

I HEARD THAT NATURALIZATION APPLICATION FEES HAVE INCREASED. WHAT ARE THE NEW FEES?

The fees recently rose from \$330 to \$595 per application. In addition, fingerprinting fees increased from \$70 to \$80. As fees might change again, please contact USCIS or an immigration attorney to make sure you pay the right amount.

I HAVE APPLIED TO NATURALIZE BUT MY APPLICATION HAS BEEN PENDING FOR OVER A YEAR. WHY IS THIS HAPPENING AND IS THERE ANYTHING I CAN DO ABOUT IT?

Many South Asians applying for naturalization have experienced serious delays for a variety of reasons. One reason is due to a recent increase in the number of naturalization applications submitted to USCIS which has slowed down the agency's ability to process applications quickly. In addition, many applications filed by South Asians, Arabs, and Muslims have been delayed because of criminal and security background checks.

If you have encountered significant delays in your naturalization application due to security-related background checks, there are certain steps you may be able to take to speed up your application. Please contact an immigration lawyer for assistance. We also encourage you to contact the SAALT office at **(301) 270-1855** or **saalt@saalt.org** as we are documenting incidents of background check-related delays for South Asian naturalization applicants.

WHERE CAN I LEARN MORE ABOUT NATURALIZATION?

There are various resources that you can turn to for more information about naturalization, including:

- "Guide to Naturalization" from USCIS' Office of Citizenship (www.uscis.gov/natzguide)
- "Welcome to the United States: A Guide for New Immigrants" from USCIS. Available in English (www.uscis.gov/files/nativedocuments/M-618.pdf) and Urdu (www.uscis.gov/files/nativedocuments/M-618_u.pdf)
- Information on and study materials for the current and redesigned naturalization exams (www.uscis.gov/naturalization)
- www.WelcometoUSA.gov: A government portal with resources for new immigrants including information on what benefits immigrants are eligible for, places to learn English, and how to contact USCIS
- To check on the status of your naturalization application, visit www.uscis.gov or call USCIS at (800) 375-5283
- For immigration attorney referrals, please contact the American Immigration Lawyers Association (AILA) hotline at (800) 954-0254



PHOTO: AMBREEN ALI

This brochure is one of a series of educational documents on immigration issues that has been developed by **South Asian Americans Leading Together (SAALT)** through the generous support of the **Murthy Law Firm**. SAALT is a national non-partisan non-profit organization dedicated to the full and equal civic and political participation of South Asians in the United States. To learn more about SAALT, visit www.saalt.org or call (301) 270-1855. The Murthy Law Firm is a leading firm devoted to the practice of immigration and naturalization law. To learn more about the Murthy Law Firm, visit www.murthy.com or call (410) 356-5440. **Please note that this guide is not intended to be legal advice.**



6930 Carroll Avenue, Suite 506
Takoma Park, MD 20912

Phone: 301.270.1855
Fax: 301.270.1882
saalt@saalt.org
www.saalt.org

Strengthening South Asian Communities in America

COVER PHOTO: AMBREEN ALI

What you need to know to become a U.S. Citizen

A GUIDE FOR
SOUTH ASIANS
IN THE U.S.

APRIL 2008



Gaining citizenship in a new country is a rite of passage for many immigrants. As a citizen in the U.S., you have the right to fully participate in elections, bring certain family members into the country, and even run for elected office. While there are benefits to becoming a U.S. citizen, often obstacles exist for many South Asians. Lack of information about changes in laws and benefits can prevent many from obtaining citizenship. This guide answers basic questions about how to become a U.S. citizen, recent changes in naturalization procedures, and particular issues that South Asians may encounter in the process.

WHY SHOULD I BECOME A U.S. CITIZEN?

There are many rights and privileges as well as duties associated with U.S. citizenship, making it a life-changing event in the lives of many immigrants.

BENEFITS OF BECOMING A CITIZEN INCLUDE...

- Voting in elections
- Priority in bringing family members to the U.S.
- Citizenship for children
- Freedom from deportation
- Traveling with a U.S. passport
- Being eligible for government jobs
- Becoming an elected official
- No address change or reporting requirements to the Department of Homeland Security
- Greater eligibility for public benefits

DUTIES OF CITIZENSHIP INCLUDE...

- Taking an oath of allegiance to the U.S.
- Serving on a jury

HOW DO I NATURALIZE?

You can naturalize, provided you meet certain requirements, by submitting an "Application for Naturalization" (Form N-400) to the U.S. Citizenship and Immigration Services (USCIS), the government agency that processes immigration and naturalization applications. You may be able to naturalize, if you meet all the following requirements:

• AGE

- ✓ I am at least 18 years old.

• GREEN CARD STATUS

- ✓ I have been a lawful permanent resident ("LPR" or "green card holder") for at least 5 years. Or I am married to and living with a U.S. citizen for at least 3 years and have been a green card holder for at least 3 years.

• PHYSICAL PRESENCE

- ✓ I have not traveled outside the U.S. for more than 6 months at a time during my 5 years as a green card holder (or 3 years, if I am married to and living with a U.S. citizen).
- ✓ I have been physically present in the U.S. for at least 30 months out of the past 5 years as a green card holder (or for 18 months out of the past 3 years, if I am married to and living with a U.S. citizen).
- ✓ I have lived in the state or USCIS district where my application has been filed at least 3 months before I apply.

HOW DO I BECOME A U.S. CITIZEN?

There are three main ways that individuals become citizens in the U.S.

- **CITIZENSHIP BY BIRTH** — If you were born in the U.S. or its territories, you generally get automatic U.S. citizenship.
- **ACQUIRED CITIZENSHIP** — If you were born abroad and one or both of your parents were citizens at the time of your birth, you generally get automatic U.S. citizenship.
- **NATURALIZATION** — If you were born abroad to non-citizen parents, you must meet certain requirements and take certain steps to become a U.S. citizen.



PHOTO: INDO-AMERICAN CENTER

• GOOD MORAL CHARACTER

- ✓ I can show that I have behaved in a legal and acceptable manner during my 5 years as a green card holder (or 3 years if I am married to and living with a U.S. citizen).

Examples of not having good moral character may include working without paying taxes; suffering from alcoholism; having children out of wedlock; not paying child support; lying to immigration authorities; being arrested for any reason; or being convicted of any crime.

• APPLICATION FEES

- ✓ I have submitted and paid the required application and fingerprint fees along with supporting documents.

• EXAM AND INTERVIEW

- ✓ I have demonstrated, through a naturalization exam and interview, an attachment to the principles and ideals of the U.S. Constitution. I have successfully completed both the civics and English language components of the naturalization exam.

• OATH OF ALLEGIANCE

- ✓ I have sworn an oath of allegiance to the U.S. at a citizenship ceremony.

Note: Children under the age of 18 may be able to receive citizenship through their naturalized parents without going through many of the above steps.

I HEARD THERE WILL BE A NEW NATURALIZATION EXAM. WHAT ARE THE CHANGES TO THE EXAM?

A redesigned exam will be used starting in October 2008. Applicants taking the new exam will undergo an interview during which they must successfully:

- ✓ Answer six out of ten civics questions (covering various areas including U.S. history and government); and
- ✓ Complete an oral, reading, and writing test on the English language.

Below are a few sample civics questions from the redesigned exam:

- What did the Declaration of Independence do?
- What is the economic system in the U.S.?
- What is the last day you can send in federal income tax forms?
- Name one of the writers of the Federalist Papers.

HOW DO I KNOW IF I TAKE THE CURRENT OR NEW NATURALIZATION EXAM?

Whether you take the current or new exam depends upon when you applied for naturalization and when your naturalization interview is scheduled:

- I applied or will apply before October 1, 2008 and my naturalization interview is scheduled for before October 1, 2008 → **You must take the current exam.**
- I applied or will apply before October 1, 2008 and my naturalization interview is scheduled for after October 1, 2008 → **You can choose between the current and new exam.**
- I will apply on or after October 1, 2008 → **You must take the new exam.**

DO I HAVE TO TAKE THE NATURALIZATION EXAM IN ENGLISH?

Generally, yes. Most applicants are required to pass both the civics and language sections of the exam in English. However, if you are over a certain age, there are more lenient requirements. See below:

AGE	NUMBER OF YEARS AS A GREEN CARD HOLDER		CIVICS TEST	ENGLISH TEST
Over 50 years old	At least 20 years	→	May be taken in language of choice	Not required
Over 55 years old	At least 15 years	→	May be taken in language of choice	Not required
Over 65 years old	At least 20 years	→	May take simpler version of test in language of choice	Not required