



BASHYAM SPIRO<sup>LLP</sup> | IMMIGRATION  
LAW GROUP

# How to Become a US Citizen Through Naturalization

Ame Coats and Murali Bashyam

Bashyam Spiro LLP

[www.bashyamspiro.com](http://www.bashyamspiro.com)



## Benefits of US Citizenship:

- Right to Vote
- Ability to Sponsor Certain Relatives for Lawful Permanent Residence in the US
- Freedom to Reside Abroad



## Consequences of US Citizenship:

- May Lose Native Citizenship



## Requirements to Apply for Naturalization

- At least 18 years old
- Lawful Permanent Resident for 5 Years

Exceptions include:

Spouses of US Citizens (Must be LPR for 3 years)

Members of the US Armed Forces



## Naturalization Residency Requirements

- 3 months residing within the state or USCIS district
- Physical Presence – ½ of the required period in LPR status must be physically present in the US
- Continuous Residence

Absences between 6 months and 1 year—  
Presumption that the requirement of continuous residence has been broken. However, you can present evidence of ties to the US during this period which may overcome this presumption.

Absences of more than 1 year—Automatically break continuity of residence



## Naturalization Requirement— Good Moral Character

Generally USCIS looks at the 5 year period prior to filing (or 3 years if married to USC)

### Common Problems

- Criminal Issues
- USCIS finds problem with Applicant's old green card case
- Failure to register for selective service
- Failure to pay child support
- Failure to pay taxes



BASHYAM SPIRO<sup>LLP</sup> | IMMIGRATION  
LAW GROUP

## **Naturalization Requirement—Attachment to the Principles of the Constitution**

### **Common Problem Regarding Oath of Allegiance:**

**If the law requires it, are you willing to bear arms on behalf of the US?**

**If the law requires it, are you willing to perform noncombatant services in the US Armed Forces?**



## Naturalization Requirement—Ability to Read, Write, and Speak English

### The Test:

Informal—Ability to answer questions asked by USCIS Examiner

Formal—Write a sentence which is read aloud by Examiner & read a sentence selected by Examiner

(USCIS has posted 2 vocabulary lists to study.)





# Naturalization Requirement— Knowledge of US History and Government

## The Test:

At the interview, the Examiner will ask up to 10 questions aloud. You must get 6 out of 10 correct. USCIS posts 100 questions for study purposes. They will draw questions directly from this list.



## **I might fail the English or Civics Test!!!**

- Second Chance Interview Possible
- Exempted from English Requirement:
  - Over 50, LPR for 20 years
  - Over 55, LPR for 15 years
- Easier Civics Test
  - Over 65, LPR for over 20 years
- Waiver: If disability or mental impairment prevents Applicant from learning English/Civics or demonstrating knowledge of English/Civics



## End of Interview—Recommended Approval

- Second Officer must sign off on Application
- Oath usually not taken same day
- Oath Notice will be given to you by hand or by mail
- At Oath Ceremony, turn in green card, take oath, accept naturalization certificate.
- You may apply immediately for US passport at designated US Post Offices
- On the day you become a citizen--Children under 18, residing in US Citizen's legal and physical custody, who already have LPR status are automatically US citizens (But you must apply for US Passport for them. Can also apply for a Cert. of Citizenship)

## End of Interview—Decision Cannot Be Made

USCIS will eventually approve, request additional information, or deny.



BASHYAM SPIRO<sup>LLP</sup> | IMMIGRATION  
LAW GROUP

**THANK YOU!**

**919-833-0840**

**[www.bashyamspiro.com](http://www.bashyamspiro.com)**