



CITIZENSHIP

Many permanent residents may decide to apply for naturalization to become US citizens. There are many benefits to becoming a US citizen, including the right to vote, the right to travel on a US passport, and the rights associated with US government protection and assistance when abroad. Additionally, some individuals wish to naturalize so they may sponsor family members for legal permanent residence or shorten the length of time a family member will wait for a visa number based on an approved visa petition. Further, when returning to the US, many lawful permanent residents (LPRs) are shocked to be excluded at the border and told that they have abandoned their permanent resident status due to one or too many prolonged absences from the US. Lastly, the grounds of exclusion and deportation, which apply to lawful permanent residents, do not apply to US citizens, making citizenship a far more stable status. The most common grounds of deportation and exclusion include committing a proscribed criminal offense or health related conditions.

There are several requirements for becoming a naturalized citizen. The most common requirements include:

- Maintenance of lawful permanent resident (LPR) status for five years
- Continuance residence for a period of five years

- Physical presence in the US for at least one-half of the five-year period (counted from the date of filing and continuing throughout the application process)
- Continuous residence in the US from the date of filing the naturalization application to the date of approval
- Residence within the state where the application is filed for at least three months
- Good moral character for the five-year period
- Registration for the draft if a male LPR between the ages of 18 and 26
- Knowledge of US history and civics
- Fluency in English (certain exceptions apply)

Those individuals who have been married and living with a US citizen for three years may file for citizenship after three years as a lawful permanent resident (LPR) instead of five. Additionally, these individuals must prove physical presence for one-half of three years, be physically present for one-half of three years, and prove good moral character for the past three years.

The physical presence requirement is distinct from the continuous residence requirement. Physical presence requires counting all days outside the country. Continuous residence

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can be calculated by examining the period of residence and ensuring it is not “broken” with extended absences from the US. The government will consider that individuals outside of the US for six months to one year have broken the continuous residence, unless they can prove otherwise. This determination is different from “abandonment” of permanent residence which is discussed below. However, for either abandonment or meeting the continuous residence requirement, LPRs should maintain the documentation below:

- Proof of US based employment
- Ties to immediate and extended family living in the US
- Retention of full access to US home and other property holdings in the US
- Proof that all US taxes have been filed as a resident
- Proof of US bank or financial accounts

Children born abroad to two US citizen parents are usually US citizens and can apply for a passport at a US Embassy or Consulate abroad. In other cases, US citizen parents may apply for citizenship for their children by filing an N-600 with the USCIS upon meeting certain eligibility criteria for this application.



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