this requirement are those who, on the date of filing, have a medically determinable physical or mental impairment, where the **impairment affects** the applicant's ability to learn U.S. History and Government

Applicants who have been residing in the U.S. subsequent to a lawful admission for permanent residence for at least 20 years and are over the age of 65 will be afforded special consideration in satisfying this requirement.

See Also [INA 312](#)

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Oath of Allegiance

To become a citizen, one must take the oath of allegiance. By doing so, an applicant swears to:

- **support** the Constitution and **obey the** laws of the U.S.;

- **renounce** any foreign allegiance and/or foreign title; and
- bear arms for the Armed Forces of the U.S. or perform services for the government of the U.S. when required.

In certain instances, where the applicant establishes that he or she is opposed to any type of service in armed forces based on religious teaching or belief, INS will permit these applicants to take a modified oath.

Read the Oath of Allegiance

See Also INA 337

Waivers, Exceptions, and Special Cases

Spouses of U.S. Citizens

Generally, certain lawful permanent residents married to a U.S. citizen may file for naturalization after residing continuously in the United States for three years if **immediately preceding the filing of the application:**

- the applicant has been married to and living in a valid marital union with the same U.S. **citizen** spouse for all three years;
- the U.S. spouse has been a citizen for all three years **and meets all physical presence and residence requirements**; and
- the applicant meets all other naturalization requirements.

There are also exceptions for lawful permanent residents married to U.S. citizens stationed or employed abroad. Some lawful permanent residents may not have to comply with the residence or physical presence requirements when the U.S. citizen spouse is employed by one of the following:

- the U.S. Government (including the U.S. Armed Forces);
- **American research institutes recognized by the Attorney General**;
- recognized U.S. religious organizations;
- U.S. research institutions;
- an American firm engaged in the development of foreign trade and commerce of the United States; or
- certain public international organizations involving the United States.

See Also INA 319, INA 316

Children

There are several ways foreign-born children of U.S. citizens may obtain evidence of citizenship:

Generally, U.S. citizen parents of children born abroad may file a N-600 Application for Certificate of Citizenship. This form should be completed in accordance with the instructions provided and should be accompanied by 2 photographs of the child, copies of any documents that verify eligibility, and the required filing fee to be considered complete and ready to process.

Important note: Children born abroad of U.S. citizen parents derive citizenship from their parents. The Certificate of Citizenship is merely a record of citizenship - it does not confer citizenship on an applicant.

Adopted children of citizen parents *acquire* citizenship. For adopted children, adoptive parents file an N-643 instead of an N-600. However, adopted children over 18 must file an N-400.

For answers to more specific questions regarding naturalization of children, please contact your local INS office.

See Also INA 320, INA 321, INA 322

Veterans of U.S. Armed Forces

Certain applicants who have served in the U.S. Armed Forces are eligible to file for naturalization **based on** current or prior U.S. military service. **Such applicants should file** the N-400 Military Naturalization Packet.

Lawful Permanent Residents with Three Years U.S. Military Service

An applicant who has served for three years in the U.S. military and who **is a lawful permanent resident** is excused from any specific period of required residence, period of residence in any specific place, or physical presence within the United States if an application for naturalization is filed while the applicant is still serving or within six months of an honorable discharge.

To be eligible for these exemptions, an applicant must:

- **have served honorably or separated under honorable conditions;**
- **completed three years or more of military service;**
- **be a legal permanent resident at the time of his or her examination on the application; or**
- **establish good moral character if service was discontinuous or not honorable.**

Applicants who file for naturalization more than six months after termination of three years of service in the U.S. military may count any periods of honorable service as residence and physical presence in the United States.

Veterans who have served honorably in any of the periods of armed conflict with hostile foreign forces specified below

An applicant who has served honorably during any of the following periods of conflict is entitled to certain considerations:

- World War I - 4/16/17 to 11/11/18;
- World War II - 9/1/39 to 12/31/46;
- Korean Conflict - 6/25/50 to 7/1/55;
- Vietnam Conflict - 2/28/61 to 10/15/78;
- Operation Desert Shield/ Desert Storm - 8/29/90 to 4/11/91; or
- any other period which the President, by Executive Order, has designated as a period in which the Armed Forces of the United States are or were engaged in military operations involving armed conflict with hostile foreign forces.

Applicants who have served during any of the aforementioned conflicts may apply for naturalization based on military service **after qualifying service and the requirements for specific periods of physical presence in the United States and residence in the United States are waived.**

See Also INA 328, INA 329

Grounds for Eligibility

The Immigration and Naturalization Service has other specific grounds for Naturalization. For additional information, please review the instructions on an N-400 Application for Naturalization and/or contact your local District Office.