

CITIZENSHIP AND NATURALIZATION¹

Overview: Soldiers and their family members sometimes seek legal assistance with questions and concerns regarding citizenship and naturalization. For example, a soldier may currently be serving in the Army. That same soldier then gets a promotion in which he must obtain top secret clearance. While he is filling out the necessary paperwork, the soldier suddenly realizes he is not a citizen of the United States. What can the soldier do? This information paper is designed to give that soldier and the Fort Bliss community a better understanding of what it takes to become an U.S. citizen and the terms often used in the citizenship and naturalization arena.

Becoming an U.S. citizen by birth: There are two ways a person can become an U.S. citizen. The first way is via birth. What this means is that the individual must demonstrate (with a birth certificate) that she was born in the U.S. (this includes, in most cases, Puerto Rico, Guam, and the U.S. Virgin Islands). A person can also be considered a citizen if both parents were U.S. citizens at the time of that person's birth and at least one of the parents lived in the U.S. at some point in their life. Finally, an individual may qualify as a citizen if one of the parents was a U.S. citizen when that individual was born and the citizen parent lived at least 5 years in the U.S. before that individual was born and at least 2 of those 5 years in the U.S. were after the citizen parent's 14th birthday (if an applicant was born after November 14, 1986, the applicant can become a U.S. citizen if her citizen parent lived in the U.S. for at least 10 years and 5 of those years in the U.S. were after the citizen parent's 14th birthday).

Becoming an U.S. citizen through naturalization: The second way a person can become an U.S. citizen is via naturalization. Those who are 18 years and older and who are not an U.S. citizen by birth should use the "*Application for Naturalization*" (Form N-400) to become naturalized. Children who are not U.S. citizens by birth but instead, are deriving citizenship from naturalized parents, should use the "*Application for a Certificate of Citizenship*" (Form N-600) to become naturalized. Call the INS Forms Line at 1-800-870-3676 to request these forms.

What must you show in order to become a naturalized citizen?: The requirements vary depending upon your status (e.g., whether you have been a Permanent Resident for the past 5 years or whether have been a member of the U.S. Armed Forces for less than three years). You may be required to: (1) prove that you have been a Permanent Resident² for a set number of years; or (2) show that you have been a Continuous Residence for a specified amount of time; or (3) demonstrate that you have been physically present in the U.S. for a certain amount of time. No matter what, you must: (a) possess good moral character, and (b) possess a working knowledge of English and a knowledge of U.S. History, and (c) profess an attachment to the U.S. Constitution.

The application process: An applicant should always be honest with the Immigration and Naturalization Service ("INS") regarding all arrests, convictions (even if expunged), and crimes

¹ **Naturalization** is the manner in which immigrants become **citizens** of the United States. If you were not born a **citizen**, you must **naturalize** to become one.

² A Permanent Resident is a non-U.S. citizen who has been given permission to live permanently in the U.S. If you acquire permanent residence, you will be issued an Alien Registration Receipt Card, also known as a "green card."

you have committed for which you were not arrested or convicted. An applicant should send completed forms to the appropriate INS Service Center.³ We suggest you make copies of your application package before sending it to the INS. Also, do not send original documents with your application unless the application specifically states that an original is required. The fee for processing an application varies. For example, the filing fee for processing Form N-400 is approximately \$225.00. The fee for processing Form N-600 is approximately \$160.00. Please note that the figures do not include the cost of fingerprinting applicants. The time it takes to become naturalized varies from one local office to another. The local INS Office can be found at 1545 Hawkins Blvd., Suite 167, El Paso, TX 79925. Their phone number is (800) 375-5283.

If you have questions, contact the Fort Bliss Legal Assistance Office at (915) 568-7141/7150 for an appointment to speak with an attorney.

³ If you live in AL, AR, FL, GA, KY, LA, MS, NM, NC, OK, SC, TN, or TX, you should send your application to: **Texas Service Center, P.O. Box 851204, Mesquite, TX 75185-1204.**