

NATURALIZATION REQUIREMENTS AND GENERAL INFORMATION

This eBook brought to you by:
Buy-Ebook.com

Our site has got a great collection of the best ebooks which are sold on the Internet, but at a lower price than on any other site.

Affiliates

Earn 60% Commission On Every Sale! We sell 500+ eBooks.

As a Buy-Ebook.com Associate, we will pay you a Massive 60% referral fee for every sale that you generate. You can [sign up for FREE](#) and start making money straight away.

If you want to directly link to some ebooks related to content of your site, [get affiliate link here](#). Choose any from 500+ titles.

NOTE:

If you Would like to Offer this Ebook to Your Web Site Visitors as a FREE Download, then please do so. You can post this ebook to your web site, offer it in your newsletter, print it out as a book, give it to your friends, etc. No royalties are necessary. Give it away or offer it as a bonus with your products. You are not allowed to make any changes to it without permission.

The Author, his publishers, agents, resellers or distributors assume no liability or responsibility to any person or entity with respect to any loss or damage or alleged to be caused directly or indirectly by the use of and the advice given in this publication. It is recommended that the users of this publication seek legal, accounting and other independent professional business advice before starting a business or acting upon any advice given. This book is not intended for use as a source of legal, business, accounting or financial advice, but is distribute for information purposes only.

NATURALIZATION REQUIREMENTS AND GENERAL INFORMATION

Table of Contents

Part I

- 1 General Information
- 2 How to Apply for Naturalization
 - Filing the Application--Fingerprints
 - Citizenship of Applicant's Children
 - Examination on the Application
 - Oath Ceremony
- 3 General Naturalization Requirements
 - Age
 - Lawful Admission
 - Residence & Physical Presence
 - Permission to be Absent
 - (a) Employment by American Organizations
 - (b) Employment by the U. S. Government
 - (c) Service for Religious Organizations
 - Character and Loyalty
 - Communist Party and Similar Membership
 - Deportation
 - Literacy and Educational Requirements
 - Oath of Allegiance
- 4 Naturalization Requirements for Special Classes
 - Wives and Husbands of U.S. Citizens
 - Marriage to a Citizen
 - Marriage to a Citizen Stationed Abroad
 - Overseas Assignment of Citizen Spouses
 - Surviving Spouse of US. Citizen Service Member
 - Naturalization of Children of Citizen Parents
 - Naturalization of Adopted Children of Citizen Parents
 - Former U. S. Citizens
 - Veterans of Foreign Armed Forces
 - American Women Who Married Aliens
 - Service Members of the Military or Veterans
 - Military Service During Certain Periods
 - Ineligible Service Members
 - Service for Three Years

- (1) When Three Years' Service Continuous
- (2) When Three Years' Not Continuous.
- (3) Application Made more than Six Months After Service Ends

Mariners

Employees of Organizations Promoting United States Interests Abroad

Posthumous Citizenship

- 5 Naturalization and Citizenship Paper Lost, Mutilated, or Destroyed, or Where Name has been Changed
- 6 Declaration of Intention
- 7 Certificates of Citizenship for Children and Wives of Citizens
- 8 Legalizing Stay in the United States
- 9 Offices of the Immigration and Naturalization Service

General Information

Part I

This booklet provides information in brief and plain language about the principal requirements for naturalization; the special classes of persons who are exempt from some of those requirements; and what a person must do to become a naturalized citizen of the United States. It also includes a brief discussion on how to obtain a copy of a naturalization or citizenship paper (part 5); how to file a declaration of intention (part 6); how to obtain a Certificate of Citizenship (part 7); and how to legalize an alien's residence in the United States so that he or she may be able to apply for naturalization (part 8).

The naturalization laws equally apply to both men and women and to all races. All persons follow the same procedures and become naturalized citizens of the United States in the same way.

An alien living in the United States must keep the Immigration and Naturalization Service informed of changes in his or her address. A lawful permanent resident is given an Alien Registration Receipt Card. This card has a number on it which should be shown in all applications and when writing to the Immigration and Naturalization Service about a case.

Anyone who cannot find the answer to a naturalization related problem in this pamphlet or who may desire any additional information, may obtain it from the nearest office of the Immigration and Naturalization Service. A list of offices of the Immigration and Naturalization Service appears in Part 9.

How to Apply for Naturalization Part 2

The requirements for naturalization that need fuller explanation are discussed in more detail at a later point. The steps to become naturalized, however, are the same for all persons and are set out below.

Filing the Application - Fingerprints

The first step is to get an application and, except for children under 14 years of age, a fingerprint card from the nearest office of the Immigration and Naturalization Service or from a social service agency in the community. The application to be used is Form N-400, "Application for Naturalization." For an optional procedure to gain citizenship for an adopted child of U.S. citizen parents (or parent, if single), see page 24.

The application, the fingerprint card, and the Biographic Information form if appropriate, which are furnished without charge, must be filled out according to the instructions and filed with the office of the Immigration and Naturalization Service with jurisdiction over the applicant's residence. Three unsigned photographs as described in the application must be submitted. A fee is required and must be submitted with the application. No currency should be sent by mail.

Citizenship of Applicant's Children

If a parent who is applying for naturalization expects to be naturalized before any of his or her children reaches age 18, it is likely that such children who are living in the United States will automatically become citizens. This would happen if the children's other parent already is a citizen, or is deceased, or if both parents are naturalized at the same time, or if the parents are legally separated and the parent

being naturalized has the legal custody of the children, or if the parent being naturalized is the mother of the children and the children were born out of wedlock.

These children may obtain certificates of citizenship in their own names, showing that they became citizens on the same date that the parent was naturalized, by filing Form N-600, "Application for Certificate of Citizenship," in accordance with instructions on the form. The application must be filed after the naturalization of the parent(s). A fee is required and must be submitted with the application. No currency should be sent in the mail. The children involved who are over age 14 will appear before the naturalization examiner and must take the same oath of allegiance as is required of persons who naturalize.

Examination on the Application

After certain actions on the application have been completed by the Immigration and Naturalization Service, the applicant must appear before a naturalization examiner for examination on the application. The Immigration and Naturalization Service will advise the applicant when and where to appear for the examination. The applicant will be examined on the information submitted on the application for naturalization, and on his or her English literacy and knowledge of the form of government and history of the United States.

If the examiner finds that an applicant has not demonstrated eligibility for naturalization, the application will be denied and the applicant will be so notified. The applicant may request a hearing on the denied application by filing Form N-336, "Request for Hearing on a Decision in Naturalization Proceedings Under Section 335 of the Act," according to instructions included on the form, and with the required fee.

Oath Ceremony

After the examination has been completed and the application approved, the applicant will be notified to appear at an oath ceremony where the applicant will be sworn in as a citizen of the United States. The applicant may be able to choose to be sworn in as a citizen by a Service officer in a

Service-conducted ceremony or by a judge of a competent court in a court-conducted ceremony. In the event that the applicant wishes to apply for a change of name, the applicant will be required to appear at a court-conducted oath ceremony.

Sometimes an applicant for naturalization is prevented by sickness or physical disability from appearing before an examining officer. When this happens, it may be possible to make other arrangements so that the applicant will not have to travel to a Service office or to appear in court. Further information about what should be done by such a person to become naturalized can be obtained from the nearest office of the Immigration and Naturalization Service.

When the applicant appears at the oath ceremony, he or she takes an oath of allegiance to the United States. In doing so, he or she gives up allegiance to any foreign country and promises to support and defend the Constitution and laws of the United States.

When a large number of persons become citizens in a ceremony, it may not be possible to issue certificates immediately showing that they have been granted citizenship. In such instances, the certificates of naturalization are mailed to them later, or other arrangements for subsequent delivery are made.

General Naturalization Requirements

Part 3

Applicants must be present in the United States, and must meet every requirement for naturalization in this Part and Part 2, unless they are persons who fall within special classes that are exempt from some of those requirements. These special classes are discussed in Part 4. The basic requirements for naturalization are set out below.

Age

A person must be at least 18 years of age before he or she can apply for naturalization.

Lawful Admission

Only an alien who has been lawfully admitted to this country for permanent residence can be naturalized. This means that the alien must have been lawfully allowed to live permanently in this country as an immigrant. Not all aliens in the United States have been given this privilege. Some, for example, visitors, students, and seamen, have been allowed to come into this country only temporarily and, therefore, cannot lawfully remain here permanently. These persons do not meet the requirements of this paragraph. Neither does an alien who succeeded in getting into the United States unlawfully, such as by hiding convictions for serious crimes, or by deserting a ship, or by sneaking into the United States.

An alien who has been allowed to live here permanently as an immigrant loses that privilege, as well as the privilege of becoming naturalized, if he or she leaves the United States with the intention of abandoning residence in this country.

Caution: An alien who has been admitted to the United States for permanent residence and who established residence in the United States may choose to be treated as a nonresident alien for the purpose of gaining certain benefits under the income tax laws. In order to become a nonresident alien for that purpose, the alien must leave the United States and in doing so must intend to abandon residence in the United States. The intent to abandon may be formed also after the alien has left the United States.

An alien who chooses to become a nonresident for tax purposes may be considered as having also given up and lost his or her status as an immigrant under the immigration and naturalization laws. This could mean that the alien may become ineligible for an immigrant visa, or a reentry permit or other document, for which permanent residents are eligible; may become inadmissible to the United States if seeking readmission as a returning resident with a reentry permit, an alien registration receipt card or a returning resident visa; and may become ineligible for naturalization.

Aliens should give careful consideration to the possible consequences mentioned above, before deciding to claim nonresident alien status for tax purposes.

Residence and Physical Presence

After an applicant has been admitted for permanent

residence, he or she must reside in the United States continuously for at least five years just before filing an application for naturalization with the Service.

At least the last three months of that five years' residence, immediately before the filing of the application, must also be residence in the State or Service district where the application is being filed.

The applicant is not obliged to stay in the United States during every day of the five-year period. Short visits may be made outside the United States, either before or after applying for naturalization, and may include as part of the required five years' residence the time absent. However, the applicant must be sure that:

- (a) he or she is not absent for a continuous period of one year or more and
- (b) he or she is not out of the United States for a total of more than 30 months during the last five years.

Generally, if the applicant is absent for one year or more at any one time during the five-year period just before filing the application, he or she breaks naturalization residence and must complete a new period of residence after returning to the United States. This means that he or she will have to wait at least four years and one day after coming back before he or she can be naturalized. Furthermore, if during the five-year period he or she has been absent for a total of more than 30 months, he or she will have to stay in the United States until he or she has been physically present for at least a total of 30 months out of the last five years just before filing an application for naturalization.

Permission to be Absent

Under certain circumstances, persons and their dependents who expect to be continuously absent from the United States for a year or more in work within one of the below listed classes may be given permission to be absent without breaking their naturalization residence. To obtain this permission, an application must be made on Form N-470, "Application to Preserve Residence for Naturalization Purposes," in accordance with the instruction on the form. The fee must be submitted with the form. No currency should be sent in the mail.

Persons and dependent members of their households who may qualify for this permission fall into three categories as discussed below. It should be particularly noted that there are important differences between the classes with regard to what is necessary to be eligible for the permission, when the application must be made, and whether the person may be considered to be physically present as well as residing in the United States during the absence.

(a) Employment by American Organizations. Such organizations include:

(1) American firms or corporations, or their subsidiaries, which are developing foreign trade and commerce of the United States.

(2) American institutions of research recognized by the Attorney General.

(3) Certain public international organizations in which the United States takes part.

To be eligible to obtain permission, employees within this class must first have been physically present in the United States for an uninterrupted period of at least one year after their lawful admission for permanent residence.

If possible, the application for permission should be filed before the applicant leaves the United States. It must be filed before the applicant has already broken residence by being continuously absent from the United States for as much as one year. It must be filed even though the employee has been issued a reentry permit to use to come back to the United States after the absence. The reentry permit alone is not enough to protect naturalization residence. Unless the application is filed and approved by the Immigration and Nationalization Service, absence for a year or more will break naturalization residence even though the absence may have been for employment by one of the above organizations.

Notwithstanding the fact that the Immigration and Naturalization Service may have granted permission for the absence and, therefore, the applicant's naturalization residence remains unbroken by the absence of a year or more, employees within this class cannot include the time they are absent as any part of the 30 months' physical presence required to qualify for naturalization. Care must be taken, therefore, to have been actually physically

present in the United States for not less than 30 months of the five years just before filing applications for naturalization. The benefit of this section includes the applicant, the spouse and dependent unmarried sons and daughters.

- (b) Employment by the United States Government. The requirements to obtain permission to be absent and the benefits of being granted permission are the same for United States Government employees and their dependents as for the employees of American organizations above, with one exception:

Government employees are regarded as physically present in the United States during the time they are absent with the required permission. They may include, therefore, as part of the 30 months' physical presence for naturalization purposes the time that, with permission, they are absent in Government employment.

Government employees who are to be absent for continuous periods less than one year do not have to apply for permission to be absent, and may count each continuous period of less than one year abroad toward the thirty months that they must be physically present in the United States.

- (c) Service for Religious Organizations. Persons engaged abroad as priests, ministers, missionaries, brothers, nuns, or sisters by a religious denomination or interdenominational mission organization which has an organization in the United States and who are granted permission to cover the absence enjoy the same benefits that are granted to Government employees, including the right to count as physical presence in the United States the time they are absent with permission.

Persons within this class have the additional privilege of applying for permission to cover the absence at any time. They may also be granted permission to be absent even though they have not yet completed a year of uninterrupted physical presence in the United States after their lawful admission for permanent residence. If they have not completed this year of uninterrupted physical presence, however, they must complete at least one year of uninterrupted physical presence in the United States before they can file their applications for naturalization. The benefit of this section is limited to the applicant.

Character and Loyalty

An applicant for naturalization must show that, during all of the five years just before filing an application for naturalization, and up until he or she is sworn in as a citizen, he or she has been a person of good moral character who believes in the principles of the Constitution of the United States and is favorable to the good order and happiness of the United States.

The naturalization law states that an applicant for naturalization cannot be considered to be of good moral character if he or she comes within any of the following classes at any time during the five-year period and up until becoming naturalized:

- (a) Habitual drunkards;
- (b) Polygamists, persons connected with prostitution or narcotics, criminals;
- (c) Convicted gamblers, persons getting their principal income from gambling;
- (d) Persons who lie under oath to gain a benefit under the immigration or naturalization laws;
- (e) Persons convicted and jailed for as much as 180 days.

A person also can never become a citizen if he or she has been convicted of murder or an aggravated felony at any time.

The disqualifications listed above are not the only reasons for which a person may be found to lack good moral character. Other types of behavior may be taken into consideration by the Service officer in deciding whether or not an applicant has the good moral character required to become a citizen.

Aliens who have refused to performed their duties to serve in the armed forces of the United States may also be denied citizenship. These include persons who have been convicted of deserting or evading service in the armed forces of the United States during time of war, as well as persons who applied for and were given exemption from service on the ground that they were aliens.

Communist Party and Similar Membership

A person cannot become a citizen who, at any time during a period of ten years just before filing an application for naturalization, has been a member of or connected with the Communist Party or a similar party within or outside the United States; or a member of or connected with any other party or organization that is against all organized government or for world communism, dictatorship in the United States, overthrowing the United States Government by force, injuring or killing officers of the United States, or sabotage.

If the membership or connection with any of these parties or organizations during the ten-year period was involuntary, or before 16 years of age, or compelled by law, or to get employment, food or the necessities of life, the person may become a citizen if no longer a member of or otherwise connected with the party or organization.

Deportation

A person who has broken the immigration laws and as a result is under a deportation order cannot be naturalized. This provision may not apply to a person who is applying for naturalization based upon his or her military service.

Literacy and Educational Requirements

Unless physically unable to do so, an applicant for naturalization must be able to speak and understand simple English as well as read and write it. However, if on the date of the examination the applicant is more than 50 years of age and has been a lawful permanent resident for 20 years or more, or the applicant is more than 55 years of age and has been a lawful permanent resident for 15 years or more, the applicant will be exempt from the English language requirement of the law. If exempt, the applicant may take the examination in any language.

All applicants physically able to write, must also be able to sign their names in the English language. However, the person mentioned above who is excused from knowing English is

permitted to sign in a foreign language if unable to sign in English.

Every person applying for naturalization, including the persons mentioned above, must pass an examination showing that he or she is knowledgeable about the history and form of government of the United States. There are no exceptions to this requirement. The examination on these matters and on English is given by a naturalization examiner at the time the applicant appears for the examination on the application for naturalization. The questions the examiner asks are in simple English and to be able to answer them requires knowledge only of subjects that anyone who has really tried to learn will be familiar with.

The Service recognizes certain standardized English Language/Citizenship tests from private test givers that an applicant may take at approved testing sites. The applicant may take the test several times until achieving a passing grade. The Service is not advised of the identities of those persons who do not pass the test, and failure of this test does not have any effect in the applicant's ability to retake this alternative test or be tested by a Service officer. The successful results are transmitted to the Service. However, an applicant must submit a copy of his/her test results with the application. The test would be taken in place of the test given by a Service officer.

The applicant would still be examined by a Service officer on the contents of the application and the ability to speak English.

In many places the public schools, as well as other community groups, have citizenship classes to prepare persons to become citizens. Certain educational institutions also offer courses by mail for persons who want to study under their supervision at home instead of in school. The nearest Immigration and Naturalization Service office can furnish information about the correspondence courses. The Federal Government also publishes textbooks to aid applicants for naturalization in studying to become citizens. It is upon the information in these books that the examination on history and government is given. Applicants who attend citizenship classes in public schools or who are studying by mail receive these books from the schools without charge. The books can also be bought directly from the Superintendent of Documents, Government Printing Office, Washington, DC 20402, and can be used to study privately at home instead of under the supervision of a school.

Form M-132, "Information Concerning Citizenship Education to Meet Naturalization Requirements," contains more information about the Federal Textbooks on Citizenship and courses that can be taken by mail. This form can be obtained without charge from the nearest office of the Immigration and Naturalization Service.

Oath of Allegiance

Before being admitted to citizenship (unless a child is too young to understand), an applicant for naturalization must give up any foreign allegiance and any foreign title and must promise to obey the Constitution and laws of the United States. Unless it is against his or her religious beliefs, the applicant must also promise to bear arms or fight for the United States, to perform other types of service in the armed forces of the United States, and to do work of importance to the national interest when asked to do so.

If it is against the religious beliefs of a person to fight for the United States or to perform other types of service in the armed forces of the United States, that person can be excused from promising to do these things and may become naturalized without making such a promise. However, the person cannot be excused from promising to do work as a civilian which is important to the nation.

Naturalization Requirements for Special Classes Part 4

This part discusses special classes of persons who may become naturalized even though they cannot meet all of the requirements mentioned in Parts 2 and 3 of this pamphlet. This part will list under each class the particular exemptions for that class. Unless so listed, an applicant who comes within a special class generally must still meet the requirements and follow the procedures mentioned in Parts 2 and 3.

Wives and Husbands of United States Citizens

A person who is married to a citizen of the United States may become naturalized in the same way as any other alien or

may take advantage of special naturalization exemptions that are granted to the spouse of a citizen of the United States. These exemptions fall into two classes, the first is granted simply because of the relationship to a citizen and the second is granted because of the relationship to a citizen who is stationed abroad. Both of these classes are discussed below.

Marriage to a Citizen

An applicant:

- (1) whose spouse has been a citizen of the United States for at least three years; and
- (2) who has been married to and living with the citizen spouse for at least the three-year period just before the date of filing an application for naturalization may become a citizen of the United States upon meeting all of the requirements for naturalization in Parts 2 and 3 except:

Instead of five years' residence and 30 months' physical presence, the applicant must reside in the United States for only three years after being lawfully admitted for permanent residence and just before filing the application. For at least one-half of that three-year period, or 18 months, the applicant must have been present in person in the United States.

Marriage to a Citizen Stationed Abroad

An applicant:

- (1) whose spouse is a citizen of the United States working or serving in a foreign country for one of the reasons below;
- (2) who, upon becoming naturalized, will live abroad with the citizen spouse; and
- (3) who will again reside in the United States as soon as the foreign work or service of the citizen spouse ends may become a citizen of the United States if all the requirements for naturalization in Parts 2 and 3 are met except:
 - (a) the application does not have to be filed in the place

where the applicant lives, but may be filed in any Service office; and

(b) the applicant may be naturalized without having resided in the United States or any State, and without having been physically present in the United States, for any particular length of time after being lawfully admitted for permanent residence.

Generally, if the applicant is absent for one year or more at any one time during the three-year period just before-filing the application, he or she breaks naturalization residence and must complete a new period of residence after returning to the United States. This means that he or she will have to wait at least 2 years and 1 day after coming back before he or she can be naturalized. Furthermore, if during the three-year period he or she has been absent for a total of more than 18 months, he or she will have to stay in the United States until he or she has been physically present for at least a total of 18 months out of the last three years just before filing an application for naturalization.

Overseas assignment of Citizen Spouse

For the applicant to qualify for the exceptions mentioned previously, the citizen spouse must be working or serving in the foreign country:

- (1) in the employment of the United States Government (including service in the armed forces of the United States);
- (2) in the employment of an American institution of research recognized by the Attorney General;
- (3) in the employment of an American firm or corporation, or its subsidiary, which is developing the foreign trade of the United States;
- (4) in the employment of certain public international organizations in which the United States takes part;
- (5) under authority to perform the functions of a minister or priest of a religious denomination having an organization within the United States; or
- (6) under an engagement solely as a missionary by a religious

denomination or by an interdenominational mission organization having an organization within the United States.

The applicant must include with the application a written statement indicating that the citizen spouse's employment meets these qualifications, that the applicant intends to reside abroad with the citizen spouse, and that the applicant intends to take up residence within the United States immediately upon the termination of such employment abroad of the citizen spouse.

Surviving Spouse of United States Citizen Service Member

Any person whose citizen spouse dies during a period of honorable and active service in the armed forces of the United States, and who was living in marital union with the citizen spouse at the time of the service member's death, may become a citizen of the United States if all the requirements in Parts 2 and 3 are met except:

- (a) the application does not have to be filed in the place where the applicant lives, but may be filed in any Service office; and
- (b) the applicant may be naturalized without having been physically present in the United States for any particular length of time after being lawfully admitted for permanent residence.

Naturalization of Children of Citizen Parents

The fact that one or both parents may have been citizens of the United States at the time of a child's birth in a foreign country, or may have become naturalized citizens of the United States after the child's birth is not enough in itself to give United States Citizenship automatically to the child. Additional conditions which must be satisfied by the parents and child affect the question of whether the child becomes a citizen. For more information on who is a citizen automatically, please refer to Part 7, Certificates of Citizenship for children and wives of citizens. A child who is under 18 years of age and a lawful permanent resident, who is not a citizen automatically through the parents, may nevertheless become a citizen if an application for

naturalization is filed by the citizen parent on behalf of the child under certain conditions.

- (1) The citizen parent must file an "Application for Naturalization," Form N-400, with the required fee.
- (2) The child is required to submit a fingerprint chart, Form FD-258, if 14 years of age or older.
- (3) The child's naturalization -- admission to citizenship -- must be completed before the child's 18th birthday.

The child and a parent (not necessarily the parent who filed the application on behalf of the child) would be required to appear at an oath ceremony to be administered the oath of allegiance, unless the child is of tender years, in which case the administration of the oath may be waived.

The child does not have to:

- (1) speak, read, or write English;
- (2) know about the history and form of government of the United States; or
- (3) have lived or been physically present in the United States or in a State for any particular length of time after admission for permanent residence.

Naturalization of Adopted Children of Citizen Parents

A child who is adopted by a citizen parent or parents does not automatically become a United States citizen.

A child adopted either in the United States or abroad by two citizen parents (or only one parent if the parent is unmarried) and admitted to the United States as a lawful permanent resident before reaching the age of 18 years may naturalize if the child:

- (1) is under 18 years of age;
- (2) was adopted before reaching the age of 16 by the citizen parent(s);
- (3) is residing in the United States in the custody of the adopting citizen parent(s), pursuant to a lawful admission

for permanent residence;

- (4) at least one of the citizen parents files Form N-643, "Application for Certificate of Citizenship in Behalf of an Adopted Child," before the child reaches the age of 18, with the Immigration and Naturalization Service; and
- (5) the parents are be citizens at the time of filing the application.

The child is not a citizen until the N-643 is approved.

The child may also be naturalized under the procures outlined in the section entitled Naturalization of Children. This would be the only procedure available if the parents wish to change the child name as a part of the naturalization or if the adoptive parents are married and only one is a United States citizen.

Former United States Citizens

The only former citizens of the United States who are granted any exceptions from the requirements for naturalization in Pads 2 and 3 are persons who lost their United States citizenship during World War II as a result of service in the armed forces of certain foreign countries and women who lost their United States citizenship as a result of marriage to aliens. Both of these classes are discussed below:

Veterans of Foreign Armed Forces

Any person who:

- (1) lost United States citizenship between September 1, 1939 and September 2, 1945;
- (2) as a result of service between September 1, 1939 and September 2, 1945 in the armed forces of a foreign country; and
- (3) fought against a country with which the United States was at war after December 7, 1941 and before September 2, 1945, may become a citizen of the United States if he or she meets all of the requirements for naturalization in Parts 2 and 3 except:

(a) the application for naturalization does not have to be filed in the place where he or she lives, but it can be filed in any Service office; and

(b) he or she can be naturalized without having resided and without" having been physically present in the United States or any State for any particular length of time after admission for permanent residence.

American Women Who Married Aliens

As a general rule, a woman automatically lost her United States citizenship if, before September 22, 1922, she married an alien, or her husband was naturalized in a foreign country, or if, between that date and March 3, 1931, she married an alien who was not of the white race or African race. In each of these instances, she lost her citizenship if she entered into the marriage with the intention of relinquishing her United States citizenship.

If citizenship was lost by such marriage, there are simplified ways in which United States citizenship and the rights of citizenship may be regained. However, not all cases follow the same procedure. For example, some women who were native-born citizens and whose marriages either ended before January 13, 1941, or who remained in the United States after the marriages, have been automatically given back their United States citizenship, but they must take an oath of allegiance to the United States before they can do what only a citizen can do, such as vote. Others must file an application for naturalization in order to get back their United States citizenship, but they are exempt from some of the requirements in Parts 2 and 3, such as from any particular period of residence and physical presence in the United States.

Any woman who was the wife of an alien at any time during the periods stated above and who wants advice about her citizenship may get it at the nearest office of the Immigration and Naturalization Service or, if she is abroad, at the nearest American Consulate.

Service Members of the Military or Veterans

An alien who has served or is serving in .the armed forces

of the United States does not automatically become a citizen of the United States. Like other aliens, such alien must apply for naturalization and be admitted to citizenship. However, depending upon such matters as the period during which he or she served, the length of service, and other factors which will be mentioned below- he or she may be exempt from some of the requirements other aliens must meet.

Military Service During Certain Periods

A person who has served honorably and actively in the armed forces of the United States, no matter how briefly, during any part of the periods:

- (a) April 6, 1917 to November 11, 1918;
- (b) September 1, 1939 to December 31, 1946;
- (c) June 25, 1950 to July 1, 1955;
- (d) February 28, 1961, to October 15, 1978; or
- (e) October 25, 1983 to November 2, 1983 (for qualifying active duty in the geographic area of Grenada campaign), and who is not within any of the below listed ineligible classes is exempt from the following requirements.
 - (1) No lawful admission for permanent residence is required if he or she was inducted, enlisted or reenlisted at any time in the United States, the Panama Canal Zone, American Samoa, or Swains Island. If he or she did not at any time enter into such armed forces in one of the places mentioned he or she must have been lawfully admitted for permanent residence before he or she can be naturalized.
 - (2) He or she need not have resided or been physically present in the United States or any State for any particular length of time.
 - (3) He or she does not have to file the application in the place where he or she lives, but can file it in any Service office.
 - (4) He or she may be naturalized regardless of the fact that the person has been ordered deported from the United States.

Ineligible Service Members

The following persons do not qualify for the special naturalization exemptions discussed immediately above:

- (1) veterans who were discharged at their request because of alienage;
- (2) conscientious objectors who performed no military duty whatever or refused to wear the uniform; or
- (3) veterans who were once naturalized on the basis of the same period of military service and have since lost their citizenship.

The fact that a person is ineligible for naturalization as such a veteran does not mean that he or she may not be naturalized under the general naturalization laws applicable to other classes of aliens. He or she may still qualify for naturalization if able to meet the naturalization requirements applicable to other aliens.

Service for Three Years

Veterans who have been lawfully admitted to the United States for permanent residence and who have served honorably at any time for as much as three years, and who have received an honorable discharge, are entitled to certain exemptions from the requirements stated in Parts 2 and 3 if they come within one of the following classes:

- (1) When Three Years' Service Continuous. A person who has served honorably at any time in the armed forces of the United States for a continuous period of three years and who applies for naturalization while still in the service or not later than six months after discharge from service may be naturalized:
 - (a) without having resided and without having been physically present in the United States for any particular length of time;
 - (b) without filing the application for naturalization in the place of residence, it may be filed in any Service office; and

(c) regardless of the fact that the person has been ordered deported from the United States.

(2) **When Three Years' Service Not Continuous.** A person who has served honorably at any time for three years but whose service is made up of short periods of service, instead of one continuous period, and who applies for naturalization while still in the service or not later than six months after discharge from service is entitled to the exemptions stated in (b) and (c) immediately above. However, for any part of the five years just before he or she files the application for naturalization and which is between the periods of service, he or she will have to prove residence and the other qualifications for naturalization.

(3) **Application Made More Than Six Months After Service Ends.**

A person who has the three years of honorable service but who fails to apply for naturalization until more than six months after such service has ended is not qualified for the exemptions stated in (1) above and must comply with all the requirements in Parts 2 and 3 except that:

(a) all service within five years of the date when filing the application is considered residence and physical presence in the United States; and

(b) the fact that the person has been ordered deported from the United States does not in itself bar him or her from becoming a citizen.

If a service member for any reason is unable to qualify for the exemptions given to these veterans he or she may nevertheless be naturalized under the naturalization laws applicable to other classes of aliens if those requirements are met.

Note to persons with three years of service who must apply for naturalization within six months after discharge: the application must be filed with the Service office within the six month period.

Mariners

A merchant mariner whose employment aboard a vessel requires absence from the United States is exempt in part from the general residence and physical presence requirements for

naturalization. He or she has the right to count the time of service as a merchant mariner outside the United States if such service was not as a member of the armed forces of the United States and it meets the-below listed conditions.

(1) It was performed on board a vessel:

(a) operated by the United States or one of its agencies and owned by the United States;

(b) with its home port in the United States and registered under the laws of the United States; or

(c) with its home port in the United States and owned by a citizen of the United States or a corporation organized under the laws of a State.

(2) It was performed:

(a) honorably or with good conduct;

(b) after lawful admission to the United States for permanent residence; and

(c) within five years of the date of filing the application for naturalization.

Employees of Organizations Promoting United States Interests Abroad

A person who has been lawfully admitted to this country for permanent residence and who thereafter is employed abroad by a United States incorporated nonprofit organization which is principally engaged in conducting abroad through communications media the dissemination of information which significantly promotes United States interests abroad and which is recognized as such by the Attorney General, may take advantage of special naturalization exemptions. Examples of such an organization are Radio Free Europe, Inc., Radio Liberty Committee, and Radio Marti.

Such a person is not required to reside or to be physically present in the United States (see pages 7, 8, 9, and 10) for any particular period of time before becoming a citizen, if the following conditions are met

(1) he or she has been employed by the organization

continuously for at least five years after becoming a permanent resident;

- (2) the application is filed with the Service office while the applicant is still employed, or within six months after leaving such employment; and
- (3) upon becoming a citizen, the employee must intend to take up residence in this country as soon as the foreign employment ends. If the applicant is no longer employed by the organization at the time of filing the application, then he or she must intend to continue living in the United States upon becoming a citizen.

Posthumous Citizenship

Posthumous citizenship may be granted to an alien or noncitizen national of the United States who died as a result of injury or disease incurred in, or aggravated by service, in the United States Armed Forces during a specified period of military hostilities.

This is an honorific action which does not confer any benefits nor make applicable any provision of the Immigration and Nationality Act to the surviving spouse, parent, son, daughter, or other relative of the decedent.

The decedent's nearest relative, or a properly appointed representative, may request this benefit on Form N-644, "Application for Posthumous Citizenship," with the required fee.

Naturalization and Citizenship Paper Lost, Mutilated or Destroyed, or Where Name has been Changed Part 5

A person whose "Declaration of Intention" or whose certificate of naturalization/citizenship has been lost, mutilated or destroyed, or naturalized person whose name has been changed by a court or by marriage after naturalization, may apply for a new declaration or certificate. The application, Form N-565 "Application for a New Naturalization or Citizenship Document," can be obtained without charge from the nearest office of the Immigration and Naturalization Service. It should be filled out, following the instructions

and then taken or mailed to that office with the required photographs and fee. No currency should be sent in the mail. That office will then take the action necessary with regard to issuing the new document and will inform the applicant further.

Declaration of Intention Part 6

Before the present naturalization law came into effect on December 24, 1952, persons generally were required to file a declaration of intention to become a citizen of the United States -- which was known as the "first paper" -- and then had to wait for not less than two years before they could take the next step toward becoming a citizen of the United States, that is, before they could file a petition for naturalization. Since 1952 a declaration of intention is no longer required before a person can become a citizen, and an application for naturalization may be filed as soon as the required residence and other qualifications for citizenship have been met.

The law still permits the "Declaration of Intention," to be filed, if one is needed for such reasons as getting certain employment or license of some kind. The only requirements are that the person be at least 18 years old and lawfully admitted to the United States for permanent residence. The declaration may be filed at any time after admission for permanent residence and in any Service office.

The person is not required to be able to read, write, and speak English or to pass any examination on the history and form of government of the United States, and he or she may sign the declaration in any language or by mark.

The application is Form N-300, "Application to File Declaration of Intention." This form may be obtained from the nearest office of the Immigration and Naturalization Service or, possibly, from a social service agency in the community. It is filed with the nearest office of the Immigration and Naturalization Service. Form N-300 requires three photographs and payment of a fee as described in the application.

Certificates of Citizenship for Children and Wives of Citizens Part 7

Many persons, though not born in the United States or ever

naturalized as United States citizens, may be citizens as a result of their-relationship to a United States citizen. The conditions under which a person may have become a citizen have varied from time to time and, therefore, differ so much from case to case that they cannot all be presented in detail within this pamphlet. However, we will attempt to identify the general rules of acquiring citizenship through a parent or spouse.

A child born in a foreign country of one or two United States citizen parents may acquire United States citizenship automatically at birth if certain conditions are fulfilled:

- (1) both parents are United States citizens at the time of the child's birth and one of the parents has resided for any length of time in the United States or its outlying possessions before the child's birth;
- (2) one parent is a United States citizen and the other is an alien and the citizen parent was physically present in the United States or its outlying possessions for a period or periods totaling 5 years before the child's birth, and at least two of those five years were after the citizen parent was 14 years old. If a child was born before November 14, 1986, these physical presence requirements for the parent are different, generally, at least ten years of physical presence is required; and
- (3) time served abroad in the following capacities can be counted by the citizen parent in order to satisfy the requirement of prior physical presence in the United States:
 - (a) honorable service in the United States armed forces;
 - (b) employment by the United States government;
 - (c) employment by an international organization associated with the United States; and
 - (d) physical presence abroad as a dependent unmarried son or daughter and member of the household of a person employed abroad in one of the above categories.

It must be noted that the laws in effect at the time of birth of the child will determine whether acquisition will occur. In addition, different rules may apply if a child was born illegitimate.

As discussed in part 2, a child born in a foreign country

of alien parents, or adopted by alien parents, may have become a United States citizen automatically after birth, without having himself or herself applied for naturalization, if one or both of his or her parents became naturalized before the child reaches a certain age. It must be noted that the law in effect at the time of the parent's naturalization will determine if the child becomes a citizen.

Currently, a child who is a lawful permanent resident, under 18 years of age and unmarried may automatically derive citizenship of the United States through the parents under certain conditions:

- (1) a child whose parents are lawful permanent residents becomes a United States citizen-on the date that the last parent is naturalized before the child's 18th birthday;
- (2) a child who has one of the natural parents already a citizen, and the other natural parent becomes naturalized before the child's 18th birthday;
- (3) a child whose surviving parent, or the parent exercising legal custody where the parents are legally separated or divorced, is naturalized before the child's 18th birthday, regardless whether the other parent was or is an alien; or
- (4) an illegitimate child whose mother naturalizes before the child's 18th birthday and paternity has not been established.

If only one of the child's parents naturalizes and the other remains a permanent resident, the child does not derive citizenship. Instead, the citizen parent may file a separate Application for Naturalization (N-400) on behalf of the child if the citizen parent wants the child to become a citizen before the second parent naturalizes.

An adopted child, however, does NOT become a citizen of the United States automatically, through adoption by citizen parents. See the information in Part 4 regarding the naturalization of adopted children.

Also, women who married citizens of the United States before September 22, 1922, or whose husbands became citizens during the marriage and before September 22, 1922, may have automatically become citizens of the United States as a result of their marriages. Consequently, persons who need additional information along these lines should communicate with any

office of the Immigration and Naturalization Service.

Persons who have become citizens automatically may be issued certificates of citizenship by the Immigration and Naturalization Service in their own names, showing that they are citizens through their husbands or parents. A person who desires to obtain such a certificate (including a parent or guardian of a child too young to act for himself or herself) may submit an application on Form N-600, "Application for Certificate of Citizenship," to the nearest office of the Immigration and Naturalization Service. The filing of the application is an entirely voluntary matter, however, and the failure to submit it does not in any way affect a person's citizenship.

The applicant should be prepared to submit in connection with the application evidence of birth, marriage, death, divorce, and other essential matters in the form of certificates or documents which will prove the claim to citizenship through marriage or through parents. Detailed instructions regarding the nature of the proof needed in each case are included in the application form.

Legalizing Stay In the United States Part 8

In the cases of some foreign-born persons who are in the United States, there are no records showing admission for permanent residence, or at least no records can be found. These persons may have been brought here during childhood and may never have known just when or how they came; or they may have come here as visitors or other temporary nonimmigrant class and decided to stay; or they may have entered unlawfully.

Since no records of lawful admission for permanent residence can be identified, they cannot become citizens of the United States until such records have been made. An alien eligible for citizenship and not within a class barred from the United States under the immigration laws, such as criminals and other immoral persons, subversives, smugglers, and persons unlawfully connected with narcotics who have resided in the United States since before January 1, 1972, can have a record of lawful admission to the United States for permanent residence created if they are persons of good moral character. The application is Form I-485, "Application for Permanent Residence." This form, together with information about the procedure to be followed, may be obtained from the nearest

Immigration and Naturalization Service office. The required fee, photographs and supporting documents must be filed with the nearest Immigration and Naturalization Service office.

If an applicant can prove that he or she has been in the United States since before July 1, 1924, the record of admission will be made as of the date of actual entry into the United States and he or she will be able to apply for naturalization without completing any more residence in the United States. If an applicant did not come to the United States until on or after July 1, 1924 but before January 1, 1972, the record of admission will be made as of the date the application is approved, and he or she will then have to complete whatever additional residence and physical presence in the United States are required for naturalization.

Persons who claim to have entered the United States on or after January 1, 1972, should ask for information and advice from the nearest office of the Immigration and Naturalization Service or a social service agency.

Offices of the Immigration and Naturalization Service Part 9

The following is a list of offices of the Immigration and Naturalization Service from which information concerning matter referred to in this pamphlet may be obtained. (* Indicates District Offices):

Agana, Guam 96910 801 Pacific News Bldg., 238 O'Hara St.	Charlotte, NC 28217 6 Woodlawn Green, Room 138
--	--

Albany, NY 12207 James T. Foley Federal Courthouse, Room 220 445 Broadway	*Chicago, IL 60604 10 West Jackson Blvd
--	--

Albuquerque, NM 87103 517 Gold Ave. S.W., Room 1010, P.O. Box 567	Cincinnati, OH 45202 550 Main Street, Room 8525
---	---

*Anchorage, AK 99501 7581 620 East 10th Ave., Suite 102	*Cleveland, OH 44199 Anthony Celebreeze Federal Building 1240 E. 9th Street, Room 1917
--	--

Atlanta, GA 30303
77 Forsyth Street, S.W.
Room G-85

*Dallas, TX 75247
8101 N. Stemmons
Freeway

*Baltimore, MD 21201
Equitable Tower
100 South Charles,
12th Floor

*Denver, CO 80239-2804
4730 Paris Street
Albrook Center

*Boston, MA 02203
JFK Federal Building
Government Center

*Detroit, MI 48207-4381
333 Mt. Elliott St.

*Buffalo, NY 14202
68 Court Street

*El Paso, TX 79901
700 E. San Antonio St.
P.O. Box 9398-79984

Fresno, CA 93721-2816
865 Fulton Mall

*Los Angeles, CA
90012
300 N. Los Angeles
Street

*Harlingen, TX 78550
2102 Teege Road

Louisville, KY 40202
Room 604, Gene
Snyder Courthouse
601 West Broadway

Hartford, CT 06103-3060
Ribicoff Federal Bldg
450 Main Street

Memphis, TN 38103-
3815
245 Wagner Place
Suite 250

*Helena, MT 59626
Federal Bldg., Rm 512
301 South Park, Drawer
10036

*Miami, FL 33138
7880 Biscayne Blvd.

*Honolulu, HI 96813
595 Ala Moana Blvd.

Milwaukee, WI 53202
Federal Building,
Room 186
517 E. Wisconsin Av.

*Houston, TX 77060
509 North Belt

Indianapolis, IN 46204
Gateway Plaza, Room 400
950 North Meridian St.

*Newark, NJ 07102
Federal Bldg.,
970 Broad Street

Jacksonville, FL 32202 *New Orleans, LA
400 West Bay Street 70113
Room G-18 Postal Service Bldg.
P.O. Box 35029 701 Loyola Avenue
Room T-8005

*Kansas City, MO 64153 *New York, NY 10278
9747 North Conant Ave. 26 Federal Plaza

Las Vegas, NV 89101
300 Las Vegas Blvd.
Room 1430

Norfolk, VA 23510 Sacramento, CA 95814
Norfolk Fed. Bldg. 711 "J" Street
200 Granby Mall
Room 439

Oklahoma City, OK Salt Lake City, UT
73108 84101
149 Highline Blvd. 230 W. 400 South St
Suite 300

*San Antonio, TX
*Omaha, NE 68144 78239
3736 South 8940 Fourwinds Drive
132nd St.

* San Diego, CA
*Philadelphia, PA 92188
19130 880 Frnot Street
1600 Callowhill St

*Phoenix, AZ 85004 * San Francisco, CA
2035 N. Central Ave. 94111-2280
630 Sansome Street

Pittsburgh, PA 15222
RM 2130 Federal Bldg. San Jose, CA 95113
1000 Liberty Avenue 280 South First St.
Room 1150

* Portland, ME 04103
739 Warren Avenue *San Juan, PR 00936
P.O. Box 365068

* Portland, OR 97209
Federal Office Bldg. *Seattle, WA 98134
511 N.W. Broadway 815 Airport Way, S.

Providence, RI 02903 Spokane, WA 99201

203 John O. Pastors
Federal Building

691 U.S. Courthouse
Building

Reno, NV 89502
712 Mill Street

St. Albans, VT 05478
Federal Building
P.O. Box 328

St. Louis, MO 63103-2815
Robert A. Young
Federal Building
1222 Spruce Street

*St. Paul
Bloomington, MN 55425
2901 Metro Drive
Suite 100

Tampa, FL 33609
5509 W. Gray Street
Suite 113

*Washington, DC
Arlington, VA 22203
4420 N. Fairfax Dr.

—
.