

Guide to Naturalization in the United States



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Disclaimer: This Guide is general information, not legal advice. Make decisions only after consulting with your attorney about how the law applies to the specific facts of your case.

I. INTRODUCTION

This *Guide* summarizes the requirements and procedures for applying to the U.S. Citizenship and Immigration Services (USCIS) for naturalization.¹

Our firm has separate articles on related topics:

- Form N-470, Application to Preserve Residence for Naturalization Purposes, for permanent residents employed abroad for U.S. companies.²
- Expeditious naturalization for spouses of U.S. citizens employed abroad for U.S. companies.³
- The benefits and responsibilities of U.S. citizenship, as well as the potential disadvantages of losing citizenship in your native country (if dual citizenship is not allowed).⁴

2. REQUIREMENTS FOR NATURALIZATION

The requirements for applying for naturalization, discussed below, are that the applicant must: (1) be at least age 18; (2) have continuously resided in the U.S. for a specified period after becoming a lawful permanent resident (LPR); (3) have been physically present in the U.S. for a specified period; (4) have resided within a state or USCIS district for a specified period; (5) have good moral character; (6) have sufficient English language ability; (7) have knowledge of the U.S. government and history; (8) be attached to the Constitution; and (9) take the oath of allegiance.

2.1 AGE

Applicants must be at least 18 years old.⁵

¹ Naturalization is commonly referred to as the manner in which a person not born in the U.S. voluntarily becomes a citizen. For information about other paths to citizenship and for children born abroad to U.S. citizens, see our “Quick Reference to Citizenship” at <http://lawandborder.com/u-s-quick-reference-to-citizenship/>. Furthermore, this Naturalization Guide does not cover the special naturalization provisions for members of the U.S. Armed Forces and veterans. Please contact our firm for related information.

² Available on request from our firm.

³ <http://lawandborder.com/expeditious-naturalization-for-spouses-of-u-s-citizens-employed-abroad/>.

⁴ <http://lawandborder.com/advantages-of-us-naturalization-versus-keeping-chinese-citizenship/>.

⁵ Note that a child may derive citizenship from a parent who naturalizes if the child meets the following criteria: (a) the child resides in the U.S. as a lawful permanent resident (LPR) in the legal and physical custody of the U.S. citizen parent; (b) the child is under age 18 when becoming an LPR; and (c) the parent is a U.S. citizen before the child

2.2 CONTINUOUS RESIDENCE IN THE U.S. AFTER BECOMING A LAWFUL PERMANENT RESIDENT

THE GENERAL RULE

To be naturalized as a U.S. citizen, an applicant must ordinarily prove that “immediately preceding the date of filing [their] application for naturalization [they have] resided continuously, after being lawfully admitted for permanent residence⁶, within the United States for at least five years ..., and [they have] resided continuously within the United States from the date of the application up to the time of admission to citizenship....”⁷

Residency is defined as the applicant’s “principal, actual dwelling place in fact, without regard to intent.”⁸ The purpose of the residence requirement is to establish a period of probation during which an applicant might be enabled to learn English, to be familiarized with U.S. customs and institutions, to shed foreign attachments, to acquire attachment to the principles of the U.S. Constitution and government, to demonstrate law-abiding conduct, and generally to prove fitness to be accepted as a citizen of the U.S.⁹

The length of the continuous residence requirement is different than the normal 5 years under the following scenarios:

- The continuous residence requirement is 3 years for an applicant who immediately preceding the filing of the application has been married to and living in a “marital union” with a U.S. citizen who has been a U.S. citizen for all 3 years.¹⁰ The term “marital union” means “actually resid[ing] with his or her current spouse.”¹¹ Marital union can be lost through divorce, death, expatriation, or legal or informal separation (but not involuntary separation).¹²
- The continuous residence requirement is 3 years for a person who obtained LPR status by reason of their status as a spouse or child of a U.S. citizen who battered or subjected them to extreme cruelty, as long as

reaches age 18.

⁶ You must have been lawfully entitled to LPR status. In other words, a person who was granted LPR status although not entitled to it is ineligible for naturalization. *Matter of Longstaff*, 716 F.2d 1439 (5th Cir. 1983), cert. den’d, 467 U.S. 1219 (1984).

⁷ INA §316(a).

⁸ INA §101(a)(33). See 8 C.F.R. §316.5(a) (similar regulatory definition); AFM 74.2(b)(10)(B) (

⁹ *U.S. v. Mulvey*, 232 Fed. 513 (2d Cir. 1916).

¹⁰ INA § 319(a).

¹¹ The statute count the 3 years “immediately preceding the date of filing” the N-400, but the regulations count the three years “preceding the date of examination” on the N-400. Compare INA § 319(a) with 8 C.F.R. § 319.1(a)(3). USCIS admits that the regulations are void where they conflict with the statute. AFM ch. 74.2(e)(2)(A).

¹² 8 C.F.R. § 319.1(b)(1).

¹³ 8 C.F.R. § 319.1(b)(2).

the U.S. citizen has had citizen status during the entire 3-year period.¹⁴

- Certain LPRs married to U.S. citizens stationed or employed abroad do not have any continuous residence requirement¹⁵ if the citizen spouse is employed by the U.S. Government (including the U.S. Armed Forces); an American research institution recognized by the Attorney General; recognized U.S. religious organizations; “an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, or a subsidiary thereof”¹⁶; or certain public international organizations involving the U.S. (Ask our firm for further information).

Naturalization rules allow an applicant to file their naturalization application as early as “3 months before the date the applicant” meets the continuous residence requirement.¹⁷

ABSENCES IN GENERAL

Absence from the U.S. may break the required period of continuous residence.

Moreover, prolonged or frequent absences may raise the issue of whether the applicant has abandoned their permanent residence, i.e., left the U.S. without the intent to return to remain permanently here. If USCIS believes that a naturalization applicant has abandoned their permanent residence, USCIS may place the applicant in removal proceedings in which an Immigration Judge will determine whether the applicant should be deported. Persons with such absences should contact legal counsel to discuss this issue in detail.

Persons subject to prolonged or frequent absences should seek advice about whether it’s appropriate to apply for a reentry permit as part of their strategy to avoid abandonment of permanent resident status.

ABSENCE FOR A CONTINUOUS PERIOD OF ONE YEAR OR MORE

Absences from the U.S. for a continuous period of 1 year or more absolutely shall disrupt the continuity of residence, except if USCIS has approved a Form N-470, Application to Preserve Naturalization for Naturalization Purposes, as discussed below.¹⁸

A person whose continuous residence is broken due to an absence in excess of 1 year may file an application for naturalization 4 years and 1 day following the date of their return to the U.S. to resume permanent residence.¹⁹

¹⁴ INA §319(a).

¹⁵ Such LPRs also are exempt from the physical presence and state or district residence requirements described below. 8 C.F.R. § 319.2(a)(6).

¹⁶ INA § 319(b)(1).

¹⁷ INA §334(a).

¹⁸ 8 CFR §316.5(c)(1)(ii).

¹⁹ 8 CFR §316.5(c)(1)(ii).

ABSENCE FOR A CONTINUOUS PERIOD OF BETWEEN SIX MONTHS AND ONE YEAR

According to statute, an absence of “more than six months²⁰ but less than one year” presumably “break[s] the continuity of residence unless the applicant shall establish to the satisfaction of [USCIS] that he did not in fact” do so.²¹ USCIS regulations explain in more detail that the continuity of residence for naturalization purposes can be broken even if the applicant has not requested tax classification as a “nonresident” and has not lost permanent resident status due to abandonment. Further:

The types of documentation which may establish that the applicant did not disrupt the continuity of his or her residence in the United States during an extended absence include, but are not limited to, evidence that during the absence:

- (A) The applicant did not terminate his or her employment in the United States;
- (B) The applicant’s immediate family remained in the United States;
- (C) The applicant retained full access to his or her United States abode; or
- (D) The applicant did not obtain employment while abroad.²²

Besides the factors specified by USCIS, other factors which perhaps may be relevant include:

- the specific length of your trip abroad;
- the purpose of your trip abroad and the purpose of your return to the U.S.;
- whether unforeseen circumstances caused an unavoidable delay in returning to the U.S.;
- whether prior to departing the U.S. or while abroad you had specific plans you intended to return to the U.S. to carry out;
- where your children attend school;
- whether you have real estate or personal property in the U.S. or abroad;
- whether you purchased or rented a residence abroad;
- whether you have bank or other financial accounts in the U.S. or abroad;
- whether you filed U.S. income taxes as a resident during the period in question;
- whether your U.S. income taxes included a Form 2555 claimed a foreign-earned income exclusion under the “bona fide residence rule”²³;

²⁰ USCIS interprets “more than six months” to mean “more than 181 days”

²¹ INA § 316(b).

²² 8 CFR §316.5(c)(1)(i).

²³ According to USCIS, claiming the FEIE under the bona fide residence prong will “most likely” interrupt continuous residence in the U.S.:

- whether you returned to the U.S. with a reentry permit; and
- whether upon departing the U.S. you held a return ticket.

ABSENCE FOR A CONTINUOUS PERIOD SHORTER THAN SIX MONTHS

The statute is silent as to whether an absence from the U.S. shorter than six months can break the required period of continuous residence.

The Supreme Court has said in dicta that such short absences do not break continuous residence.²⁴

Similarly, scholars have interpreted the silence to mean that, unlike absences of six months or more, such short absences are unimportant. After all, if Congress

The use of IRS Form 2555 by an applicant should be a warning to you that the alien might not be eligible for naturalization. You will need to develop facts pertaining to the applicant's residence, absences, continuity of residence, and physical presence....

If the legal permanent resident declared himself or herself to be a **bona fide resident** of a foreign country on IRS Form 2555, that means the alien declared to the IRS that he or she went abroad for an **indefinite or extended period**. He or she intended to establish **permanent** quarters outside of the United States and he or she openly declared residence in a foreign country. [See IRS Publication 54, Chapter 4.] The applicant applying for naturalization after openly declaring residence in a foreign country on an official United States Government form will **most likely** be unable to fulfill the residence requirement for naturalization (see 8 CFR 316(c)(2)).

If the legal permanent resident declared himself or herself to be **physically present** in a foreign country on IRS Form 2555, it only means that the applicant met the IRS's physical presence test to have a proportion of his or her income excluded from United States taxes. The applicant has not declared residence in a foreign country. [See IRS Publication 54, Chapter 4.] Eligibility for naturalization purposes may be affected if the applicant fails to establish that he or she meets the physical presence requirements or fails to establish that the absence of more than six months but less than one year did not result in abandonment of LPR status. If the applicant applying for naturalization has sufficient physical presence in the United States for naturalization purposes or can establish that his or her LPR status was not abandoned, then the applicant can still be eligible for naturalization (see Part 3 of the Form N-400).

AFM 74.2(g)(9)(B). In certain cases, one option may be for the individual to forego the FEIE and pay the tax.

²⁴ "Section 316 of the 1952 Act, 66 Stat. 242-243, 8 U.S.C. s 1427, which liberalized previous law in some respects, provides that an alien who wishes to seek naturalization does not begin to endanger the five years of 'continuous residence' in this country which must precede his application until he remains outside the country for six months." *Rosenberg v. Fleuti*, 374 U.S. 449, 459 (1963).

would have meant for short absences to interrupt continuous residence, it would have said so.²⁵

But the following contrary example of a naturalization applicant working abroad is included in administrative guidance²⁶:

The applicant filed Form N-400 on September 8, 1999.... However, on June 15, 1999, he was sent overseas on an assignment by his employer, which is not an American corporation. He appeared for his interview on January 24, 2001. He informed the examining officer that he was on temporary work assignment in the U.K. and Russia. He acknowledged that he was at that time residing abroad with his spouse and children and gave his address in England. He was not gone for more than six months at any time, but his trips back to the U.S. from June 1999 to January 2001 were brief and sporadic.

The application should be denied for lack of continuous residence under Section 316 of the Act. He failed to reside continuously in the U.S. from the date of application for naturalization up to the time of admission to citizenship.

According to this guidance, the temporary work assignment abroad broke continuous residence. The guidance doesn't see the 6-month and one-year rules as the exclusive way to break continuous residence. Instead, the guidance also looks to the general definition of "residence" as one's principal abode and asks whether multiple absences under six months imply that the applicant has given up his or her principal abode in the U.S. The guidance stresses that the "overall context of facts and evidence"²⁷ should be taken into account, similar to the way multiple factors must be taken into account to determine if an applicant out for 6 months can overcome the presumption that continuous residence has been interrupted.²⁸

²⁵ This is basically the canon of interpretation known as "expressio unius est exclusio alterius" (the expression of one thing implies the exclusion of others). 7 Charles Gordon, et al., *Immigration Law and Procedure*, § 95.02[4][a](2004) ("[a]bsence from the United States of six months or less does not affect the continuity of residence. The statute does not mention such absences, but manifestly sanctions them in the light of the specific directives" regarding six-month and one-year absences.) See *Dhillon v. Regents of the Univ. of Calif.*, OCAHO Case No. 92B00097 (Mar. 10, 1993) (citing Gordon). See also Daniel Levy, *U.S. Citizenship and Naturalization Handbook* § 7.5 (Sept. 2008) ("[T]he statute by implication provides that absences of less than six months are unimportant for purposes of the five years of continuous residence prior to naturalization."). The canon of "generalia specialibus non derogant" (the general does not detract from the specific) also appears to apply here: the general statutory definition of "residence" at § 101(a)(33) shouldn't be used to modify the meaning of the specific definition of continuous residence at § 316(b).

²⁶ AFM ch. 74.2(b)(10)(B).

²⁷ AFM ch. 73.3(c).

²⁸ See also Julie G. Muniz and Lyndsey Yoshino, *Home on the Range: Establishing Continuous Residence and Physical Presence for Naturalization Purposes*, in AILA, *Immigration Practice Pointers*, 226-231 (2012) (stating, without citing authority, that "where an LPR keeps a

The administrative guidance provides a plausible—but in my opinion incorrect—alternative to the interpretation of the Supreme Court and commentators.²⁹ To my knowledge, no case or scholarly article has cited this guidance³⁰, so it’s not the prevailing view. Still, it’s possible that an officer could cite the guidance as the basis for denial of a naturalization application for an applicant whose U.S. trips are just “brief and sporadic.”

USE OF THE FORM N-470 TO PRESERVE CONTINUOUS RESIDENCE

In narrow circumstances, absence from the U.S. will not break the continuity of residence required for naturalization if the applicant files with USCIS a Form N-470, Application to Preserve Residence for Naturalization Purposes, showing that they will be absent from the U.S. under the following circumstances³¹:

- After lawful admission for LPR status, they have been physically present and residing in the U.S. for an uninterrupted period of at least 1 year.³²
- The applicant must be employed by or under contract with the U.S. government or an American institution or research recognized as such by the Attorney General, or be employed by an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the U.S., or a subsidiary thereof more than 50% of whose stock is owned by an American firm or corporation, or be employed by a public international organization of which the U.S. is a

home in the United States and enters once every six months (or more), the continuous residence can still be considered interrupted.”)

²⁹ Cf. *In re Romalez-Alcaide*, 23 I. & N. Dec. 423, 2002 WL 1189034 (BIA 2002) (Although the cancellation of removal statute at INA § 240A(d)(2) says certain periods abroad can break “continuous physical presence,” that’s not meant to be “exclusive,” and deportation breaks it too.)

³⁰ One commentator points out that some officers achieve the same result by “clubbing two back-to-back lengthy trips” under 180 days to say that the 6-12 month absence rule applies. Gary Endelman, *The Enigma of Disruption: What Continuity of Residence in Naturalization Really Means*, 17 *Bender’s Immigration Bulletin* 1427, 1439 (Aug. 1, 2012). Of course, this savages the statute and 8 C.F.R. § 316.5(c)(1)(i), which refers to “[a]bsences from the United States for *continuous* periods of” 6-12 months. (Emphasis added).

³¹ Like a reentry permit, an N-470 serves as prima facie evidence that an LPR who has left the United States has not abandoned his LPR status. See 9 Foreign Affairs Manual N9 to 8 CFR §42.22 (“It would be inconsistent to permit time spent abroad [when an N-470 has been approved] to be applied for residence for naturalization purposes, but to interpret that same time abroad as interruptive of residence for the purpose of retaining LPR status. Thus, if an alien qualifies for the benefits [of an N-470] it may be considered prima facie evidence that the alien is entitled to the status of a returning resident...”); *Matter of John*, 17 I&N Dec. 534 (RC 1980) (Pointing to the same inconsistency as the Foreign Affairs Manual, USCIS held that an a person who would be eligible for approval of an N-470 has not abandoned LPR status, even though they never actually filed an N-470). However, our firm may recommend that you apply for a reentry permit too because only the reentry permit serves as a travel document for an LPR who has been outside the U.S. for 1 year or more.

³² In the case of a person employed by the CIA, the 1 year of uninterrupted physical presence in the U.S. may take place at any time prior to filing the naturalization requirement.

member by treaty or statute. Or the applicant must be absent temporarily from the U.S. solely for the purpose of performing the ministerial or priestly functions of such religious denomination, or serving as a missionary, brother, nun, or sister.

- Before the expiration of 1 year of continuous absence from the U.S., the person must file a Form N-470 proving to the USCIS that your absence from the U.S. is for the purpose of the specified employment.

Contact our firm for further information.

2.3 PHYSICAL PRESENCE REQUIREMENT

The “physical presence” requirement for naturalization is that “during the five years [or 3 years for applicants who need to prove only 3 years of continuous residence] immediately preceding the date of filing [the naturalization] application,” a person must have been “physically present” in the U.S. “for periods totaling at least half of that time.”³³

Note that the approval of an N-470 or reentry permit does not relieve a person of the physical presence requirement, except in the case of a religious worker or person employed by, or under contract with, the U.S. government.³⁴

2.4 RESIDENCE WITHIN A STATE OR USCIS DISTRICT

According to Congress, a naturalization applicant must show that “immediately preceding the filing of the application” they have “resided within the State or within the [USCIS District] in which the applicant filed the application for at least three months.”³⁵

There are special provisions for military personnel, applicants who are currently students³⁶, commuter aliens, and persons who reside in multiple states.³⁷

³³ INA §316(a).

³⁴ INA §316(c), 317(3). Under this provision, the time that religious workers or those employed by, or under contract with, the U.S. government are abroad counts towards the physical presence naturalization requirement.

³⁵ 8 C.F.R. §316.2; INA §316(a).

³⁶ Students attending an educational institution in a state or district other than their home residence may apply either (a) where the institution is located, or (b) where their home residence is located, if “financially dependent” upon their parents at the time the application is filed and during the naturalization process. 8 C.F.R. § 316.5(b)(2); USCIS M-476, p. 24. The Internal Revenue Service guidelines for determining whether a child qualifies as “dependent” for tax purposes may be relevant to determining whether a child is “financially dependent” for naturalization purposes.

³⁷ 8 C.F.R. § 316.5(b)(4) (“If an applicant claims residence in more than one State, the residence for purposes of this part shall be determined by reference to the location from which the annual federal income tax returns have been and are being filed.”).

Regulations also discuss the effect on state residence of absences abroad.³⁸ If the absence is less than 1 year, state residence continues to be where the applicant last resided. If the applicant returns to that state or district, the applicant can count from the date when he or she first established residence (including periods abroad) for purposes of meeting the state residence requirement. If the applicant establishes a residence in a new state or district, the applicant must reside there for three months before filing.

2.5 GOOD MORAL CHARACTER

A person applying for naturalization must prove good moral character. A person can never establish good moral character if convicted of murder, or if convicted of an “aggravated felony” after November 29, 1990.

An applicant must show good moral character during the statutory period--typically 5 years immediately preceding the filing of the application, or 3 years if married to a U.S. citizen or 1 year for Armed Forces expedite--and during the time the naturalization application is pending. During this period, a person will not be able to establish good moral character if he or she³⁹:

- Has committed and been convicted of one or more crimes involving moral turpitude, with certain exceptions
- 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 U.S.
- Is or has been a habitual drunkard⁴⁰
- Is practicing or has practiced polygamy
- Has willfully failed or refused to support dependents

³⁸ 8 C.F.R. § 316.5(b)(5) provides:

(5) Residence during absences of less than one year.

(i) An applicant's residence during any absence of less than one year shall continue to be the State or Service district where the applicant last resided at the time of the applicant's departure abroad.

(ii) Return to the United States. If, upon returning to the United States, an applicant returns to the State or Service district where the applicant last resided, the applicant will have complied with the continuous residence requirement specified in § 316.2(a)(5) [state residence requirement] when at least three months have elapsed, including any part of the applicant's absence, from the date on which the applicant first established that residence. If the applicant establishes residence in a State or Service district other than the one in which he or she last resided, the applicant must complete three months at that new residence to be eligible for naturalization.

³⁹ 8 C.F.R. § 316.10(b)(2).

⁴⁰ A “habitual drunkard” is akin to a chronic alcoholic. *Matter of H-*, 6 I&N Dec. 614, 616 (BIA 1955).

- Has given false testimony, under oath, in order to receive a benefit under the Immigration and Nationality Act.

Moreover, a person may be found to lack good moral character even if they do not fit within the above-mentioned categories. Good moral character determinations are made according to the facts of each case applying the standard of the average person in the community.⁴¹ USCIS is supposed to apply a balancing test, weighing the positive factors against the negative factors. For example, USCIS considers the following factors to be evidence of lack of good moral character:

- Willfully failing or refusing to support dependents
- Having an extramarital affair which tended to destroy an existing marriage
- Committing unlawful acts that reflect adversely upon the applicant's good moral character even though those acts do not statutorily bar the applicant for establishing good moral character
- Knowing and willful failure to register with Selective Service
- Failure to file tax returns or pay taxes. But an applicant who did not originally file tax returns or did not pay the appropriate taxes may be able to establish good moral character by submitting a letter from the tax authority indicating that: the applicant has filed the appropriate forms and returns; and the applicant has paid the required taxes, or has made arrangements for payment.⁴²

Finally, USCIS is not absolutely limited to the statutory period in determining whether an applicant has established good moral character. USCIS may look into events that occurred outside the statutory period, "if the conduct of the applicant during the statutory period does not reflect that there has been reform of character from an earlier period or if the earlier conduct and acts appear relevant to a determination of the applicant's present moral character."⁴³

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

2.6 ENGLISH LANGUAGE ABILITY

Applicants for naturalization must be able to read, write, speak, and understand words in ordinary usage in the English language. The naturalization interview includes a test of:

Reading: You may be asked to read out loud parts of the N-400; to read a set of civics questions and then answer them; or to read several simple sentences out

⁴¹ *Matter of Gantus-Bobadilla*, 13 I&N Dec. 777 (BIA 1971).

⁴² USCIS Policy Manual, vol. 12, Part F, ch. 5. If the officer uncovers inconsistencies in facts submitted on the application for naturalization and material elements on the applicant's tax return, such as marital status, number of children, and employment, the applicant may be precluded from establishing good moral character due to an attempt to defraud the Internal Revenue Service (IRS) by avoiding taxes.

⁴³ 8 CFR §316.10(a)(2); see INA §316(e).

loud. In order to pass, you must read one out of three sentences in a manner that a USCIS officer would be able to understand.

Writing: In order to test your writing skills, the USCIS officer will read three sentences to you and ask you to write them down. In order to pass, you will need to write at least one sentence in a manner that a USCIS officer would be able to understand.

Speaking: Your speaking ability will be tested when you answer questions about yourself and your application during your interview.⁴⁴

Applicants exempt from this English language requirement are those who *on the date of filing*:

- Have been residing in the U.S. subsequent to a lawful admission for permanent residence for at least 15 years and are over 55 years of age⁴⁵;
- Have been residing in the U.S. subsequent to a lawful admission for permanent residence for at least 20 years and are over 50 years of age⁴⁶; or
- Have a medically determinable physical or mental impairment, where the impairment affects the applicant's ability to learn English.

2.7 KNOWLEDGE OF U.S. GOVERNMENT AND HISTORY

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 U.S.

In the government and history test, you will be asked to verbally answer ten civics questions. To pass, you must answer 60% of the questions correctly. It is critical that you should study enough that you are well prepared for the civics test. You can practice by studying the 100 sample questions and answers available at <http://www.uscis.gov/citizenship/learners/study-test/study-materials-civics-test>. The questions in the actual test nearly always are chosen from these samples. You can find other test preparation materials, including a “self-test,” on the same webpage..

Applicants exempt from the test 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 about U.S. history and government.

Also, 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.⁴⁷

⁴⁴ USCIS Form M-476: A Guide to Naturalization, p. 37.

⁴⁵ INA § 212(b)(2).

⁴⁶ INA § 212(b)(2).

⁴⁷ INA § 312(b)(3). Special consideration has been determined to be a test of 10 out of 25 civics questions in the person's language where they need only answer 6 correctly.

2.8 MEDICAL DISABILITY WAIVER

Persons who are physically or developmentally disabled or have a mental impairment are exempt from the English language and history and government requirements.⁴⁸ This may include elderly persons who suffer from Alzheimer's, Parkinson's disease, senile dementia or a related disease.⁴⁹ A medical doctor, osteopath, or clinical psychologist "experienced in diagnosing" these disabilities must complete a Form N-648, Medical Certification for Disability Exceptions, to be filed with the N-400.⁵⁰ The applicant must still meet the oath requirement, described below, except that it may be waived if the applicant is unable to understand or communicate the meaning of it.⁵¹ A designated representative of a person who is developmentally or physically disabled or suffering from a mental impairment may complete the N-400 examination (including the oath), by attesting orally and through affidavit and submission of documentary evidence that the person qualifies for naturalization. The representative may be a legal guardian or court recognized surrogate, or in the absence of these, a U.S. citizen spouse, parent, adult son or daughter or adult sibling. A licensed medical or osteopathic doctor or a licensed clinical psychologist must provide an evaluation attesting to the severity of the applicant's impairment and how it affects his or her ability to take the oath.⁵²

The N-648 must be certified by the physician or psychologist under penalty of perjury and must contain: (1) the clinical diagnosis and the appropriate code from the Diagnostic and Statistical Manual of Mental Disorders, 4th Edition, better known as the DSM-IV; (2) a description of the disability or impairment; (3) the dates of examination; (4) a description of the doctor-patient relationship indicating whether the medical professional completing the form regularly treats the applicant for the conditions listed on the Form N-648, and if not, an explanation why he or she, as opposed to the regularly treating medical professional, is completing the form; (5) an assessment that the medical condition has lasted or is expected to last more than 12 months; (6) whether the medical condition is the result of illegal use of drugs; (7) and explanation of what caused the medical condition, if known; (8) a description of the clinical methods used to diagnose the applicant's medical condition; (9) a description of the applicant's medical condition and its effect on the applicant's ability to comply with the educational requirements for

Memo, Crocetti, Assoc. Comm., Adjudication, CO 70/33.2-P (Dec. 22, 1995), reprinted in 73 No. 3 Interpreter Releases 66, 86 (Jan. 16, 1996).

⁴⁸ INA §312(b)(1); 8 C.F.R. §312.1(b)(3); 8 C.F.R. §312.2(b)(1); 62 FR 12915, 12923 (Mar. 19, 1997); AFM at 72.2(d)(5); AFM 74.3.

⁴⁹ Policy Memorandum No. 47, Pearson, Ex. Assoc. Comm., Field Operations (HQ 70/33-P) (Apr. 7, 1999), reprinted in 76 No. 17 Interpreter Releases 677, 693–711 (May 3, 1999), published on AILA InfoNet at Doc. No. 99041420.

⁵⁰ 8 C.F.R. §312.2(b)(2).

⁵¹ INA §337(a); AFM at 72.2(d)(5)(H); *Galvez-Letona v. Kirkpatrick*, 54 F.Supp.2d 1218 (D. Utah 1999); Memo, Cooper, G.C. INS (Mar. 13, 2002), reprinted in 80 No. 16 Interpreter Releases 570, 592–96 (Apr. 21, 2003), published on AILA InfoNet at Doc. No. 03060641 [Rehabilitation Act of 1973 applies and disabled person may have guardian or other proxy regarding oath].

⁵² Memo, Yates, Acting Assoc. Director, BUSCIS, HQISD 70/33 (June 30, 2003), published on AILA InfoNet at Doc. No. 03071544.

naturalization (nexus); (10) the educational requirements with which the applicant cannot comply because of the medical condition; and (11) an indication whether an interpreter was used or a statement that the medical professional is fluent in the applicant's language.⁵³ It is not the role of USCIS to evaluate or question the medical validity of the opinion as the officer's responsibility extends to determining the completeness of the form.⁵⁴ The officer's role is to ensure that the N-648 relates to the applicant, that it fully addresses the questions about the underlying medical condition and the nexus between the condition and the educational requirements.⁵⁵ The "absence of a reported medical condition on other immigration-related records ... by themselves, does not form the basis to question the sufficiency of the Form N-648."⁵⁶ The N-648 can be used to seek an exemption from some (e.g. English but not civics) or all of the education requirements but the officer should not infer anything about the applicant's ability to comply because he can comply with some requirements.⁵⁷ The officer should also not infer ability to comply because the applicant works or does other activities that might imply certain abilities.⁵⁸ Moreover, the officer may not: (i) require the applicant complete specific medical, clinical or laboratory diagnostic test; (ii) develop and substitute his own diagnosis; (iii) use test to challenge the applicant's diagnosed medical condition; (iv) refer the applicant to another authorized medical professional because the person sought the care and medical services of a professional who shares his language, culture or nationality; (v) request to see the applicant's medications; or (vi) request his medical records.⁵⁹ However, if there are facial misrepresentations on the form, the N-648 is incomplete, the interpreter's certification is not complete or an indication that the person was not examined by the medical professional described on the N-648, the officer must first question the applicant. The officer may then refer the matter to FDNS and if she believes the N-648 is insufficient proceed with the N-400 interview including the educational requirements.⁶⁰

2.9 ATTACHMENT TO THE CONSTITUTION

An applicant must show that he or she is attached to the principles of the Constitution of the United States. One may declare attachment to the Constitution when you take the Oath of Allegiance.⁶¹

2.10 TAKING THE OATH OF ALLEGIANCE

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

⁵³ AFM at 74.3(d)(1).

⁵⁴ Policy Memorandum, USCIS, PM-602-0019 (Dec. 14, 2010) (Interim), published on AILA InfoNet at Doc. No. 10122333.

⁵⁵ AFM at 74.3(d)(2)(A).

⁵⁶ AFM at 74.3(d)(2)(B).

⁵⁷ AFM at 74.3(d)(2)(C).

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰

⁶¹ USCIS Form M-476: A Guide to Naturalization, p. 28.

- 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.⁶²

The specific language of the oath is as follows:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and the laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God.⁶³

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, USCIS will permit these applicants to take a modified oath.

3. RED FLAG SITUATIONS

Be sure to alert our firm if any of the following situations may apply to you. Some of these situations may lead to denial of your naturalization application. Some of these situations may make you deportable from or inadmissible to the United States. You should not apply for naturalization if you are deportable from or inadmissible to the United States because USCIS may discover your situation and seek to deport you or block your entry to the country. Our firm can provide you with further advice once we are aware of the issue.

1. After getting your green card, you made a trip out of the U.S. for more than 6 months or moved to another country.
2. You have ever committed a crime, or have ever been arrested or convicted (even if charges were dismissed, you were found not guilty, or the record was expunged), or have ever been on probation, parole, or supervision.
3. You committed fraud to get your green card or to get some other immigration benefit, or you have claimed to be a U.S. citizen or registered to vote or voted illegally in the U.S. in the past, or you

⁶² *Id.*

⁶³ *Id.*

weren't originally eligible for your green card when you got it, or information on your naturalization application contradicts information you gave USCIS in the past.

4. You have been involved in prostitution or procurement of prostitutes.
5. You have advocated or practiced polygamy.
6. You helped someone else enter the U.S. illegally, even if it was a relative.
7. You have made a living by illegal gambling.
8. You have been a habitual drunkard, a drug addict, or have ever used illegal drugs.
9. You have been a member of the Communist party or a totalitarian party, an anarchist, or an advocate of sabotage or political assassination.
10. You have persecuted others.
11. You have willfully failed to support your spouse or children, including paying any child support ordered by a court.
12. Since becoming a permanent resident, you failed to file your federal income tax return or failed to tell the truth in a tax return.
13. You were required to but nonetheless failed to register with Selective Service. Males who lived in the U.S. at some point while 18 to 25 years old in any status besides lawful nonimmigrant status must register. (Lawful nonimmigrant status includes, e.g., F-1 students, H-1B temporary workers, J-1 exchange visitors).
14. You have ever been charged with committing domestic violence, child abuse, or child neglect.
15. You lied or committed fraud to receive or to continue to receive public benefits.
16. You are in deportation or removal proceedings now or have been in the past.
17. You were a J-1 exchange visitor to the U.S. subject to the 2-year foreign residence requirement but you never complied with that requirement or obtained a waiver of it.

4. APPLICATION PROCEDURES

4.1 COORDINATING THE N-400 WITH A FORM I-751, PETITION TO REMOVE CONDITIONS ON RESIDENCE

It's possible to apply for naturalization while still a conditional resident. If the 90-day period to file the Form I-751, Petition to Remove Conditions on Residence, has not yet begun, such as in the case of an applicant for expeditious naturalization under section 319(b) of the Act, the N-400 can be filed first.⁶⁴ If

⁶⁴ You'll still be required to prove, at the time of your naturalization interview, that the qualifying marriage was entered into in accordance with the laws of the place where the

you have already filed your I-751, notify the USCIS office handling your naturalization case so that the I-751 can be adjudicated at the same time as the naturalization application.⁶⁵

4.1 DOCUMENTS TO BE FILED

Our firm will work with you to prepare the naturalization application. For a list of commonly required supporting documents, see the USCIS Form M-476, *A Guide to Naturalization* (rev. 2012-03). Our firm will prepare a customized list of documents needed according to your particular case. Typical documents to be filed are listed below. For the supporting documents, file copies and be prepared to bring the original document to your interview for inspection by the USCIS officer.

Forms, Fees, and Photos

1. Filing fees: Effective Dec. 23, 2016, there are three levels of fees for naturalization applications⁶⁶:
 - a. Standard fee: The standard fee increases from \$595 to \$640. The additional biometrics fee (not applicable if you are age 75 or older or are filing under the military provisions⁶⁷) remains at \$85.
 - b. Reduced fee: The fee is \$320 for applicants with family income greater than 150% but not more than 200% of the Federal Poverty Guidelines. The biometrics fee still applies as described above. File Form I-942, Request for Reduced Fee.
 - c. Fee Waiver: For applicants with family income at or under 150% of the Federal Poverty Guidelines, the filing fee and biometrics fee are waived. File Form I-912, Request for Fee Waiver.

You can pay by one of the following methods:

- Credit card (Visa, MasterCard, American Express, or Discover) using Form G-1450, Authorization for Credit Card Instructions; or
 - Write separate checks, money orders, or cashier's checks in the above amounts. (Write you're A# on the back.)
2. Form G-28, Notice of Appearance as Attorney
 3. Form G-1145, E-Notification of Application or Petition Acceptance
 4. Form N-400

marriage occurred; has not been judicially annulled or terminated; was not entered into for the purpose of procuring an alien's admission as an immigrant; and that no fee or other consideration was given for filing the immigrant or fiancée visa petition that forms the basis for admission to the United States.

⁶⁵ USCIS Honolulu, *Naturalization FAQ Sheet for Spouse of a U.S. Citizen Regularly Stationed Abroad: The Honolulu Process* (May 10, 2004), <http://tokyo.usembassy.gov/pdfs/wwwf319b.pdf>.

⁶⁶ USCIS Fee Schedule, 81 Fed. Reg. 73292 (Oct. 24, 2016) (to be codified at 8 C.F.R. § 103.7).

⁶⁷ See USCIS, *N-400, Application for Naturalization* (rev. Feb. 4, 2014), <http://www.uscis.gov/n-400>.

5. If you reside overseas: two identical photos per USCIS instructions, with your name and A# written lightly in pencil on the back.⁶⁸

Common Supporting Documents

6. Copy of both sides of applicant's Form I-551, Permanent Resident Card (if applicable).
7. Birth certificate⁶⁹
8. If your current legal name is different from the name on your Permanent Resident Card, send the document that legally changed your name (e.g., marriage certificate, divorce decree, or court document).

Supporting Documents for Naturalization Based on Marriage

9. Evidence that your spouse has been a U.S. citizen for the last 3 years (birth certificate, certificate of naturalization, certificate of citizenship, or inside front cover and signature page of U.S. passport; or Form FS-240, Report of Birth Abroad of a Citizen of the United States of America)
10. Your current marriage certificate. (If applicable, provide a copy of the marriage license/register too).⁷⁰
11. Proof of termination of all your prior marriages (divorce decrees; annulments; and death certificates)
12. Proof of termination of all prior marriages of your spouse (divorce decrees; annulments; and death certificates)
13. Tax returns for you both for the last 3 years'
14. Birth certificates of children
15. Any of the following which are available and refer to you and your spouse:
 - a. Bank accounts
 - b. Leases
 - c. Mortgages

Supporting Documents for Expeditious Naturalization under Section 319(b)

16. A cover letter directed to the USCIS office where the case will be filed advising them that:
 - a. You are applying for expeditious naturalization under INA § 319(b).
 - b. If you are residing overseas, say so;
 - c. Specify the USCIS office where you wish to be interviewed and naturalized.
 - d. The dates you will be available and unavailable for interview, including the date you plan to depart from the U.S.
17. An declaration or affidavit from an officer of citizen's employer who has access to relevant company records and states:
 - a. the name of the employer and nature of the employer's business;

⁶⁸ See Email, USCIS Public Engagement Division to Stakeholders, *Updates to Filing Form N-400, Application for Naturalization* (Sept. 22, 2016) (photographs no longer required unless applicant resides overseas).

⁶⁹ USCIS Washington Field Office Interview Notice (2016), on file with the author.

⁷⁰ USCIS Washington Field Office Interview Notice (2016), on file with the author.

- b. whether the employing entity is owned in whole or in part by United States interests (e.g., date and state of incorporation, that the corporation is currently in good standing);
 - c. whether the employing entity is engaged in whole or in part in the development of the foreign trade and commerce of the United States;
 - d. the nature of the activity in which the citizen spouse is engaged. (It may also be helpful to explain the type of employment, such as contract employment or regular employment); and
 - e. the anticipated period of employment abroad.
18. A statement from the applicant regarding whether the applicant intends to reside abroad with the citizen spouse and whether the applicant intends to take up residence within the U.S. immediately upon the termination of the spouse's employment abroad.⁷¹ (At the time of the interview, it can also be helpful for an applicant not already living abroad to have ready a flight itinerary to move there).
19. Travel itinerary reflecting a departure from the U.S. within 45 days from the date of the interview.

Miscellaneous Supporting Documents

20. If you have taken any trip outside the United States that lasted 6 months or more since becoming a Lawful Permanent Resident, send evidence that you (and your family) continued to live, work and keep ties to the United States, such as:
- a. An IRS tax return "transcript" or an IRS-certified tax return listing tax information for the last 5 years (or for the last 3 years if you are applying on the basis of marriage to a U.S. citizen).
 - b. Rent or mortgage payments and pay stubs.
21. For any arrest or conviction in or outside the U.S., provide certified arrest report(s), court disposition(s), sentencing report(s), and any other relevant documents. If you were placed on probation, you must provide evidence that you completed your probationary period. You do not need to bring documentation for traffic fines and incidents (unless alcohol- or drug-related) that did not involve an actual arrest if the penalty was only a fine of less than \$500 or points on your driver's license
22. Any other applicable documents listed in the USCIS Form M-476, *A Guide to Naturalization* (rev. 2012-03)

Additional documents to bring to the interview include:

- 23. State-issued driver's license or other State-issued ID.
- 24. Current and prior passports and travel documents (reentry permits or refugee travel documents)

4.2 FILING THROUGH THE LOCKBOX, ISSUANCE OF THE RECEIPT NOTICE

⁷¹ 8 C.F.R. § 319.11(a)(6), (7).

Applicants who “reside” in western states file by mail with the USCIS Lockbox in Phoenix, Arizona. Applicants who “reside” in eastern states instead file with the USCIS Lockbox in Lewisville, TX.⁷²

If you live overseas and are filing for expeditious naturalization under INA § 319(b), you can choose the USCIS field office where you want to be interviewed. The USCIS offices in Washington, DC, and Honolulu, Hawaii, routinely handle expeditious naturalization cases, but you can choose to file in any office. That includes Guam, Puerto Rico, and the U.S. Virgin Islands. Some factors in choosing include: the convenience of attending an interview there; the normal wait between the interview and the naturalization ceremony; whether the ceremony will be presided over by a court (in which case the applicant can change his name as part of the ceremony) or the USCIS (in which case there is no opportunity for name change); and that offices with larger expeditious naturalization caseload tend to have a more predictable process and policy in such cases. Once you make that decision, “you should send your application to the USCIS Lockbox facility that serves the USCIS office where you want to be interviewed.”⁷³

The Lockbox scans decides whether to accept your application for processing or reject it for being incomplete (e.g., missing signature or check). If the application is accepted, the Lockbox deposits your check or money order, scans your application, issues receipt notices to the applicant and attorney, and forwards the application to the USCIS National Benefits Center.⁷⁴

The receipt notice is issued 1-2 weeks of filing. The notice, Form I-797, will show your receipt number. You can track the status of your application at www.uscis.gov by entering that number. Processing times typically hover around 6-8 months.

4.3 ROLE OF THE NATIONAL BENEFITS CENTER

The National Benefits Center performs pre-interview processing. Background checks are initiated and completed. Your USCIS file (A-file) will be requested and received. A complete file review will be performed on cases and NBC will issue a notice to the applicant if the applicant needs to bring additional evidence to the interview at the local USCIS Field Office. The file is then forwarded to the Field

⁷² 8 C.F.R. § 316.3 (Application should be filed with USCIS office with jurisdiction over the applicant’s “residence,” taking into account the rules for determining residence in special cases under 8 C.F.R. § 316.5 (military personnel, students, commuter aliens, residents of multiple states, and persons absent from the U.S. for less than one year.); USCIS, Form N-400 Instructions 6 (Jan. 22, 2009); (“For further information on where to file, including if you are overseas, read the section in the Guide titled ‘Completing Your Application and Getting Photographed’ or call the NCSC... or visit our website... and click on “Immigration Form.”); *but see* USCIS, Form M-476: A Guide to Naturalization 34 (Jan. 2009) (“If you are overseas and filing Form N-400, you should send your application to the USCIS Lockbox Facility that serves the USCIS office where you want to be interviewed.”).

⁷³ USCIS Form M-476, *A Guide to Naturalization* p.34 (rev. 2012-03)

⁷⁴ USCIS, *Lockbox Intake Questions and Answers* (Sept. 11, 2013), <http://www.uscis.gov/about-us/directorates-and-program-offices/lockbox-intake/lockbox-intake-processing-questions-and-answers>.

Office for the interview. The NBC’s goal is to have the case ready for interview and decision.

4.4 BIOMETRICS APPOINTMENT

For applicants “residing” in the U.S., once your application has been filed, the USCIS National Benefits Center will mail you a notice telling you to report to a USCIS Application Support Service at a specified time to have your fingerprints and photos taken.⁷⁵ The fingerprints are used by FBI to perform a criminal background check. Dress appropriately because this photo may later be displayed on your Certificate of Naturalization.

Local USCIS offices—not the National Benefits Center—are responsible for expediting biometrics appointments and background checks. Still, the biometrics appointment notice is issued by the National Benefits Center. If the applicant hasn’t received an appointment notice within 30 days of filing, an inquiry can be filed with the National Benefits Center.⁷⁶

For naturalization applicants who “reside” abroad, the current procedure is that the National Benefits Center will mail you a notice telling you to report to a USCIS International Office or U.S. Consulate to be fingerprinted.⁷⁷

4.5 PLACE OF INTERVIEW AND INTERVIEW LOGISTICS



APPOINTMENT NOTICE

Following the fingerprinting appointment, you will receive a notice in the mail telling you when and where to appear for an interview. Generally, the notice

⁷⁵ 8 C.F.R. § 103.2(e)(2). See Email, USCIS Public Engagement Division to Stakeholders, *Updates to Filing Form N-400, Application for Naturalization* (Sept. 22, 2016) (biometrics appointments now required for applicants residing in the U.S., even if over age 75).

⁷⁶ CSC & AILA Liaison Meeting Agenda (Nov. 19, 2008), AILA Infonet Doc. No. 08112165.

⁷⁷ 8 C.F.R. §§ 103.16, 103.17. See 76 Fed. Reg. 53763 (Aug. 29, 2011), deleting 8 C.F.R. § 103.2(e)(3) and (e)(4)(2), under which applicants residing abroad were required to “submit a properly completed Form FD-258, Applicant Card, at the time of filing the application” and were not required to pay the biometrics fee.

arrives two to six weeks before the interview. The interview will take place at an USCIS District Office near where you live.

RESCHEDULING

It is possible to reschedule the interview if you are unable to attend at the specified time.⁷⁸ However, if you fail to appear for your interview without notifying USCIS in advance, your application will be deemed abandoned.⁷⁹

DOCUMENTS TO BRING

Our firm will help you prepare a list of documents to bring with the interview.

Make sure your documents are organized so you can find them easily when the officer requests them. You might want to put them in separate folders and label them.

DRESSING FOR THE INTERVIEW

You should wear clothes that are clean and pressed (not wrinkled). This shows respect for the USCIS officer. Men can wear a shirt and pants. A coat and tie is optional. Women, a blouse or sweater with a skirt or pants.

TRANSPORTATION TO THE INTERVIEW

Arrive early. Know the exact location in advance to avoid getting lost. If you are driving, remember to plan extra time for rush hour traffic, the possibility of road construction, and difficulty finding a parking space.

WAITING ROOM

USCIS asks that you not enter the waiting room more than 30 minutes before your appointment. Be prepared to be at USCIS for about two hours.

There may be a wait before you are called for your interview, so you may want to bring something to read (for example, the questions for the civics test).

INTERPRETER

You can bring your own interpreter with you only if you qualify for the exemption that allows you to use your native language at the interview.

Your interpreter can be someone from a community agency, a friend, or a family member. Or our firm can arrange an interpreter for you. USCIS may accept your interpreter, provide a different interpreter, or use a telephone interpreter service.

⁷⁸ To reschedule your appointment, send a letter to the USCIS office where your interview is scheduled. The letter should explain your reason for not attending the interview and should request a new interview. Include a copy of your interview notice. Make sure USCIS receives this letter within 30 days of the scheduled interview. 8 C.F.R. § 335.6(a); AFM 72.3(q); M-476 at 36. USCIS will send you a notice confirming that the interview has been cancelled and later a separate notice for the rescheduled interview.

⁷⁹ 8 C.F.R. § 335.6(a).

You can also request in advance to use your own interpreter as an accommodation for a disability. This will ensure that the interpreter is someone you feel comfortable with or who speaks your dialect.

You may want to talk with your interpreter ahead of time to agree on how certain difficult words will be translated. For example: permanent resident, Bill of Rights, and judiciary.

Both the applicant and the interpreter take the oath to tell the truth at the beginning of the interview. This is an oath under the law and must be respected.

If the USCIS officer suspects that the interpreter is breaking any rules, he or she will be asked to leave and USCIS will provide another interpreter. Your interview may be rescheduled.

Advice to interpreters:

- Translate exactly what the USCIS officer or applicant says. Do not coach, add anything, or explain. Do not give helpful hints to the applicant during the interview.
- Speak only when interpreting. When not interpreting, sit quietly. Do not ask questions or interfere with the interview in any way.

LAWYER

Our law firm can represent you at your interview (or arrange for local counsel). A lawyer's role during the interview may include:

- Privately consulting with you where USCIS cannot hear the conversation;
- Objecting to inappropriate questions that invade your right to privacy should not be asked because they are not relevant to naturalization;
- Being your legal advocate by pointing out why as a matter of law and fact you qualify for naturalization and, where appropriate, pointing out where the officer may be wrong in how he or she is interpreting the facts or the law;
- Talking with a supervisor if the officer is not behaving appropriately or makes a mistake in interpreting the facts or the law that the officer is unwilling to correct; and
- For a client with disabilities, explaining the client's accommodation needs to the officer at the beginning of the interview.

If you are not represented by a lawyer, you should prepare to take on these advocacy tasks yourself.

FAMILY MEMBER OR AGENCY STAFF PERSON

USCIS generally discourages family members from accompanying you because the waiting room is too small to accommodate large numbers of people.

In a case under section 319(b) (expeditious naturalization) or based on living in marital union with a U.S. citizen spouse, the spouse's attendance of the interview is optional. In most cases, the officer will be able to adjudicate the case without interviewing the spouse. In those few cases where the officer believes that an interview of the spouse is required, a separate interview can be arranged.

If you have a disability, you may request an accommodation to bring a family member, legal guardian, or community agency staff person with you. The person can support your special physical or emotional needs.

4.6 INTERVIEW TIPS

KNOW YOUR USCIS OFFICER BY NAME AND BADGE NUMBER

It is important to always ask the officer for his or her name and badge number. Write this down and take it home with you. This will allow you to follow up with any specific problems or complaints.

EYE CONTACT

Look into the eyes of the USCIS officer when you talk to show you are honest. Direct eye contact is generally expected in the United States.

HOW TO SPEAK

Talk clearly so that the USCIS officer can understand you. Do not speak very soft or very loud. Likewise, do not speak too fast or too slow.

HOW TO ANSWER QUESTIONS

Answer only the questions asked of you. Answer the questions briefly, honestly, and directly.

YOUR POSTURE

Sit up straight and proud during the interview. This shows the USCIS officer you are confident. It can also help you feel more confident about yourself.

WHAT TO SAY IF YOU DO NOT UNDERSTAND A QUESTION

Please, can you repeat that?
Please, can you speak louder?
Please, can you speak slowly?
Please, can you repeat that in different words?

WHAT YOU SHOULD EXPECT OF THE USCIS OFFICER; WHEN YOUR USCIS OFFICER IS NOT FRIENDLY

You should expect the officer to be professional and courteous, to be fair and consistent, and to follow standard procedures and the law. If asked, your officer should tell you his or her name and badge number, repeat questions, and allow you to speak to a supervisor.

Sometimes a USCIS officer will appear rude or unfriendly. Sometimes this is his or her way to be professional. Do not let the attitude of the officer get in the way of your doing well.

In any case, it is in your best interest to treat the officer with courtesy and respect, be prepared for your test, have your documents available, and follow the officer's instructions. If your case is denied or continued, be polite and ask for details of what you should do next.

WHAT TO SAY IF YOU CANNOT REMEMBER THE ANSWER TO A TEST QUESTION

Let me think about it for a moment. I'm sure I can answer that question. I studied a lot, but I can't remember the answer to that question now. Can you ask me another one?

WHEN TO RESPOND TO QUESTIONS

Wait until the USCIS officer has finished asking you a question to respond. Do not interrupt the officer. However, do not wait too long because the officer may think you do not speak English or know the answer. Let the officer know if you need time to think about it.

SELF-CONFIDENCE

Everyone is nervous at the citizenship interview. It is an important day in your life. People do better when they are relaxed. Believe in your abilities by remembering what you have accomplished since arriving in the U.S. and what you have contributed to the country.

4.7 SEQUENCE OF THE INTERVIEW

TRUTH OATH

The interview generally begins when the USCIS officer calls your name. The officer or adjudicator will call you to his or her office. You may be asked to remain standing or to stand up and raise your right hand. The USCIS officer asks you to take an oath that you will tell the truth during your interview.

USCIS: Please remain standing and raise your right hand.

Do you promise to tell the truth and nothing but the truth, so help you God?

You: Yes, I do.

USCIS: Do you swear that all the information on your application, the documents you submitted and the information you give today is the truth?

You: Yes, I do.

UNDERSTANDING THE OATH

The officer may want to check that you understood the oath. It is a legal agreement to tell the truth. If you lie after taking the oath, you may not be able to be a citizen at this time.

USCIS: Do you understand what an oath means?

You: Yes, it is a promise to tell the truth.

ID CHECK

The officer will check your identity by asking for your green card, your native country passport, travel document, or another ID (driver's license or state ID).

USCIS: Can I see your resident alien card, passport, and other types of photo identification?

SMALL TALK

The officer may spend a minute to talk with you about everyday life. This is called "small talk." The purpose is to see if you understand basic English. Sometimes if you cannot answer basic "small talk" questions, the USCIS officer will end the interview. For example, the officer may ask:

How's the weather outside?

Is it still raining?

Did you have any problems getting here?

How was the traffic?

How did you get here?

Did you have any problems finding parking?

Have you been waiting a long time to talk to me today?

How are you feeling today?

FORM CORRECTIONS OR UPDATES

If you have any corrections or updates to your application form, tell the officer. The officer will make changes in red ink and ask you to sign the form once more at the end of the interview.⁸⁰

CHANGING YOUR NAME

In your naturalization application, you can *ask* to change your legal name from the one appearing on your green card. The officer may verify this at the time of your interview.

Please note that your request can't necessarily be *granted*. Your name can be changed if your naturalization oath ceremony is held in court, but can't be changed if USCIS conducts the ceremony. Note that certain USCIS field offices, such as the Washington Field Office, conduct naturalization oath ceremonies on

⁸⁰ AMF ch. 71.1(f)(1).

the same day of the interview, but that won't be possible if you have requested a name change since that will need to be granted by the court. USCIS has no control over the courts' schedules and no way to expedite court oath ceremonies, so a court ceremony may take place a month or more after your interview.

Please note that if you have *previously* changed your name in court, or if you want to use your married name⁸¹ or change back to your maiden name after a divorce, you can do so by (a) showing the desired name on your Form N-400 and (b) presenting evidence of the previous name change, such as the court order, marriage certificate, or divorce decree. This is possible even if your green card was issued in a different name.⁸²

SAMPLE INTERVIEW

USCIS: Hi, how are you today?

You:

USCIS: I'm Officer Jones.

You:

USCIS: Is it still raining outside?

You:

USCIS: OK, let's begin the interview. Please stand up and raise your right hand.

Do you promise to tell the truth and nothing but the truth, so help you God?

You:

USCIS: You may sit down.

You:

USCIS: Do you know what an oath is?

You:

USCIS: Do you understand why you are here today?

You:

USCIS: Why do you want to be an American citizen?

You:

USCIS: What is your name?

You:

USCIS: Have you used any other names?

You:

USCIS: Do you want to legally change your name?

⁸¹ AFM 51.4(a) ("Any USCIS document is to be issued to the individual in his or her full legal name." A "married woman may choose a legal married name (husband's surname), a legal pre-marriage name (retention of maiden name), or any form of either (e.g., hyphenated name, maiden name and husband's surname)" on the green card.).

⁸² Form N-400 Instructions 5 (Mar. 26, 2016); 12 USCIS-PM K.3

You:

USCIS: I need to see your lawful permanent resident card, your passports, and your state-issued identification, please.

You:

USCIS: What is your date of birth?

You:

USCIS: Where were you born?

You:

USCIS: Are either of your parents U.S. citizens?

You:

USCIS: Where are you currently living?

You:

USCIS: Where are you working?

You:

USCIS: Are you currently married, single, divorced, or widowed?

You:

USCIS: How many children do you have?

You:

USCIS: When was your last trip outside the U.S.?

You:

USCIS: Have you ever claimed to be a U.S. citizen?

You:

USCIS: Have you ever failed to file your income taxes?

You:

USCIS: Have you ever been a member of the Communist Party?

You:

USCIS: Have you ever been arrested, cited, or detained by a law enforcement officer for any reason?

You:

USCIS: Have you ever helped someone try to enter the U.S. illegally?

You:

USCIS: Have you ever been deported or ordered deported?

You:

USCIS: Do you believe in the Constitution and form of government of the U.S.?

You:

USCIS: Are you willing to take the full Oath of Allegiance to the United States?

You:

USCIS: Are you willing to bear arms for the United States?

You:

USCIS: Now, I'll need you to sign your photos, here and here. I'll need you to sign your application here.

You:

USCIS: Now we're going to move to the civics and reading and writing tests.

Who was the first president?

You:

USCIS: How many U.S. Senators are there?

You:

USCIS: Where is the Statue of Liberty?

You:

USCIS: What is the capital of the United States?

You:

USCIS: What is the name of the national anthem?

You:

USCIS: Name one problem that led to the Civil War.

You:

USCIS: Good, that's six. You passed that portion. Next is the reading and writing portion. Please read line #1 out loud for me.

You:

USCIS: Now I need you to write here, "Canada is north of the United States."

You:

USCIS: Congratulations! I'm recommending your application for approval. If my recommendation is accepted, you will be sent a notice in the mail of when to come in for your oath ceremony.

Do you have any questions?

You:

4.8 DECISION

Towards the end of the interview, the officer will often ask you to sign the front of your two naturalization photos. (One will go on the front of your naturalization certificate.)

The officer will tell you the results of your interview. The officer will give you a written notice called a Form N-652, Naturalization Interview Result Form. This will tell you the results of the English/civics test and the current status of the application.

If the status of the application is not approved, the N-652 will explain:

- **Re-test:** If you failed, you will be tested at least 30 days later only on the sections you failed, not the whole test.
- **Additional documents needed:** Sometimes USCIS will tell you to you need to provide additional documents. USCIS will give you Form N-14, Form Letter for Deficient Application, telling you what additional information you need. You may be asked to mail the papers or to bring them to your next interview. Our firm can help you prepare that evidence.
- **Application withdrawn:** Sometimes USCIS will ask you if you want to withdraw your application. Usually this is because you do not meet one of the requirements. For example, your English is too limited or you do not meet the residency requirement. You should **not** agree to withdraw your case without first speaking with your lawyer.
- **Decision cannot be made yet:** USCIS has up to 120 days from the date of your interview to make a decision. If no decision is made by then, you may apply to the U.S. district court for a hearing. The court may decide your case or remand the case to USCIS to decide.⁸³
- **Case denied, right to appeal:** You will receive a written notice in the mail explaining why you were denied. In this case you will have to appeal (or file a motion to reconsider or reopen) within 30 days. If, after an appeal hearing with USCIS, you still believe that you have been wrongly denied naturalization, you may file a petition for review with a U.S. District Court. You may also have the option of reapplying.

4.9 NATURALIZATION OATH CEREMONY AND CERTIFICATE OF NATURALIZATION



⁸³ INA § 336(b); 8 C.F.R. § 335.3(a); AFM chs. 72.3(f)(3), (k).

You are not a citizen until you have taken an Oath of Allegiance. USCIS normally mails the Form N-445, Notice of Naturalization Oath Ceremony, to tell you when and where to appear for this purpose. The oath ceremony may be conducted by an immigration officer or by a court.⁸⁴

According to USCIS, you can expect to be scheduled for an oath ceremony within 45 days of receiving your recommended approval.⁸⁵ In some cases, the ceremony is the same day as the same day as your interview. For example, the USCIS Washington DC Field Office “will do so for military N-400 filings, Section 319(b) N-400 filings, as well as on most N-400 re-examination days (second interview to pass the naturalization test).”⁸⁶

After you pass your interview, you need to stay eligible for citizenship until your oath ceremony. If you do anything that causes you to lose your eligibility between the interview and oath, you cannot be sworn in as a citizen.

On the back of the Form N-445, there is a questionnaire about your activities since the interview. Most of the questions are repeated from the N-400. The answers help USCIS to know if you are still eligible to become a citizen. If you answer “yes” to any question, a USCIS officer will ask additional questions to determine if there is an eligibility problem. You cannot take the oath until the problem is resolved. If there is a problem, your name will be removed from the oath ceremony list. USCIS will notify you in writing of the specific problem. You will have 15 days to respond. If USCIS decides that you are still eligible after reviewing your response, your application will be approved and you will be rescheduled for an oath.

Here are the procedures for the oath ceremony:

- Rescheduling: If you need to reschedule your ceremony, let our firm know as early as possible. If you fail to attend more than one oath ceremony and you do not notify USCIS with a good reason, USCIS will begin procedures to deny your application. You may have to start the application process over again.
- Expediting the Ceremony: USCIS will expedite your ceremony if there are serious or humanitarian reasons. Some reasons for an expedited oath are serious illness of the applicant or a member of the applicant’s family, advanced age, or emergency travel outside the United States. If you need an expedited oath, ask our firm about submitting a written request to the court or the District Director of your local USCIS office.

⁸⁴ See 8 C.F.R. § 310.3.

⁸⁵ <https://egov.uscis.gov/cris/Dashboard/CaseStatus/BucketDescriptions.do#6>.

⁸⁶ USCIS, *Washington, DC—Washington Field Office* (Mar. 1, 2012), <http://www.uscis.gov/about-us/find-uscis-office/field-offices/washington-dc-washington-field-office>.

- Location: Many oath ceremonies are held at a federal or state courthouse. They may also be at the USCIS district office, a university, concert hall, or other public location.
- Dress: Proper attire should be worn to the ceremony. This means that you should wear clothes that reflect the event's importance.
- Documents to bring: Completed Form N-445; Form I-551, Permanent Resident Card (green card); any reentry permit or refugee travel document.
- Family or friends: You can bring family or friends to the ceremony. Sometimes the notice says you can only bring a limited number of people. Otherwise, you can bring as many people as you want.
- When to arrive: It's important to arrive on time.
- Check-in: When you arrive, you will check in to hand in your completed Form N-445 and register you as eligible for the oath. The officer will have you sign your name on the naturalization certificate to authorize the certificate and to reconfirm your identity. The certificate is not valid until you sign it. Your signature must match your name as it is printed on the certificate. Do not use initials. It is important that new citizens review their naturalization certificates carefully for errors and report them immediately. It's easiest to fix errors on the spot than to do it later.
- Oath: During the ceremony, an official will ask the naturalization applicants to stand. The official may read each part of the Oath and ask you to repeat his or her words. Or the official may ask you to accept the Oath by saying, "I do." Once you have taken the Oath, you will receive your Certificate of Naturalization.
- Speech: Often a court or USCIS official will speak about the rights and responsibilities of new citizens. Other topics covered may include registering to vote, getting a United States passport, filing permanent resident petitions for close family members, and protecting the naturalization certificate.
- Distribution of Naturalization Certificates: At the end of the ceremony, certificates are distributed to the new citizens by name or by row. If you applied for a name change, a copy of the court order changing your name should be attached to your naturalization certificate as evidence. You will need this evidence when you apply for documents such as a driver's license or passport with your new name. If it is missing, tell the USCIS officer and ask how you can get it. Review your certificate for errors immediately after you

receive it and report any errors to the USCIS officer. The officer will tell you how to get it corrected.

5. RIGHTS AND OBLIGATIONS AS A U.S. CITIZEN

You can take advantage of your United States citizenship immediately following the ceremony by doing any of the following.

5.1 REGISTER TO VOTE

Mail in your voter registration form or register with a certified voter registrar, often found at the Department of Motor Vehicles.

5.2 APPLY FOR A U.S. PASSPORT

Without a green card, the United States passport is an important document to prove your identity and citizenship.

You may use your naturalization certificate as proof that you are a citizen for purposes of applying for a U.S. passport. For information about applying for a U.S. passport after your oath ceremony, see the National Passport Information Center's website⁸⁷ or call them at 1-877-487-2778.

Please note that under law, a U.S. citizen must use a U.S. passport when departing or reentering the U.S.

5.3 FILE PERMANENT RESIDENT PETITIONS FOR FAMILY MEMBERS

As a United States citizen, you can petition for immediate family members as a priority above the relatives of lawful permanent residents. You can contact our firm for assistance in preparing the petitions even before your naturalization ceremony.

5.4 CHANGE YOUR NAME ON DOCUMENTS

If you've changed your name, you should change your old documents and personal accounts to show your new name. You may want to first get a government document, such as a driver's license or state ID, and use it to change your name on any bank accounts, credit card accounts, employment records, or other documents.

⁸⁷http://travel.state.gov/passport/passport_1738.html (last viewed Nov. 7, 2012).

5.5 PROTECTING YOUR NATURALIZATION CERTIFICATE

Keep your certificate in a safe place at home or use a safety deposit box. This is a box in a bank that is kept under very tight security. Do not fold your certificate because it will become difficult to read over time. Only carry your certificate when you need it.

5.6 REPLACING OR CHANGING YOUR CERTIFICATE

If your certificate is lost, damaged, or destroyed, contact our firm for help applying for a replacement.

If you change your name after naturalization, contact our firm for help applying for a new certificate in your new name.

5.7 DENATURALIZATION

Loss of citizenship through denaturalization is very rare. Generally, people facing denaturalization by USCIS have lied about their eligibility or good moral character. The lie may occur on the application, at the interview, or at the ceremony.

When you are denaturalized your certificate of naturalization is canceled. The date of denaturalization is retroactive to the date you received your certificate. If your spouse, parents, or children got citizenship or permanent residence through your naturalization, they may also lose it.

If you ever receive a denaturalization notice from USCIS, it is important to contact our firm as soon as possible.

5.8 EXPATRIATION

U.S. citizenship is not easily lost. However, naturalized citizens and citizens by birth can lose their citizenship automatically through expatriation. You must show that you intend to give up your United States citizenship and that you do so voluntarily. There must be evidence in both your words and your actions.

According to the law, you may lose your citizenship by committing one of the actions listed below if you do so voluntarily with the intention of giving up your citizenship. But the law is complex and there are exceptions to these actions, especially if you were under age 18 at the time. Additionally, in all but the last two actions listed, an expatriating act committed inside the United States or its possessions is not effective until you take up residence elsewhere.

- You become naturalized in another country after age 18 by application.

- You take an oath or give allegiance to another country after age 18.
- You become a member of the armed forces of another country that is at war with or hostile to the United States.
- You become an officer in the armed forces of another country.
- You serve in a government job for another country after age 18 if you are naturalized in that country.
- You serve in a government job for another country and you are required to give allegiance to that country in order to have the job.
- You formally give up your United States citizenship before a United States diplomatic or consular officer in another country.
- You make a formal written statement that you want to give up your United States citizenship before an authorized government official when the United States is at war and the Attorney General gives approval.
- You are convicted of treason against the United States or trying to overthrow the government of the United States by force.

6. CONCLUSION

Don't hesitate to contact our firm with any related question or concern.

APPENDIX A. SAMPLE N-652, NATURALIZATION INTERVIEW RESULTS

For USCIS Internal Use Only

Department of Homeland Security
U.S. Citizenship and Immigration Services

N-652, Naturalization Interview Results

Ali#: _____

On _____, you were interviewed by USCIS officer _____.

- You passed the tests of English and U.S. history and government.
- You passed the tests of U.S. history and government and the English language requirement was waived.
- USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to _____ speak/_____ read/_____ write _____ English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on Form N-14.
- USCIS will send you a written decision about your application.
- You did not pass the second and final test of your _____ English ability/_____ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.

A) _____ Congratulations! Your application has been recommended for approval. At this time it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B) _____ A decision cannot yet be made about your application.

It is very important that you:

- Notify USCIS if you change your address.
- Come to any scheduled interview.
- Submit all requested documents.
- Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (Ali#), and a copy of this paper.
- Go to any Oath Ceremony that you are scheduled to attend.
- Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

NOTE: Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS had not made a determination on your application within 120 days of the date of your examination.

Form N-652 (Rev. 01/14/05)N

APPENDIX B. SAMPLE FORM N-445, NOTICE OF NATURALIZATION OATH CEREMONY

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0054; Expires 10/31/05

Form N-445, Notice of Naturalization Oath Ceremony

A# _____

Date _____

-
-

You are hereby notified to appear for a Naturalization Oath Ceremony on:

at:

Please report promptly at _____ .

You must bring the following with you:

- This letter, WITH ALL THE QUESTIONS ON PAGE 2 ANSWERED. TYPE OR PRINT ANSWERS IN BLACK INK.
- Permanent Resident Card.
- Reentry Permit or Refugee Travel Document.
- Any Immigration documents you may have.
- If the naturalization application is on behalf of your child (children), bring your child (children).
- Other.

Proper attire should be worn.

If you cannot come to this ceremony, return this notice immediately and state why you cannot appear. In such case, you will be sent another notice of ceremony at a later date. You must appear at an oath ceremony to complete the naturalization process.

Form N-445 (Rev. 09/12/03)N

In connection with your application for naturalization, please answer each of the questions by checking "Yes" or "No." You must answer these questions the day you are to appear for your citizenship oath ceremony. These questions refer to actions since the date you were first interviewed on your Application for Naturalization. The questions do not refer to anything that happened before the interview.

After you have answered every question, sign your name and fill in the date and place of signing, and provide your current address.

You must bring this completed questionnaire with you to the oath ceremony, as well as the documents indicated on the front, and give them to the employee of the U.S. Citizenship and Immigration Services at the oath ceremony. You may be questioned further on your answers at that time.

AFTER the date you were first interviewed on your Application for Naturalization, Form N-400:	ANSWERS
1. Have you married, or been widowed, separated or divorced? (If "Yes," please bring documented proof of marriage, death, separation or divorce.)	1. <input type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you traveled outside the United States?	2. <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you knowingly committed any crime or offense, for which you have not been arrested?	3. <input type="checkbox"/> Yes <input type="checkbox"/> No
4. Have you been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking or violating any law or ordinance, including traffic violations?	4. <input type="checkbox"/> Yes <input type="checkbox"/> No
5. Have you joined any organization, including the Communist Party, or become associated or connected therewith in any way?	5. <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Have you claimed exemption from military service?	6. <input type="checkbox"/> Yes <input type="checkbox"/> No
7. Has there been any change in your willingness to bear arms on behalf of the United States; to perform non-combatant service in the armed forces of the United States; to perform work of national importance under civilian direction, if the law requires it?	7. <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Have you practiced polygamy, received income from illegal gambling, been a prostitute, procured anyone for prostitution or been involved in any other unlawful commercialized vice, encouraged or helped any alien to enter the United States illegally, illicitly trafficked in drugs or marijuana, given any false testimony to obtain immigration benefits, or been a habitual drunkard?	8. <input type="checkbox"/> Yes <input type="checkbox"/> No

I certify that each of the answers shown above were made by me or at my direction, and that they are true and correct as of the date of my naturalization oath ceremony.

Signed at _____, on _____
 (City and State) (Date)

(Full Signature) (Full Address and Zip Code)

OUR AUTHORITY for collection of the information requested on Form N-445 is contained in Sections 101(f), 313, 316, 332, 335 and 336 of the Immigration and Nationality Act (8 U.S.C. 1101 (f), 1427, 1443, 1446 and 1447). Submission of the information is voluntary. The principal purposes for requesting the information are to enable Adjudications Officers of the U.S. Citizenship and Immigration Services to determine an applicant's eligibility for naturalization. The information requested may, as a matter of routine use, be disclosed to naturalization courts and to other federal, state, local or foreign law enforcement and regulatory agencies, the Department of Defense, including any component thereof, Selective Service System, Department of State, Department of Treasury, Department of Transportation, Central Intelligence Agency, Interpol and individuals and organizations in the processing of any application for naturalization, or during the course of investigation, to elicit further information required by the U.S. Citizenship and Immigration Services to carry out its functions. Information solicited which indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, may be referred as a routine use to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating, enforcing or prosecuting such violations. Failure to provide all or any of the requested information may result in a denial of the application for naturalization.

THE PUBLIC REPORTING BURDEN for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to: U.S. Citizenship and Immigration Services, Regulations and Forms Services Division (HQ/RFS), 425 I Street, N.W., Room 4304, Washington, DC 20536.

APPENDIX C. SAMPLE CERTIFICATE OF NATURALIZATION

THE UNITED STATES OF AMERICA

CERTIFICATE OF NATURALIZATION

No. S0000000

USCIS Registration No. A999999999999999

Personal description of holder as of date of naturalization:
Date of birth: JANUARY 99, 0000
Sex: MALE
Height: 5 feet 9 inches
Marital status: MARRIED
Country of former nationality: FORMER NATIONALITY COUNTRY

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.
New Citizen Signature Here
(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Secretary of Homeland Security
at: USCIS FIELD OFFICE CITY NAME, STATE NAME
The Secretary having found that:
NEW CITIZEN NAME - EPSON B-510DN - NEW ASC PHOTO
residing at:
Mytown, State
having complied in all respects with all of the applicable provisions of the naturalization laws of the United States, being entitled to be admitted as a citizen of the United States, and having taken the oath of allegiance at a ceremony conducted by
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
at: CEREMONY CITY, STATE on: JULY 99, 0000
such person is admitted as a citizen of the United States of America.

**** TEST CERTIFICATE ****
U. S. Citizenship and Immigration Services

VOID

DEPARTMENT OF HOMELAND SECURITY

FORM N-550 (REV. 08/10)