Citizenship and Naturalization

Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney.

1. Citizenship

If you meet certain requirements, you may become a U.S. citizen either at birth or afterwards.

To become a citizen at birth, you must:

- Have been born in the United States or certain territories or outlying possessions of the United States, and subject to the jurisdiction of the United States; or
- Have a parent or parents who were citizens for a certain minimum period of time at the time of your birth (if you were born abroad) and meet other requirements

To become a citizen after birth, you must:

- Apply for "derived" or "acquired" citizen through parents"; or
- Apply for naturalization

All Application processing for Naturalization is completed online at: https://www.uscis.gov. Please refer to the website for the most up-to-date information and for the status of your case.

2. Naturalization through Military Service

If you are serving or have served in the U.S. armed forces and are interested in becoming a U.S. citizen, you may be eligible to apply for naturalization under special provisions of the Immigration and Nationality Act (INA).

A. Eligibility

If you meet all of the requirements of either section 328 or 329 of INA, you may apply for naturalization by filing Form N-400 under the section that applies to you. You must submit the N-426, Request for Certification of Military or Naval Service, approved by O-6 in chain of command. You will not have to pay any fees for applying for naturalization under INA 328 or 329.

As a member or veteran of the U.S. military, certain other naturalization requirements may not apply to you; for example, you may not have to reside in or be physically present in the U.S. for any length of time before you apply for naturalization. Service members who have served honorably during periods of hostility are eligible for naturalization after at least one day of active duty. The requirements for naturalization are explained in greater detail below.

B. One year of Military Service during Peacetime

While some general naturalization requirements apply under INA 328, other requirements may not apply or are reduced. To establish eligibility under INA 328, you must:

- Have served honorably, during a period of peacetime, in the U.S. armed forces for a period or periods totaling one year;
- Have submitted a completed Form N-426, Request for Certification of Military or Naval Service (PDF, 336 KB), at the time of filing the N-400 to demonstrate honorable service;
- Be a lawful permanent resident at the time of the examination on your application for naturalization;
- Meet certain residence and physical presence requirements;
- Demonstrate the ability to read, write and speak English;
- Demonstrate knowledge of U.S. history and government:
- Demonstrate good moral character for at least five years prior to filing the N-400 until the time of naturalization; and
- Demonstrate an attachment to the principles of the U.S. Constitution.

For additional information on eligibility USCIS Policy Manual Volume 12, Part I - Military Members and Their Families.

If you have already separated from the U.S. armed forces, you may submit an uncertified Form N-426 with a photocopy of your DD Form 214, Certificate of Release or Discharge from Active Duty, or NGB Form 22, National Guard Report of Separation and Record of Service, for the applicable periods of service listed in Form N-426. Mail your completed application and all required materials to:

USCIS
P.O. Box 4446
Chicago, IL 60680-4446

You may also complete your application by creating an online account and filing your Form N-400 online. For more information about filing your application online, visit our Form N-400 webpage.

USCIS will review your application and conduct required security checks, which include obtaining your fingerprints. This can be done in one of the following ways:

- If you were fingerprinted for a previous immigration application, the USCIS will use these fingerprints, if available.

- If stationed abroad, you may submit two properly completed FD-258 fingerprint cards and two passport-style photos taken by the military police or officials with the Department of Homeland Security, U.S. embassy, or U.S. consulate.

- If you have questions regarding your biometrics, you can contact the Military Help Line at 877-CIS-4MIL (877-247-4645, TTY: 800-877-8339) or militaryinfo@uscis.dhs.gov.

USCIS will allow you to submit your fingerprints at an application support center before you file your Form N-400. Be sure to include your A-Number and show your unexpired military ID card or Delayed Entry Program ID card.

USCIS will review your application and send it to a USCIS field office to schedule you for an interview. You can request an interview at a specific office in a cover letter attached to your application or leave the choice of location to us.

The field office will schedule your interview to review your eligibility for naturalization and test your knowledge of English and civics. If we find that you are eligible for naturalization, we will inform you of the date you can take the Oath of Allegiance and become a U.S. citizen.

C. Overseas Process

Active-duty service members serving overseas on orders may be interviewed and naturalized abroad at certain U.S. Embassies, Consulates, and military installations. Military Petitioners and Family Members who live in Germany should apply with USCIS Frankfurt. For more information, please contact the Military Help Line at 877-CIS-4MIL (877-247-4645) or militaryinfo@uscis.dhs.gov.

3. Overseas Naturalization for Spouses of Military Members

Under section 319(e)(2) of the Immigration and Nationality Act (INA) and 8 U.S.C. § 1443a, a lawful permanent resident (LPR) who is married to a member of the U.S. armed forces can naturalize abroad without traveling to the U.S. In general, to be eligible for naturalization abroad under section 319(e)(2) of the INA and 8 U.S.C. § 1443a, you must:

- Be the spouse of a member of the U.S. armed forces who is stationed abroad in that capacity;

- Be authorized to accompany your spouse abroad by your spouse's official orders;

- Reside abroad in marital union with your spouse; and

- Meet the requirements of either section 316(a) or 319(a) of the INA at the time you file your naturalization application.

Section 316(a) applies to you if:

- You have been an LPR for at least 5 years immediately before the date you file the naturalization application; and,

- You have been physically present in the U.S. for periods totaling at least 2.5 years.

- Time spent living in marital union with your spouse who is abroad under military orders counts toward the continuous residence and physical presence requirements.

Section 319(a) applies to you if:

- You have been an LPR for at least 3 continuous years immediately before the date you file your naturalization application;

- You have lived in marital union with your U.S. citizen spouse for at least 3 years immediately before you file your naturalization application;

- Your U.S citizen spouse has been a U.S. citizen for at least 3 years immediately before you file your naturalization application; and

- You have been physically present in the U.S. for periods totaling at least 18 months out of the 3 years immediately preceding the date you file your application. Time spent living in marital union with your spouse who is abroad under military orders counts toward the continuous residence and physical presence requirements.

You can file for naturalization up to 90 calendar days before you meet the time requirement for being an LPR. For example, if you are filing under section 319(a), you can file when you have been an LPR for 2 years and 275 days. However, if you file early under section 319(a):

- You must have been married to your U.S. citizen spouse for at least 3 years at the time you file;

- Your spouse must have been a U.S. citizen for at least 3 years at the time you file; and

- Meet all other eligibility requirements such as good moral character and etc.

A spouse of a member of the U.S. military applying under this provision may also qualify for naturalization under INA 316(a) or INA 319(a), which could permit him or her to be eligible for overseas processing of the naturalization application, to include interviews, filings, oaths, ceremonies, or other proceedings relating to naturalization.

Adjusting Status for Spouses for Service Members

- Generally, spouses need to have lawful permanent resident status before naturalizing. To apply for adjustment of status the spouse must file Form I-485, Application to Register Permanent Residence or Adjust Status, and the service member must file Form I-130, Petition for Alien Relative, including the biometrics fee.

- If the spouse of a service member receives an adjustment of status interview appointment notice while the service member is deployed, the USCIS office will still conduct the interview.

- The spouse should bring evidence of the service member's assignment (such as a copy of their orders or a letter from their commander) along with any other requested evidence listed on the appointment notice.

4. Citizenship for Family Members

Policy Update: As of 18 September 2020:
In order to acquire citizenship under INA 320, the child of a U.S. citizen generally must be residing in the United States in the legal and physical custody of the U.S. citizen parent.

- Previously, children of members of the U.S. armed forces or U.S. government employees stationed outside the United States were not considered to be residing in the United States for purposes of INA 320.

- On March 26, 2020, Congress amended INA 320 to create an exception to the U.S. residency requirement for such children for purposes of acquisition of citizenship.

- Accordingly, the updated provisions apply to such children who were under the age of 18 on that date. (The amendments do not affect children who have already been recognized by USCIS or the U.S. Department of State as having acquired U.S. citizenship under INA 320 through the issuance of a Certificate of Citizenship or passport.)

- This guidance, contained in Volume 12 of the Policy Manual, is controlling and supersedes any prior guidance on the topic.

- Provides that, under certain conditions, children of U.S. armed forces members, U.S. Government employees, or spouses of U.S. armed forces members and U.S. government employees stationed outside of the United States acquire citizenship under INA 320.

Citation Volume 12: Citizenship and Naturalization, Part H, Children of U.S. Citizens [12 USCIS-PM H] and Part I, Military Members and their Families [12 USCIS-PM I].

A spouse of a member of the U.S. military applying under this provision may also qualify for naturalization under INA 316(a) or INA 319(a), which could permit him or her to be eligible for overseas processing of the naturalization application, to include interviews, filings, oaths, ceremonies, or other proceedings relating to naturalization.

For information about the general naturalization requirements and procedures for spouses of U.S. citizens who do not qualify for overseas naturalization, and acquired or derived citizenship for children of service members, please visit https://uscis.gov.

5. The Naturalization Test

Important Updates to the Naturalization Test
USCIS has revised the civics portion of the naturalization test.

- Applicants for naturalization with a “filing” date (also known as a received date) on or after Dec. 1, 2020, are required to take the 2020 version of the civics test.

- Applicants for naturalization with a “filing” date before Dec. 1, 2020, are required to take the 2008 version of the civics test.

The naturalization test has two components: an English and civics test. The English portion has not changed. Whether you are taking the 2008 or 2020 version of the civics test, you will take the same English test.

Most naturalization applicants are required to take a test on English and Civics (U.S. History and Government). USCIS provides resources to help you prepare. For more information, visit the updated naturalization test page in https://uscis.gov.

6. Contact Information

The most important number for your military immigration questions is the military help line. USCIS has established a toll-free military help line, 877-CIS-4MIL (877-247-4645), and e-mail address at militaryinfo@uscis.dhs.gov exclusively for current members of the military and their families as well as veterans: https://www.uscis.gov/military/military-help-line.

All client inquiries for visas should be directed to FrankfurtVisaInquiries@state.gov

All client inquiries for immigration and citizenship should be directed to: USCIS.frankfurt@uscis.dhs.gov

For a checklist of forms and supporting documentation if filing in Frankfurt go to: https://www.uscis.gov/about-us/find-uscis-office/international-offices/germany-frankfurt-field-office.

7. Overseas Process

USCIS has established four “hubs” located at Camp Humphreys, South Korea; Commander Fleet Activities Yokosuka, Japan; U.S. Army Garrison Stuttgart, Germany; and Naval Support Activity Naples, Italy to help service members and their families applying for naturalization and other immigration benefits while stationed overseas. USCIS will travel to these hubs on a quarterly basis to conduct interviews and naturalization ceremonies and answer your questions.

Two domestic USCIS offices will oversee all military applications. The Guam Field Office will oversee adjudications in the Asia/Pacific District and will serve the hubs in South Korea and Japan. The Washington Field Office will oversee adjudications in the Europe, Middle East, and Africa District and will serve the hubs in Germany and Italy.

If you are unable to travel to the designated hub during our quarterly visit to that hub, USCIS will contact you to schedule your interview.

For more information on our international office closures, see our International Offices page.

Filing an application:

- You will still file your form according to the form instructions. The domestic USCIS office responsible for processing the application or petition (either the Guam or Washington Field Office) will perform a preliminary review of the application and will contact you by mail and/or email if additional evidence or documentation is necessary. When the preliminary review is complete, USCIS will schedule an interview and mail you an interview notice.

- In coordination with DOD, staff from one the domestic field offices will travel to the overseas hub nearest to you for your interview. If the immigration services officer approves you after your interview, the officer will make every effort to naturalize you on the same day.

8. Form I-130 Processing

The Department of State (DOS) will take on certain in-person services, including issuing carrier documentation to lawful permanent residents who lose their Green Cards overseas.

DOS will also continue processing Form I-130, Petition for Alien Relative. However,

USCIS will process all naturalization applications.

9. Fees and Fee Waivers

- A filing fee is required for many immigration forms. You must include this fee must with your completed form. If your form requires a biometric services fees, be sure to include that with your filing fee when you submit your form. Make checks payable to U.S. Department of Homeland Security. To learn more, visit the Filing Fees page.

- For help calculating your fees, use our Fee Calculator, which will always have the most up-to-date fee information and can determine the exact filing and biometric services fees for any form processed at a USCIS Lockbox facility.

10. How to Make an Expedite Request

- You may ask USCIS to expedite the adjudication of an application or petition for an immigration benefit.

USCIS:

- Considers all expedite requests on a case-by-case basis.

- Requires documentation to support a request.

- Has the sole discretion to decide whether to grant or deny a request.

- Does not consider expedite requests for applications or petitions that have Premium Processing Service available.

- USCIS may consider an expedite request if it meets one or more of the following criteria:

Severe financial loss to a company or person, provided that the need for urgent action is not the result of the petitioner's or applicant's failure to:

- File the benefit request or the expedite request in a reasonable time frame, or
- Respond to any requests for additional evidence in a reasonably timely manner;
- Urgent humanitarian reasons;
- Compelling U.S. government interests (such as urgent cases for the Department of Defense or DHS, or other public safety or national security interests); or
- Clear USCIS error.

When considering severe financial loss to a person: If the expedite request relates to an application for employment authorization or student status, the need to obtain employment authorization or student status, standing alone without any evidence of other compelling factors does not warrant expedited treatment.

All expedite requests claiming severe financial loss, regardless of the immigration benefit sought and regardless of whether the claimed loss is to a company or a person, must be documented to establish the loss and that the requestor is not able to withstand the temporary financial loss that is the natural result of normal processing times.