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Citizenship Education and Naturalization Information

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CITIZENSHIP EDUCATION AND NATURALIZATION INFORMATION


One of a Series of Federal Citizenship Texts



**Immigration and Naturalization Service
U.S. Department of Justice**

1987

M-287



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The new series was reviewed by INS officials and by field practitioners whose comments and suggestions were incorporated into the texts.

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 - Signing of Declaration of Independence
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Washington, D.C.

NOTES TO THE READER

The series of federal citizenship texts is designed especially for persons seeking to become citizens of the United States of America. The texts can be used to help the reader prepare for the naturalization examination.

The texts in the series are:

- United States History: 1600-1987,
- U.S. Government Structure, and
- Citizenship Education and Naturalization Information.

The main focus of the texts is on understanding how individuals and events shaped the United States—how the country was built. The importance of individual freedom in the United States is stressed throughout the texts.

The **history text** is an overview of the history of the United States from 1600-1987. It provides the history, content and purpose of the Constitution, the amendment process and major historical events. **Portraits** of individuals important in U.S. history are presented for interest.

The **government text** describes the basis of the government of the United States—the Constitution. It discusses the three branches of the United States government and the importance, duties and authority of each. The types of government—federal, state and local—are explained and compared.

The **citizenship education and naturalization information text** discusses the rights and responsibilities of being a U.S. citizen, including rights guaranteed by the Constitution. General information on becoming a citizen is provided, also.

The texts contain **learning objectives** which state in general terms what the reader will learn by completing the texts. These are the **bold** words in the chapter that are *not* explained in the text. The words are defined according to the way in which they are used in the text. At the end of every book, all of the definitions appear in alphabetical order in the **glossary**.

Review questions at the end of each chapter relate to the information presented in the chapter. Knowledge of these questions and other material in the texts will prepare the reader for the naturalization examination.

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LEARNING OBJECTIVES—CITIZENSHIP EDUCATION AND NATURALIZATION INFORMATION

By course completion, learners will be able to:

- Describe the relationship between the U.S. form of government and the authority, rights and privileges of U.S. citizens.
- Discuss the importance of freedom and independence in U.S. history.
- Discuss the rights granted by the Constitution and the Bill of Rights.
- Discuss rights and privileges of U.S. citizens.
- Describe citizens' duties and responsibilities to their communities and their country.
- Recognize national symbols and landmarks and their importance.
- Describe the steps to take to become naturalized.

I. BEING A U.S. CITIZEN

U.S. SYSTEM OF GOVERNMENT

The U.S. form of government is a “government of the people, by the people, and for the people.” It is a **republican** or **representative** government. The citizens of the U.S. choose or elect individuals to represent them at all levels of government—local, state and federal. These representatives express the concerns of their **constituency**—the people they serve.

The basis of the U.S. system of government is the **Constitution**. The Constitution was written to meet the needs of the people. As those needs and conditions change, the Constitution can be changed (amended). The Constitution and its amendments provide for the rights and freedom of the people living in the U.S. These basic human rights *cannot* be taken away. No law can be passed which **interferes** with the Constitution and the rights it provides. The Constitution is known as the *supreme law* because:

- everyone is protected by the law;
- everyone must obey the law; and,
- no law can be made which **contradicts** or opposes the Constitution.

The right of all Americans to “life, liberty and the pursuit of happiness” is the basis for the Constitution and its amendments.

FREEDOM

The most important right Americans* have is freedom. The people who founded the U.S. were searching for freedom and

* **Americans** is used to refer to people living in the United States of America.

equality. They wanted to be able to practice their religion, to voice their opinions and to control their own lives. The settlers believed that all people should have the right and opportunity to improve their way of living. They wanted to have the chance to make laws that would benefit everyone. They believed that if the people made the laws, they would obey the laws and respect each other's rights. Freedom was the basis of the settlers' way of living. They could choose their land and their work, build their homes where they wanted and move when they wanted. Freedom is one of the most important and basic values of all Americans.

As a nation, the original 13 colonies fought for and won independence from Great Britain. The colonies (now called *states*) wanted complete self-government and **democracy**. The Declaration of Independence is based on the belief that *all men are created equal*. (See United States History book, chapter II.) This belief is **essential** to a democratic government. When the Constitution was written, the representatives made sure that no person or group could completely control the government. To make sure this would not happen, the Constitution and the Bill of Rights had:

- a system of **checks and balances** (see U.S. Government Structure book); and,
- a guarantee of basic rights and freedom to all people living in the U.S.

Everyone's rights—citizens and non-citizens—are protected or guaranteed by the Constitution. The people control the government through voting. They can make changes when they believe it is necessary.

In the United States, Americans have the opportunity to succeed in the area they have chosen. The emphasis is on **individual freedom** and **equality** of all people. Each person controls his or her future without interference from the government. Americans can choose the type of work they do, their religion, their friends, where they want to live, etc. They can express their political opinions and beliefs freely. Individual freedom also means that people have to depend on themselves,

compete with others and work hard to achieve their goals and to improve their way of living. Individual freedom and **self-reliance** are two of the basic values of Americans.

BASIC RIGHTS

The objective or goal of the U.S. government is to protect the rights and freedom of the people. No one can take away the rights of those who obey the law. No person has the right to interfere with the rights of other people.

The Constitution and the Bill of Rights establish the basic civil rights and liberties of *all people* living in the U.S. (These rights also are described in the U.S. Government Structure book.) The Bill of Rights—the first 10 amendments to the Constitution—is listed and explained below.

1st Amendment

- **Freedom of religion**
 - Any person has the right to join (or not join) any religious group.
 - Any religious group is free to practice its beliefs, as long as it obeys or follows the law.
 - This amendment results in the *separation of church* (any religion) *and state* (the government).
- **Freedom of speech and of the press**
 - Any person can say, write, print or publish the truth about any subject.
 - Any person can express his or her opinion and discuss any issue freely and openly.
 - This freedom protects our system of government. The people's representatives and government officials know what the people are thinking.
 - Freedom of speech and freedom of the press keep the people informed about national issues and problems.

- **Freedom of peaceable assembly**

- A group of people has the right to meet for any peaceful purpose.
- Any group can discuss issues and make plans.
- The government cannot interfere with the group if the law is being followed.
- Any group can meet whenever and wherever it chooses without permission from the government.
- A group has the right to criticize and disagree with the government.

- **Right to petition the government**

- Any person (or group) has the right to **petition** the government—that is, to ask the government to change its policies or plans. Usually the request is written.
- The request can be to stop existing policies or future plans that are believed to be harmful or services that should be **extended** or improved.
- A person or group has the right to send letters to representatives in the federal, state or local government.

2nd Amendment

- **Right to keep and bear arms**

- Every person has the right to have a weapon (*to bear arms*).
- Each state has licensing **regulations** or rules about owning and using weapons.

3rd Amendment

- **Quartering of soldiers**

- When there is peace in the country, soldiers cannot be placed in a house unless the owner of the house agrees.

- When there is war, soldiers can be placed in people's homes only according to the laws passed by the **legislative** branch of the government.

4th Amendment

- **Security from unwarrantable search and seizure**
 - All people have the right to be safe from having their homes and property **searched** or **seized** for no reason. The government needs to write on a **warrant** the place to be searched and the person(s) or objects to be seized.
 - This amendment limits the power of the government and protects the freedom and safety of individuals.

5th Amendment

- **Rights of accused in criminal proceedings**
 - A person cannot be forced to stand trial for a serious crime (in peaceful times) unless a **grand jury** has formally charged (**indicted**) the person with a crime.
 - A person cannot be tried twice for the same crime.
 - A person cannot be forced to **testify** or give evidence against him/herself. A person cannot be forced to provide evidence that may prove he/she is guilty of a crime.
 - A person cannot have his/her life, freedom or property taken without having a fair trial.
 - A person's property cannot be taken and used by the public unless a fair price is paid for the property.
 - This amendment ensures that all people receive fair and honest hearings and trials. This

protects our system of justice and people's rights.

6th Amendment

- **Right to speedy trial**

- Any person **accused** of or charged with committing a crime has the right to have a quick and public trial by a fair **jury**.

- Anyone accused of a crime has the **right** to be told why and of what crime he/she is being accused.

- **Right to witnesses**

- A person has the right to hear and question the witnesses testifying against him/her.

- A person has the right to witnesses at a trial to testify for him/her.

- A person has the right to have a lawyer to **defend** him/her and to question the witnesses.

- This amendment ensures that a person has a fair trial and protects his/her rights.

7th Amendment

- **Trial by jury in civil cases**

- In most lawsuits that do not involve crimes, the **parties** have the right to a trial by jury.

8th Amendment

- **Bails**

- A person cannot be **denied** his/her freedom (put in jail) during a trial because the judge set a high unfair amount for **bail**.

- **Fines**

- A person should not have to pay an unfair

amount of money (*excessive fine*) for breaking the law. The fine should be based on the type of crime.

- **Punishments**

- No one can receive *cruel and unusual punishments* for breaking the law.

9th Amendment

- **Rights of the people**

- The rights described in the Constitution and the first eight amendments are not the only rights the people have.
- The rights of the people that are not listed in the Constitution cannot be taken away from the people.
- This amendment makes it clear that the people have the final authority.

10th Amendment

- **Powers reserved to states or the people**

- Any powers that are not **delegated** or given to the federal government *or* are not taken away from the states, are powers that belong to the states and the people.
- This amendment limits the power of the federal government and protects the system of government. It also shows that the people have the final authority.

In addition to the basic rights guaranteed by the Constitution and the Bill of Rights, the other amendments (11-26) protect individual liberties and the U.S. system of government. Some of these amendments also provide citizens with certain rights that are not given to non-citizens.

RIGHTS OF CITIZENS

A citizen is a person who is a full member of the U.S. He/she owes loyalty or allegiance to his/her country. He/she can take an active part in helping to improve his/her community and the U.S. system of government. Some ways in which a citizen can help govern his/her community are by:

- **nominating** candidates to run for public office;
- voting for candidates who are nominated;
- holding public office* at the local, state or national level; and,
- directing or organizing community affairs.

Naturalized citizens can obtain federal government jobs (including those that require a **security clearance**), can travel with a U.S. passport, and can petition for close relatives to come to the U.S. to live. People who are not citizens do not have these rights. They do not receive all available benefits and are not eligible for all jobs.

Right to Vote

The most important right citizens have is the right to vote. Voting is the basis of a **representative democracy**. By voting, the people have a voice in the government. The people decide who will represent them in the government. Officials can be voted in or out of office. Every person's vote counts the same as another person's vote.

Each citizen can **register** to vote in his/her community. Usually, there is a requirement that the citizen has lived in the state for a certain period of time. Each state has the power to decide which citizens in the state can vote. However, some voting rights are guaranteed by the Constitution. This means that states *cannot* deny the right to vote to anyone:

* A citizen can hold any office for which she/he is eligible and qualified. Naturalized citizens *cannot* hold the office of President or Vice President of the U.S.

- who is at least 18 years of age;
- because of his/her race, color or sex;
- because she/he has not paid a voting or poll tax; and,
- in national elections for President and Vice President.

States have the power to deny the right to vote to citizens who have been **convicted** of serious crimes or who are not able to make **rational** decisions. States *cannot* require citizens to pass a reading and writing test before granting the right to vote.

DUTIES AND RESPONSIBILITIES OF CITIZENS

The right to vote is a duty as well as a privilege. It is important for all citizens to vote in every election to make sure that the democratic, representative system of government is maintained. Persons who do not vote lose their voice in the government.

Before voting in an election, each citizen should be well informed about the issues and **candidates**. The **political parties** distribute brochures, pamphlets and newsletters about their candidates, the party **platform**, and the party view on important issues. Citizens can read this information to learn about the differences among the parties. Some candidates are independent and do not belong to a political party. These candidates distribute their own information. Radio, television, newspapers, and magazines provide information, also. Each citizen needs to make his/her own decision about who would be the best representatives by considering all sides of the issues.

State and local elections involve voting on issues or laws that are of concern to the citizens, such as businesses, schools, neighborhoods, transportation, safety or health. In many states, the voters have a direct part in the lawmaking process. For example, a law that has been passed in the state legislature may be sent back to the voters to accept or reject. The voters decide directly if a new law should be put into effect. This is known as the power of *referendum*. Another form of direct lawmaking by the voters in some states is the *initiative*. In this

process, a group of voters signs a petition asking for a specific law. If enough people have signed the petition, the qualified voters must be given a chance to vote for or against the proposed law. The law will go into effect if more than half (a majority) of the votes are in favor of the law. These two processes—referendum and initiative—show the authority of the people in the U.S. system of government and the importance of being a well-informed citizen. (See U.S. Government Structure book for more detail on these processes.) To keep the laws responsive to the needs of the state and community, it is important to vote and be represented.

Citizens have responsibilities other than voting to maintain the democratic form of government. The government may call upon citizens to serve on a jury. If an individual is chosen for jury duty, she/he must stop work and attend the trial as long as she/he is needed.* The members of the jury need to decide the case in as fair a way as they can. They hear all of the witnesses and **evidence** for both sides of the case and decide if the accused is guilty or responsible. Citizens serve on juries in both civil and criminal cases.

DUTIES AND RESPONSIBILITIES OF ALL AMERICANS

Men can be asked to serve in the armed forces. During times of war, any man who is physically able can be called upon to fight for the U.S. In peaceful times, there can be a **draft** or men can enlist voluntarily. The U.S. has had both systems in the past, and the system changes from time to time. In some states or local areas, any person may be ordered to help the sheriff arrest a criminal or to enforce peace and order.

Every person is expected to obey the laws of the community, state and country in which he/she lives. All Americans are expected to respect the rights of others. All persons living in the U.S. are expected to pay their income taxes and other taxes honestly and on time. The tax money is used by different government agencies to pay for the services provided to Americans, such as:

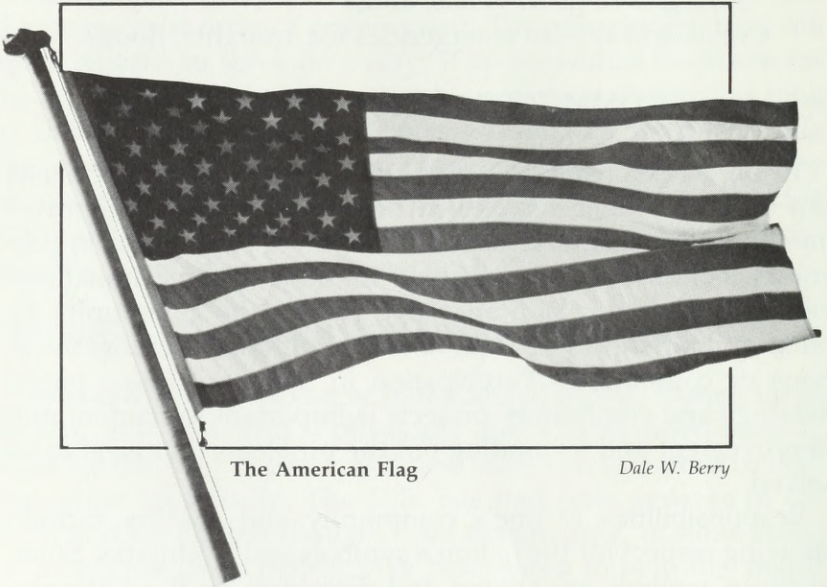
* In some cases, a person may not have to serve when called, but can serve at a later date.

- protection of life, rights, property, and safety—police, fire and rescue squads, court system, armed forces;
- health—pure water and food, inspected milk and meat, maintaining hospitals, etc;
- education—public schools and libraries;
- maintenance, repair and building of roads, highways and streets;
- **conservation** or protection of wildlife, forests, natural resources;
- protection of savings, by inspecting banks and insuring savings in banks; and,
- relief and aid—in emergencies for droughts, floods.

COMMUNITY RESPONSIBILITIES

To be a responsible member of one's community, citizens can volunteer their services to help obtain needed improvements. Active membership on local school boards and in parent-teacher associations can help to improve educational services. Citizens can take an active part in the community by offering their knowledge and talents to different local organizations or committees. Participation in town meetings, public hearings and community projects is important for community improvement and for finding out the problems that need to be solved.

Responsibilities to one's community and country include showing respect for the nation's symbols and landmarks. Some of these symbols are shown and discussed on the following pages.



The American Flag

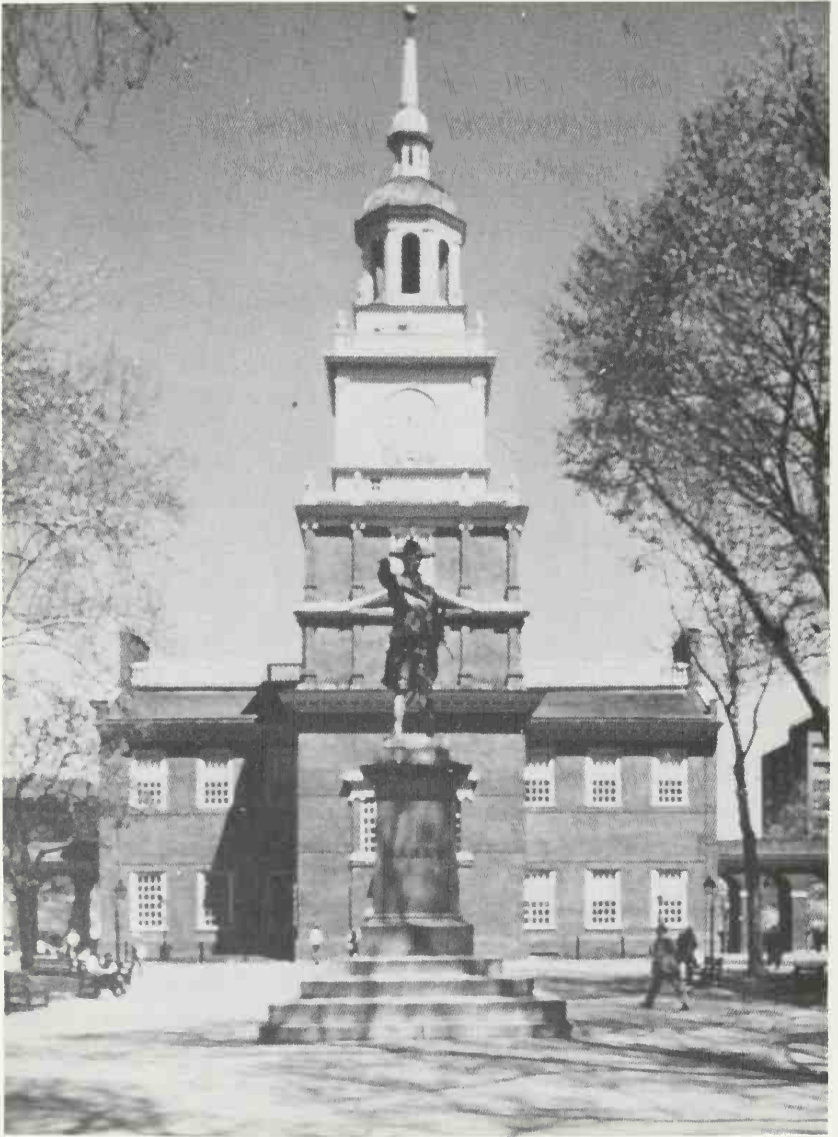
Dale W. Berry

THE AMERICAN FLAG

- Symbol of freedom and justice for all Americans.
- Stands for the union of separate states into one undivided nation.
- Also called *Stars and Stripes*, *Star-Spangled Banner*, *Old Glory*.
- The 7 red and 6 white stripes stand for the original 13 states.
- The blue field with 50 stars represents the union of 50 states. (The original flag had 13 stars—stars are added for each state admitted to the Union.)
- The flag was adopted in Congress on June 14, 1777. (Some states celebrate this date as Flag Day.)
- There are rules of behavior to show respect and to honor the flag, such as saluting or standing at attention (facing the flag).
- There are rules for displaying, carrying, using, and storing the flag.
- The pledge of allegiance to the flag is a sincere promise of faithfulness and loyalty to the flag and to the country and freedom it represents.

THE PLEDGE OF ALLEGIANCE

“I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”



Independence Hall

National Park Service

INDEPENDENCE HALL

- Built between 1732 and 1756 in Philadelphia, Pennsylvania, as the State House or capital.
- Declaration of Independence adopted here on July 4, 1776 (Independence Day).
- Articles of Confederation ratified here in 1781.
- Constitution written here and signed on September 17, 1787.
- Home of the Liberty Bell for 200 years.
- Place where colonial leaders met to plan the future of the new nation.

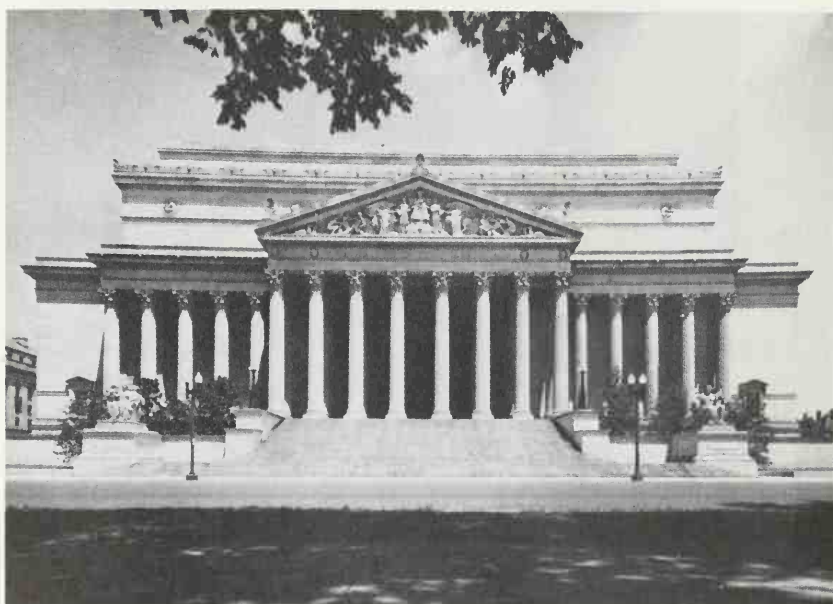


Liberty Bell

National Park Service

LIBERTY BELL

- Symbol of American freedom.
- First hung in the tower of Independence Hall in Philadelphia, Pennsylvania.
- Rang out when the Declaration of Independence was adopted on July 4, 1776. Americans celebrate this day as Independence Day.
- Moved to Liberty Bell Pavilion, across from Independence Hall, on January 1, 1976. The pavilion is a glass building which is the permanent home of the Liberty Bell.



National Archives

Washington Convention and Visitors Association

NATIONAL ARCHIVES

- Permanent display of the three most famous documents in U.S. history:
 - Declaration of Independence
 - U.S. Constitution
 - Bill of Rights
- Protects these documents against damage.
 - Each sheet is enclosed in a separate, sealed case, filled with helium, for protection from pollutants in the air or damage by accident or handling.
 - Special light filters keep the documents from fading.
 - The documents are lowered into a vault directly beneath the display cases during the night and in case of emergency.
- Preserves valuable records acquired throughout the nation's history.
- Documents, maps, photographs, and recordings are available for research and reference purposes.
- Materials that are preserved are:
 - important to the operation and functioning of the government;
 - are valuable for long-term research; or,
 - provide information valuable to the public, such as records of military service, pension records, ship passenger lists regarding arrival of immigrants.



Statue of Liberty

National Park Service

STATUE OF LIBERTY

- Gift from France to the U.S., dedicated in 1886, symbolizing republican ideals.
- Symbol of political freedom, opportunity and international friendship.
- Torch has been a symbol of welcome to millions of immigrants.
- Recently restored for its 100th birthday.
- Located on Liberty Island, across from Ellis Island, in New York Harbor.
- At the base of the statue is a museum with exhibits on immigration, recalling the arrival of millions of new Americans.



The United States Capitol

Architect of the Capitol

THE UNITED STATES CAPITOL

- Built from 1793 to 1867, in Washington, D.C.
- Place where Congress—the Senate and the House of Representatives—meets to make the laws of the U.S.
- The President also has offices in the Capitol for his/her use.
- Focus of American values and ideals of freedom and opportunity.
- Statue of Freedom is atop the dome of the Capitol.
- Inside the Capitol are paintings, murals, portraits, and statues of important events and people in the development of the United States.
- Most of the Presidents of the U.S. have been inaugurated at the Capitol.

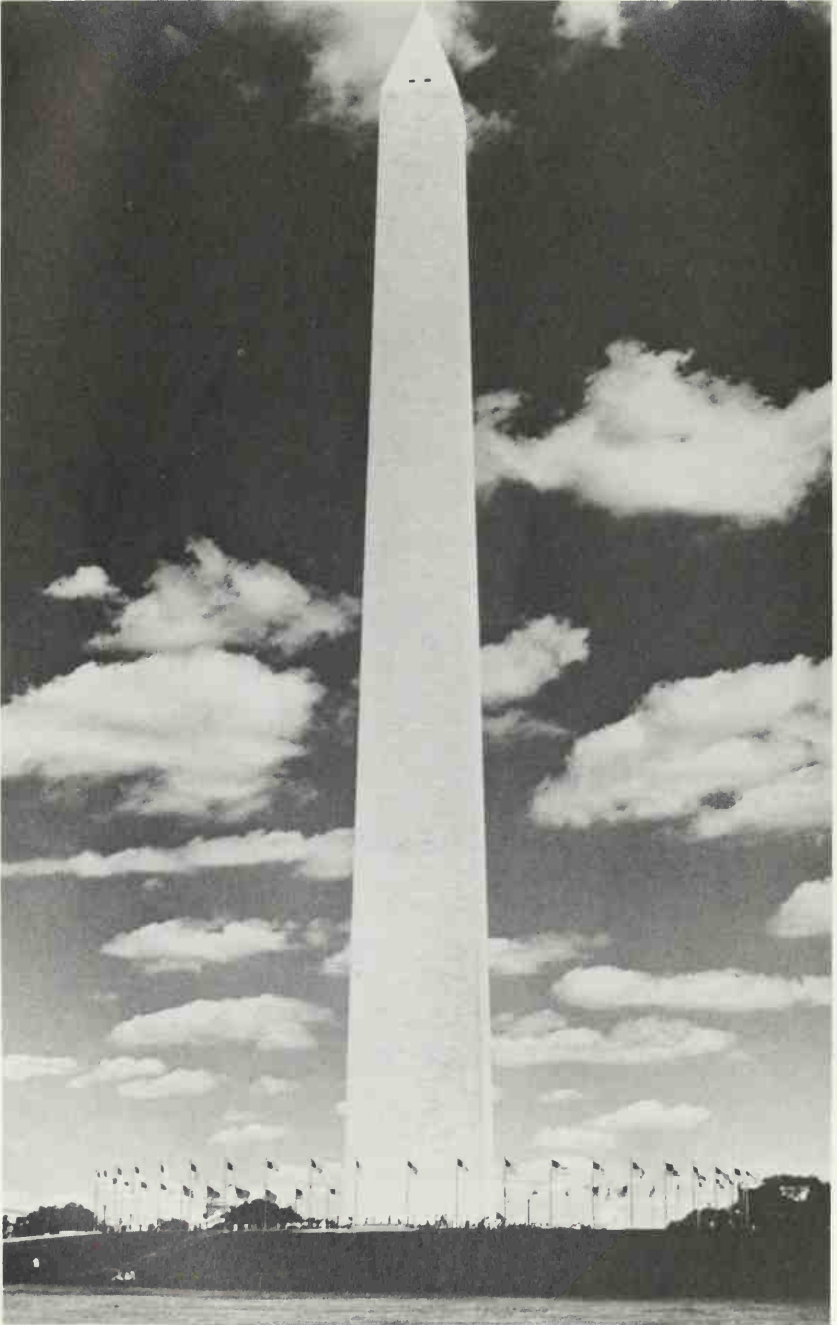


The White House (North Lawn)

Washington Convention and Visitors Association

THE WHITE HOUSE

- Official home for every President of the United States except George Washington, who chose the location.
- Interior not yet completed when President John Adams moved into the White House.
- Located at 1600 Pennsylvania Avenue, N.W., Washington, D.C.
- Rebuilt and restored after it was burned by the British in August 1814.
- Contains furnishings collected by the Presidents and their families.

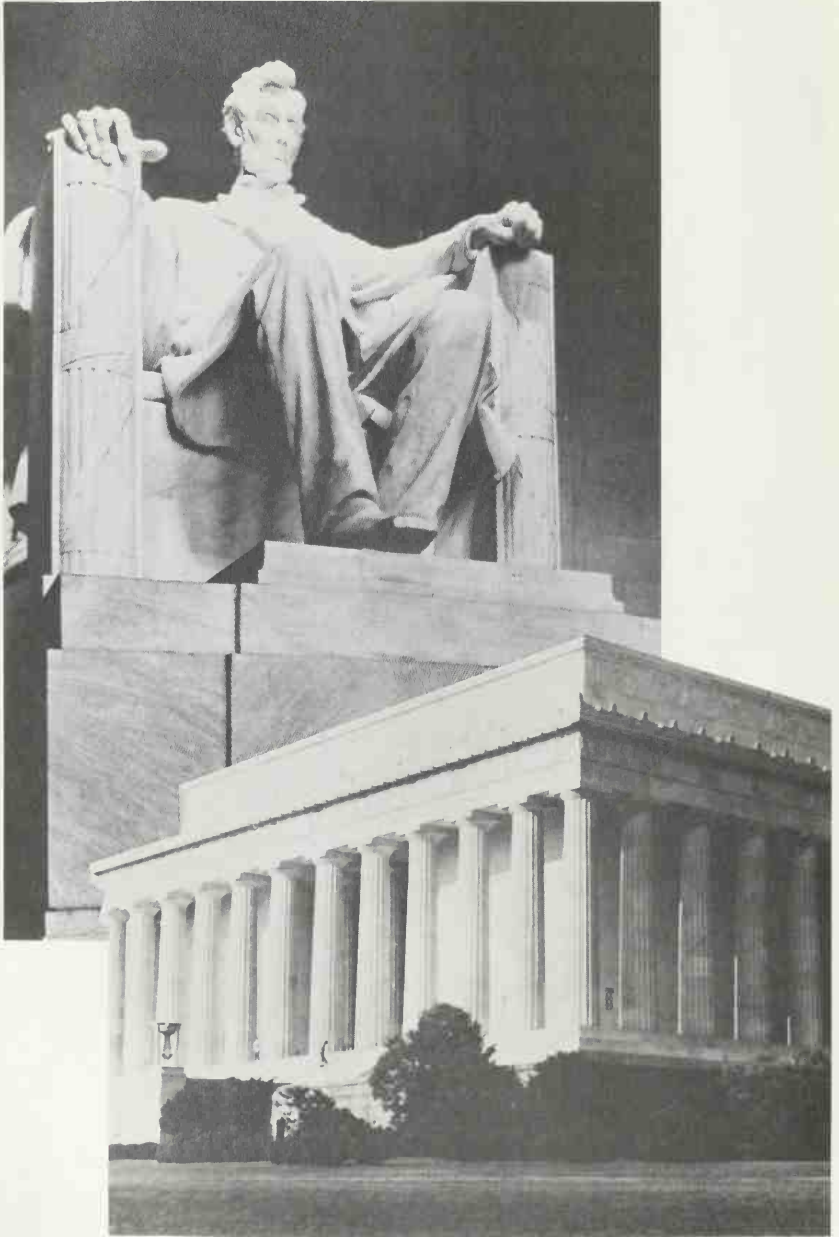


Washington Monument

Washington Convention and Visitors Association

WASHINGTON MONUMENT

- Built between 1848 and 1885, in Washington, D.C.
- In memory of George Washington, as commander of the Continental Army and as the first President of the United States.
- Construction delayed during Civil War; monument stood incomplete for about 25 years.
- Inside walls contain carved stones given by individuals, societies, cities, states, and other countries.
- Height of monument is 555 feet and weighs over 90 thousand tons.

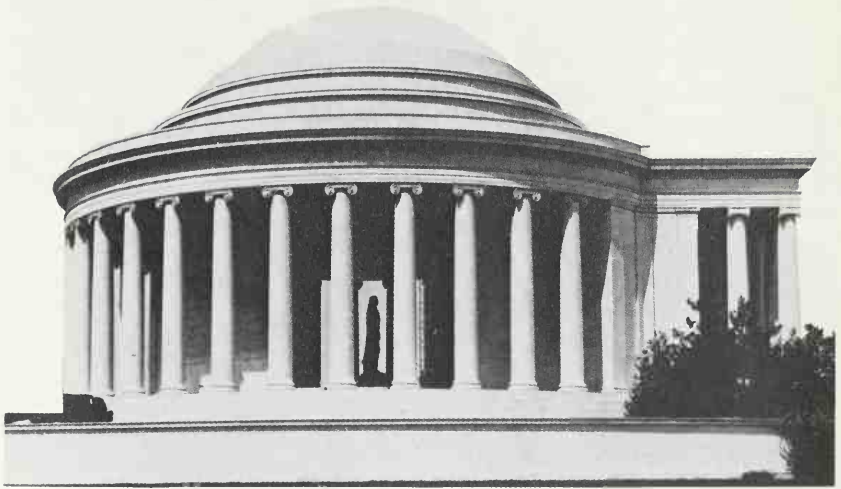


Lincoln Memorial

Washington Convention and Visitors Association

LINCOLN MEMORIAL

- Built between 1914 and 1922, in Washington, D.C.
- In honor of Abraham Lincoln, the 16th President of the United States, during the Civil War.
- Memorial symbolizes Lincoln's belief that all people should be free.
- Theme of the building represents the Union.
 - Columns surrounding the walls stand for the 36 states in the Union at the time of Lincoln's death.
- The chamber inside the memorial contains:
 - A statue of Lincoln seated and facing the Washington Monument and the Capitol;
 - Two huge stone tablets, one engraved with his Second Inaugural Address, the other with the Gettysburg Address; and,
 - Two murals, which represent the principles of freedom, justice, unity, brotherhood, and charity.



Thomas Jefferson Memorial

Library of Congress

THOMAS JEFFERSON MEMORIAL

- Built between 1938 and 1943, in Washington, D.C.
- In memory of Thomas Jefferson, author of the Declaration of Independence, 1st Secretary of State, 3rd President of the United States.
- Memorial built along the Tidal Basin, in line with the White House, other memorials and the Capitol.
— Washington Monument is in the center, the Capitol is to the east, the White House to the north, the Lincoln Memorial to the west, and the Jefferson Memorial to the south.
- Tidal Basin is surrounded by cherry blossom trees which were a gift from the city of Tokyo, Japan, to the city of Washington, D.C.
- Structure of building is based on the classic style of architecture Jefferson introduced into this country.
- In the center of the memorial is a standing statue of Jefferson.
- On the inside walls are four inscriptions based upon Jefferson's writings, describing his beliefs in freedom, education of all people, and the need for change in the laws and institutions of a democracy.

REVIEW QUESTIONS

1. What kind of government does the U.S. have?
2. What is a constituency?
3. What document provides the basis for the U.S. system of government?
4. Name one reason the Constitution is known as the supreme law.
5. What important right allows Americans to choose their work, religion, friends, etc.?
6. Whose rights are guaranteed by the Constitution and Bill of Rights?
7. Name one right guaranteed by the 1st amendment.
8. Summarize one amendment, other than the 1st, from the Bill of Rights.
9. Name one way citizens help govern their community.
10. Name one benefit of being a U.S. citizen.
11. What is the most important right granted to U.S. citizens?
12. Name one characteristic which **cannot** be used to deny voting rights.
13. Name one way citizens can become informed voters.
14. Name one responsibility of a citizen, other than voting.
15. Name one responsibility of all Americans.
16. How many stars and stripes are there on the Flag?
17. What do the stars and stripes on the Flag represent?
18. Recite the Pledge of Allegiance.
19. Where were the Declaration of Independence and Constitution signed?
20. What is the name of the President's official home?

NOTES

16. BECOMING A U.S. CITIZEN

PROCEDURE FOR BECOMING A U.S. CITIZEN

There are three ways to become a U.S. citizen: naturalization, birthright citizenship, and marriage to a U.S. citizen.

- Naturalization
- Birthright citizenship
- Marriage to a U.S. citizen

The naturalization process is the following:

1. Apply for Naturalization

An applicant must first determine if they are eligible to apply for naturalization. The requirements for naturalization are as follows: The applicant must be at least 18 years old, a permanent resident, and have lived in the United States for a certain period of time.

- Be at least 18 years old
- Be a permanent resident
- Have lived in the United States for a certain period of time

The applicant must also pass a citizenship test, which includes a written test on U.S. history and government, and an oral test on basic civics. The applicant must also pass a language test, which is a written test on basic English. The applicant must also pass a character reference test, which is a written test on the applicant's character and moral standing.

The applicant must also pass a background check, which is a check of the applicant's criminal record and other information.

NOTES

II. BECOMING A U.S. CITIZEN

PROCEDURE FOR FILING FOR CITIZENSHIP

There are three steps to take for a person to become **naturalized**—to become a U.S. citizen:

- file an application;
- take naturalization examination; and,
- appear for final court hearing.

These three steps are described in the following sections.

File an Application

An application to file a **petition for naturalization** needs to be obtained from the local Immigration and Naturalization Service (INS) office. The forms needed are free to the applicant:

- application;
- biographic information sheet; and,
- fingerprint chart.

The *application* must be filled out completely and truthfully. There are instructions on the form to help the applicant answer the questions. The applicant will be asked to give these answers **under oath** when she/he appears for the examination. If the answers are not truthful, the applicant may not be granted citizenship.

The *biographic information sheet* must be filled out completely. It contains information similar to the application form.

Applicants need to fill in the personal information, such as name, address, birthdate, etc., on the *fingerprint chart*. Fingerprints can be taken at a police station, sheriff's office or some INS offices. The applicant must sign the fingerprint chart in the presence of the person taking the fingerprints. The person taking the fingerprints must sign the chart, also.

Along with the application, a biographic information sheet and fingerprint chart, the applicant must have three unsigned photographs of his/her face. The application package gives specific information on what is needed. Other documents which may be needed include:

- alien registration receipt and card;
- record of U.S. military service (if applicable);
- other records, if applicable, such as:
 - selective service registration,
 - passport and/or document(s) regarding any entries in the U.S.,
 - marriage certificate,
 - proof of death of applicant's wife or husband, or proof of divorce for each of applicant's marriages,
 - evidence of child support for all children under 18 years old who do not live with applicant,
 - proof of U.S. citizenship of spouse—wife or husband,
 - copy of driving record, if any traffic violations (other than parking), etc.

Take Examination

The INS will review the application package and schedule an interview for the applicant. The examiner will ask the applicant questions about his/her application and will help the applicant file the **petition for naturalization**—the legal paper that is filed in the naturalization court. The applicant will need to pay a fee when filing the petition if he or she passes the naturalization examination.

The examiner asks the applicant some questions about the U.S. system of government and U.S. history to see if the applicant has *basic knowledge* of these subjects. The applicant does not have to be able to read or write English to pass this part of the examination.

The examiner also will test the applicant's English reading and writing skills by giving a simple **dictation test**. The applicant also will be asked to sign his/her name in English. Two types of applicants do not have to take the English literacy examination. These are applicants who are:

- physically unable to read or write, *or*
- 50 years old or more and have lived in the U.S. (as a legal permanent resident) for 20 years or more.

Appear for Final Court Hearing

After the examination is complete and the petition is filed, the applicant must appear in court for a final hearing. The examiner tells the judge that the applicant is qualified for naturalization and should be made a citizen. If the examiner believes that the applicant is not qualified for naturalization, the applicant can appear at the final hearing (with a lawyer, if desired). The applicant can ask the judge for citizenship. The judge will listen to the applicant's reasons and will decide on naturalization.

If an applicant cannot appear to meet the examiner to file the petition or cannot appear in court because of an illness or physical disability, it may be possible for other arrangements to be made. The local INS office can be contacted for further information.

Take the Oath of Citizenship

When it has been decided that an applicant is to become a citizen, the applicant must take an **oath of allegiance** or loyalty to the U.S. When he/she takes the oath, the applicant gives up loyalty to another country. Upon taking the oath, the applicant promises to support and defend the U.S. Constitution and the laws of the United States of America.

The oath of citizenship is:

"I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God. In acknowledgment whereof I have hereunto affixed my signature."

In some cases, INS allows the oath to be taken without the clauses:

". . .that I will bear arms on behalf of the United States when required by law; that I will perform non-combatant service in the Armed Forces of the United States when required by law. . ."

Receive Certificate of Citizenship

After the oath of citizenship is taken, the judge signs an order granting naturalization. The new citizen is given a certificate of naturalization—the official paper showing the person is a U.S. citizen. (If a large number of people become citizens at a court hearing, the certificates may be mailed to the new citizens later.)

Name Changes; Lost, Damaged or Destroyed Citizenship Papers

If a new citizen changes his/her name *or* the certificate of naturalization is lost, damaged or destroyed, it is important to apply for a new certificate. The local INS office will supply the application form for the new certificate.

ELIGIBILITY REQUIREMENTS FOR CITIZENSHIP

To become a citizen, or to be naturalized, a person or applicant must meet certain requirements:

- be at least 18 years old;
- have lived in the U.S. as a legal resident for at least 5 years;
- be of good moral character and loyal to the U.S.;
- be able to read, write, speak and understand basic English;
- have basic knowledge and understanding of the history, government structure and the Constitution of the U.S.; and,
- be willing to take an oath of allegiance to the U.S.

These requirements are discussed in the following sections.

Age

To apply for naturalization, a person must be at least 18 years old.

Lawful Admission

To be eligible to apply for citizenship, a person must have been legally admitted to the U.S. to live here permanently. Some people are admitted only temporarily, such as visitors and students, and are *not* eligible for naturalization. Persons

who entered the U.S. illegally and who do not qualify for legalization are not eligible for citizenship. A person who has been allowed to live in the U.S. as a permanent immigrant can lose the privilege of becoming a citizen if he/she leaves the U.S. and intends to stop living here.

Residence

An applicant who has been admitted for permanent residence must live in the U.S. continuously for at least five years just before filing a petition to be naturalized. At least the *last* 6 months of this 5-year period must be in the state where the petition is being filed.

Physical Presence

Applicants do not have to stay in the U.S. every day of the 5-year period. However, applicants must *not* live out of the U.S. for:

- one year or more continuously, and
- 30 months or more during the 5-year period.

If an applicant breaks these requirements, she/he must complete a new period of residence after returning to the U.S.

Applicants may be eligible to get permission from INS to live out of the U.S. for more than one year without breaking the residence requirement if they are:

- employed by American organizations;
- employed by the U.S. government; and,
- working with religious organizations.

There are some restrictions on qualifying for this permission. Local INS offices can provide the needed information to applicants regarding the details of exceptions to residence requirements, when the application must be made, and physical presence and residence during the time out of the U.S.

Character and Loyalty

A person applying for citizenship must show that he/she:

- has been of good moral character,
- has believed in the principles of the U.S. Constitution, and
- has believed in the good order and happiness of the U.S.

during the entire 5-year period before filing for citizenship and until the judge decides that he/she qualifies for citizenship.

To be of good moral character, a person *cannot* be or have been during the 5-year period:

- an alcoholic (drinks liquor to the point that it habitually leads to drunkenness or interferes with major aspects of a person's life, such as work, marriage, etc.);
- a polygamist (is married to more than one person at the same time);
- involved with prostitution;
- involved with narcotics;
- a criminal;
- a gambler (gets most of his/her income from betting);
- convicted and jailed for six months or more; and,
- convicted of murder (at any time).

A judge may consider other characteristics or behavior as well as those mentioned above when deciding if an applicant has the good moral character needed to become a citizen of the U.S. Aliens may be rejected who:

- lied under oath to gain a benefit under the immigration and naturalization laws;
- refused to serve in the U.S. armed forces;
- have been convicted of leaving the service without

- permission (desertion) or avoiding service; or,
- have applied for and received exemption from service because they were aliens.

Communist Party and Similar Membership

A person who has been a member of (or involved with) the Communist Party (or a similar party) within or outside the U.S. during the 10-year period before filing for naturalization *cannot* become a citizen *unless*:

- the applicant was forced to be a member of (or involved with) the organization; *or*
- the applicant was less than 16 years old; *and,*
- the applicant no longer is a member of (or is involved with) the organization.

These conditions also apply to being a member of (or involved with) any organization that is:

- against any form of organized government; or,
- in favor of:
 - a dictatorship in the U.S., or
 - violence against the U.S. government or officers.

Deportation

A person cannot become a citizen if she/he has been ordered to leave the U.S. because she/he has broken the immigration laws.

English Reading and Writing and Education

All applicants who are physically able must be able to speak, understand, read and write simple English. A short dictation test is given in English to applicants at the examination. However, a person who is 50 years old or more and has been living in the U.S. for 20 years or more as a lawful permanent resident does

not have to meet the English language requirement. (This is sometimes called the “50/20 waiver.”) Applicants who are physically able to write must be able to sign their name in English. If they meet the “50/20 waiver,” they can sign their name in a language other than English.

All applicants must pass an examination on U.S. history and the system of government in the U.S. The examiner asks the applicant questions in simple English when the petition for naturalization is filed. Applicants who meet the “50/20 waiver” can answer the questions in a language other than English. The questions are based on the material and review questions in the series of federal citizenship texts—the United States History book, the U.S. Government Structure book, and this book. Careful study of these books will prepare an applicant for the examination.

Special Cases

There are several situations in which persons can become naturalized even though they do not meet all of the requirements discussed above. These cases can include:

- wives and husbands of U.S. citizens,
- children,
- former U.S. citizens,
- aliens who have served in the U.S. armed forces,
- employees of organizations promoting U.S. interests in other countries.

Information on naturalization requirements for these cases can be obtained from the INS.

REVIEW QUESTIONS

1. Explain in your own words the oath of citizenship.
2. Name 2 requirements for becoming a citizen.
3. Give an example of "good moral character" in terms of becoming naturalized.

NOTES

NOTES

GLOSSARY

GLOSSARY

BAIL

A sum of money exchanged for releasing a person who was arrested. The money is a guarantee that the person will appear at the trial.

CANDIDATE

A person seeking an office or position.

CHECKS AND BALANCES

System of government which maintains balance of power among the branches of the government. Sets up ways for each branch to correct any misuses of power by the other branches.

CONTRADICT

To say or do the opposite of; to oppose.

CONVICTED

Found guilty of a crime.

DEFEND

To represent the accused person (defendant) in a court case.

DEMOCRACY

System of government in which decisions are made by votes of the people.

DICTATION TEST

A test of a person's ability to understand a language by requiring the person to write down a spoken passage.

DRAFT

To force people to enroll in military service.

ESSENTIAL

Necessary; basic; fundamental; indispensable.

EVIDENCE

Statements and objects which are allowed in a court case as testimony or proof.

EXTEND

To expand, broaden.

GRAND JURY

A **jury** which meets privately to decide if there is enough evidence to justify a trial.

INTERFERE

To get in the way of; to stop from working.

JURY

A group of people chosen to hear a case in court. The *jury* makes a decision based upon the evidence.

LEGISLATIVE

Lawmaking.

NOMINATE

To propose as a **candidate** for election to office.

PARTIES

In court cases, the people involved in the case. Each party has a different opinion or takes a different side of the issue.

PETITION

A formal request, usually written, for a right or benefit from a person or group with authority.

PLATFORM

The stated principles of a **political party** or **candidate** for public office.

POLITICAL PARTY

A group of people with the same or similar beliefs about how the government should work.

RATIONAL

Based on reason.

REGISTER

To enroll officially as a voter.

REPRESENTATIVE

A form of government in which the voters elect people to make decisions for them.

REPRESENTATIVE DEMOCRACY

The people choose or elect officials to make decisions for

them about their government. On some issues, however, the people vote, rather than their representatives.

REPUBLICAN

Democratic; representative.

SEARCH

To look carefully and thoroughly for something.

SECURITY CLEARANCE

Permission to have access to classified material. Clearance is given to persons who are loyal to the U.S. and who can be trusted with secrets about national security and defense.

SEIZE

To take by force; to take possession of.

TESTIFY

To give **evidence, under oath.**

UNDER OATH

Having sworn or promised to tell the truth.

WARRANT

A document authorizing or allowing the police to make an arrest, a **seizure** or a **search.**

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