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Holly Straut-Eppsteiner
Analyst in Immigration
Policy

U.S. Naturalization Policy

Naturalization is the process that grants U.S. citizenship to lawful permanent residents (LPRs) who fulfill requirements established by Congress and enumerated in the Immigration and Nationality Act (INA). In general, U.S. immigration policy gives all LPRs the opportunity to naturalize, and doing so is voluntary. To qualify for citizenship, LPRs in most cases must have resided continuously in the United States for five years, show they possess good moral character, demonstrate understanding of the English language, and pass a U.S. government and history examination, which is part of their naturalization interview. The INA waives some of these requirements for certain older applicants, those with mental or physical disabilities, and those who have served in the U.S. military.

Naturalization is often viewed as a milestone for immigrants and a measure of their civic and socioeconomic integration into the United States. Naturalized immigrants gain important rights and benefits, including the right to vote, security from deportation in most cases, access to certain public-sector jobs, and the ability to travel with a U.S. passport. U.S. citizens are also advantaged over LPRs for sponsoring relatives to immigrate to the United States. In FY2023, 878,500 new U.S. citizens naturalized.

In recent years, some observers have expressed concern over U.S. Citizenship and Immigration Services (USCIS) processing backlogs for naturalization applications. Although there continues to be a backlog of naturalization applications, since FY2020 the agency has reduced the number of applications pending completion by more than half. As of the end of FY2023, USCIS had approximately 408,000 pending naturalization applications, down from 550,000 at the end of FY2022; 840,000 at the end of FY2021; and 943,000 at the end of FY2020.

In FY2023, 823,702 LPRs submitted naturalization applications. The number of individuals who have recently applied for citizenship remains well below the estimated population of 9 million LPRs who were eligible to naturalize in 2023. The percentage of foreign-born individuals who are naturalized varies by several factors, including country of origin. Immigrants from Honduras, Guatemala, Venezuela, Mexico, El Salvador, and Brazil have the lowest percentages of naturalized foreign born, while those from Vietnam, the Philippines, Russia, Jamaica, and Pakistan have the highest.

Research on determinants of naturalization suggests that the propensity to naturalize is positively associated with length of U.S. residence, educational attainment, and income. Those who immigrate as refugees and asylees and those who immigrate through employment-based visas are more likely to naturalize than those who immigrate as relatives of U.S. residents. Immigrants from countries with less democratic or more oppressive political systems are more likely to naturalize than those from more democratic nations.

Access to naturalization may be of interest to Congress. The Biden Administration has prioritized naturalization promotion. Some contend, and empirical research has demonstrated, that current filing fees pose barriers to naturalization for some eligible LPRs. USCIS, a fee-funded agency, relies on these fees to cover its operating costs. USCIS has generally set naturalization fees below the full cost of providing naturalization services. In its new fee schedule effective April 1, 2024, USCIS has discounted the fee to naturalize for those who file online and introduced a 50% fee reduction for individuals who meet certain income thresholds.

Support for English language acquisition and civics education to meet the statutory requirements for naturalization is another potential area of interest. Congress appropriates annual grant funding to USCIS to support these initiatives; some Members have expressed interest in augmenting support for language and civics instruction to promote naturalization. Others contend that English language proficiency and civics education are the responsibility of immigrants and not the federal government.

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Introduction

Naturalization is the process by which an immigrant¹ attains U.S. citizenship after he or she fulfills requirements established by Congress and outlined in the Immigration and Nationality Act (INA). U.S. immigration policy gives all lawful permanent residents (LPRs) who meet the naturalization requirements the opportunity to become U.S. citizens.

Applying for citizenship is voluntary and represents an important milestone for immigrants. Naturalization and citizenship are generally viewed as a measure of immigrants' socioeconomic, political, and civic integration into the United States.² The policy manual of U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security (DHS) states

United States citizenship is a unique bond that unites people around civic ideals and a belief in the rights and freedoms guaranteed by the U.S. Constitution. The promise of citizenship is grounded in the fundamental value that all persons are created equal and serves as a unifying identity to allow persons of all backgrounds, whether native or foreign-born, to have an equal stake in the future of the United States.³

Naturalization requirements include U.S. residence (typically five years), good moral character, demonstrated English proficiency, and a basic knowledge of U.S. civics and history.⁴ (See the “Naturalization Requirements” section.) As of 2023, an estimated 9 million LPRs may be eligible to naturalize based on meeting residence and age requirements.⁵

Naturalized immigrants gain certain rights and benefits available only to U.S. citizens, including the right to vote in elections, security from deportation, access to certain public-sector jobs, access to federal means-tested benefits, and the ability to travel abroad on a U.S. passport.⁶ U.S. citizens can also sponsor a broader range of relatives to immigrate to the United States.

In recent years, particularly during the COVID-19 pandemic, USCIS has struggled with backlogs of pending cases, including naturalization applications, leading to increased processing times. The agency has since made efforts to address its backlogs and reduce processing times. USCIS had 408,000 pending applications at the end of FY2023, down from 943,000 at the end of FY2020. In FY2022, 969,380 new U.S. citizens naturalized, the highest annual number since FY2008. In FY2023, USCIS reported 878,500 naturalizations.

This report reviews the requirements for naturalization and the rights and benefits that come with it. It examines the naturalization process, discusses recent trends regarding who, among the roughly 1 million immigrants who become LPRs each year, ultimately becomes a U.S. citizen, and discusses recent naturalization-related policy issues.

¹ Immigrant refers to a foreign national admitted to the United States as a lawful permanent resident (LPR). See INA §101(a)(15); 8 U.S.C. §1101(a)(15). In this report, *immigrant* and *LPR* are used interchangeably.

² Irene Bloemraad, *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada* (Berkeley and Los Angeles, CA: University of California Press, 2006) (hereinafter, “Bloemraad 2006”); National Academies of Sciences, Engineering, and Medicine, *The Integration of Immigrants into American Society* (National Academies Press, 2015) (hereinafter, “National Academies, 2015”).

³ DHS, USCIS, *USCIS Policy Manual*, Volume 12: Citizenship and Naturalization, Chapter 1.

⁴ INA §§312, 316; 8 U.S.C. §§1423, 1427. Good moral character is defined in INA §101(f), 8 U.S.C. §1101(f).

⁵ Sarah Miller and Bryan Baker, *Estimates of the Lawful Permanent Resident Population in the United States and the Subpopulation Eligible to Naturalize: 2023*, DHS, Office of Homeland Security Statistics, October 2023 (hereinafter, “Miller and Baker, 2023”).

⁶ DHS, USCIS, *USCIS Policy Manual*, Volume 12: Citizenship and Naturalization, Part A, Chapter 1.

Impacts of Naturalization

Rights and Benefits of Citizenship

The Constitution and laws of the United States give many of the same rights to both noncitizens and U.S. citizens living in the United States. However, only U.S. citizens may

- vote in federal, state, and local elections;⁷
- receive U.S. citizenship for their minor children born abroad;
- travel with a U.S. passport and receive diplomatic protection by the U.S. government while abroad;
- meet the U.S. citizenship requirement for federal and many state and local civil service employment and certain law enforcement jobs;
- receive the full range of federal public benefits and certain state benefits;
- participate on a jury; and
- run for elective office where citizenship is required.⁸

U.S. citizens may also sponsor a broader range of family members living abroad for legal permanent residence (i.e., married minor and adult children, and siblings) than LPRs. U.S. citizens may sponsor certain *immediate relatives* for legal permanent residence—spouses, minor unmarried children, and parents—regardless of numerical limits established in the INA.⁹ As such, their sponsored immediate relatives may immigrate to the United States without having to wait for a numerically limited preference visa to become available. In contrast, LPRs must sponsor relatives for LPR status within numerically limited family preference categories that often require waiting years for a visa.¹⁰

Other benefits of naturalization include access to public benefits which may be restricted to only U.S. citizens, or to LPRs with five to seven years of LPR status. Access to state and local public benefits according to legal status varies by state.¹¹

In addition, researchers have found that naturalization is associated with beneficial economic outcomes for immigrants who become citizens. These include increased earnings and homeownership and lower levels of poverty, even when controlling for other factors such as age, education, sex, and race and ethnicity.¹²

⁷ Some localities allow noncitizens to vote, for example, in local school board elections. See Kimia Pakdaman, “Noncitizen Voting Rights in the United States,” *Berkeley Public Policy Journal*, Spring 2019, <https://bppj.berkeley.edu/2019/03/04/spring-2019-journal-noncitizen-voting-rights-in-the-united-states/>.

⁸ DHS, USCIS, *USCIS Policy Manual*, Volume 12: Citizenship and Naturalization, <https://www.uscis.gov/policy-manual/volume-12-part-a-chapter-2>.

⁹ INA §201(b)(2)(A), 8 U.S.C. §1151(b)(2)(A).

¹⁰ For further discussion, see CRS Report R43145, *U.S. Family-Based Immigration Policy*.

¹¹ For more information, see CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.

¹² María E. Enchautegui and Linda Giannarelli, “The Economic Impact of Naturalization on Immigrants and Cities,” Urban Institute, 2015, <https://www.urban.org/sites/default/files/publication/76241/2000549-The-Economic-Impact-of-Naturalization-on-Immigrants-and-Cities.pdf> (hereinafter, “Enchautegui and Giannarelli, 2015”). Manuel Pastor and Justin Scoggins, “Citizen Gain: The Economic Benefits of Naturalization for Immigrants and the Economy,” Center for the Study of Immigrant Integration, University of Southern California, December 2012 (hereinafter, “Pastor and (continued...)”).

Citizenship is permanent and relieves one of the continuous residency requirements LPRs must meet to maintain their legal status¹³ and to preserve their option to naturalize (see the “Continuous Residence” section). Except for acts that bear on the integrity of the naturalization process itself, citizenship through naturalization is as secure as citizenship acquired at birth (see the “Loss of Citizenship” section).

Outcomes for the United States

The United States benefits from having eligible foreign-born persons naturalize and acquire U.S. citizenship. By naturalizing, the foreign born are able to vote in public elections, participate in jury duty, and run for elective office where citizenship is required. Symbolically and legally, naturalization represents an individual’s commitment to his or her new country, sufficiently so that Congress has sometimes introduced legislation to facilitate naturalization and discourage dual citizenship (see the “Dual Citizenship” section).

In addition to greater civic participation and commitment, as mentioned above, empirical research offers evidence of economic benefits to the foreign born who naturalize, including higher earnings. These earnings gains from naturalization translate to greater city, state, and federal tax revenues.¹⁴ Such impacts can be considerable when aggregated to the national level.¹⁵

Naturalization Requirements

To qualify for U.S. citizenship, LPRs must meet certain requirements.¹⁶ They must

- be at least 18 years of age;
- reside continuously in the United States for five years (three years for spouses of U.S. citizens);
- be of good moral character;
- demonstrate the ability to read, write, speak, and understand English;
- pass an examination on U.S. government and history; and
- be willing and able to take the naturalization Oath of Allegiance.

USCIS is responsible for reviewing all naturalization applications to ensure applicants meet U.S. citizenship eligibility requirements.¹⁷ This assessment includes security and criminal background checks, a review of the applicant’s entire immigration history, an in-person interview, and English language and civics exams. Applicants bear the burden of proof to demonstrate that they entered the United States lawfully.¹⁸ Upon approval, they must take an Oath of Allegiance to the United

Scoggins, 2012”); Heidi Shierholz, “The Effects of Citizenship on Family Income and Poverty,” Briefing Paper, Economic Policy Institute, February 24, 2010, <https://www.epi.org/publication/bp256/>.

¹³ Most non-U.S. citizens must report a change of address within 10 days of moving within the United States or its territories. INA §265(a), 8 U.S.C. §1305.

¹⁴ Enchautegui and Giannarelli, 2015.

¹⁵ Pastor and Scoggins, 2012.

¹⁶ For more detailed information about these requirements for naturalization, see 8 C.F.R. §316.

¹⁷ INA §335, 8 U.S.C. §1446.

¹⁸ INA §318, 8 U.S.C. §1429.

States and renounce allegiance to any foreign state.¹⁹ Persons whose naturalization applications have been denied may request a hearing before an immigration officer.²⁰

Continuous Residence

To be naturalized, an applicant generally must have *resided continuously* for at least five years within the United States after being lawfully admitted for permanent residence and prior to the date he or she filed a naturalization application. For periods totaling at least half of that time, the individual must have been *physically present* in the United States. The individual also must have lived for at least three months within the State or district in which he or she filed the application.²¹

The period of continuous residence required for naturalization is broken by an absence of over a year unless the LPR is employed abroad by the U.S. government, an international organization, an American research institute, or an American company engaged in foreign trade. An absence of between six months and one year presumptively breaks continuous residence unless the applicant can establish that he or she did not abandon U.S. residence during that period.²² Spouses of U.S. Armed Forces personnel stationed overseas who apply for naturalization may have their time abroad counted as residence and physical presence in the United States and may complete the naturalization process abroad. Similar provisions apply to children of U.S. Armed Forces personnel.

Certain classes of LPRs either are exempt from the residency requirement or are subject to shorter residency periods.²³ Unmarried children under age 18 living with a citizen parent are exempt from any residency requirement.²⁴ The residency requirement for spouses of U.S. citizens is three years instead of five years, and the physical presence requirement is one and a half years.²⁵ Residency requirements also are modified for other special classes.²⁶

Good Moral Character

To be eligible for naturalization, applicants must demonstrate that they have been persons of good moral character during the applicable statutory period (five years in most cases) preceding the filing of their naturalization application.²⁷ The definition of good moral character can be found

¹⁹ INA §337, 8 U.S.C. §1448.

²⁰ INA §336, 8 U.S.C. §1447.

²¹ INA §316(a), 8 U.S.C. §1427(a).

²² INA §316(b), 8 U.S.C. §1427(b).

²³ Residency requirements are not applied to children adopted by U.S. citizens (INA §320), those who served honorably in the U.S. Armed Forces during peacetime for periods totaling at least one year (INA §328), or those who served honorably during a designated period of military hostilities for any period of time (INA §329). Individuals whom USCIS determines have made extraordinary contributions to national security may be naturalized without regard to these residency requirements provided they have resided continuously in the United States for at least one year. This clause is limited to five individuals per year (INA §316(f)). A similar rule applies to persons authorized to be temporarily absent in order to perform ministerial or priestly functions of a bona fide religious organization (INA §317).

²⁴ INA §322, 8 U.S.C. §1433.

²⁵ INA §319(a), 8 U.S.C. §1430(a).

²⁶ INA §319(a), 8 U.S.C. §1430(a). For example, an individual's absence from the United States due to his or her work with the Chief of Mission or U.S. Armed Forces as a translator or interpreter, some of which work was done in Iraq or Afghanistan, will not be considered a break in U.S. continuous residence for purposes of naturalization (P.L. 109-163 §1059(e)).

²⁷ In determining good moral character, the Attorney General is not limited to the applicant's conduct and acts during (continued...)

not in the INA but in case law interpretation. However, the INA bars a finding of good moral character if a naturalization applicant, over the course of the applicable statutory period, commits certain crimes or engages in certain illegal acts or what are generally considered immoral acts and behaviors.²⁸

Anyone convicted of murder at any time or of an aggravated felony on or after November 29, 1990, is statutorily barred from naturalization.²⁹ Aggravated felonies according to the INA include murder, rape, or sexual abuse of a minor; illegal trafficking in firearms or in a controlled substance; supervising a prostitution business; receiving stolen property; and, fraud or deceit in which the victims' losses exceed \$10,000, among other offenses.³⁰

The USCIS naturalization examiner may go beyond what is specified in the INA to assess good moral character. For example, failure to pay child support may be a significant factor. Although adultery was removed as a statutory bar to naturalization in 1981, it may still be a basis for denying an application under certain conditions.³¹ The INA prohibits naturalization of persons opposed to government law, persons who favor totalitarian forms of governance,³² and deserters from the Armed Forces.³³

English Language Proficiency and Civics Knowledge

During applicants' eligibility interviews for naturalization, they must pass English language and civics tests. The law requires that persons wishing to be naturalized demonstrate an understanding of English, specifically an ability to read, write, and speak words in ordinary usage in the English language.³⁴ The language requirement is waived for those who are at least 50 years old and have lived in the United States as an LPR at least 20 years, or who are at least 55 years old and have lived in the United States as an LPR for at least 15 years.³⁵ Individuals for whom the language requirement is waived may take the civics test in their native language.³⁶

the five years preceding application but may also take into consideration behavior at any time prior to the applicable statutory period. INA §316(e) and 8 C.F.R. §316.10(a)(2).

²⁸ The INA and Code of Federal Regulations specifies examples of lack of good moral character as the following: conviction of murder or an aggravated felony; committing crimes involving moral turpitude or two or more offenses for which the aggregate sentence was five years or more; violating any controlled substance law of the United States, any State, or any foreign country; habitual drunkenness; illegal gambling; prostitution; polygamy (marriage to more than one person at the same time); lying to gain immigration benefits; failing to pay court-ordered child support or alimony payments; confinement in jail, prison, or similar institution for which the total confinement was 180 days or more during the past five years (or three years if applying based on marriage to a United States citizen); failing to complete any probation, parole, or suspended sentence before applying for naturalization; terrorist acts; persecution of anyone because of race, religion, national origin, political opinion, or social group. Drug convictions for a single instance of simple marijuana possession of 30 grams or less are excepted. INA §101(f), 8 C.F.R. §316.10.

²⁹ 8 C.F.R. §316.10(b)(1).

³⁰ INA §101(a)(43), 8 U.S.C. §1101(a)(43).

³¹ 8 C.F.R. §316.10(b)(3). For a comprehensive list and descriptions of conditional bars to establishing good moral character, see *USCIS Policy Manual*, Volume 12, Part F, Chapter 5, <https://www.uscis.gov/policy-manual/volume-12-part-f-chapter-5>.

³² INA §313, 8 U.S.C. §1424. See 8 C.F.R. §316.11, which states that naturalization applicants must demonstrate "a depth of conviction that would lead to active support of the Constitution."

³³ INA §314, 8 U.S.C. §1425.

³⁴ INA §312(a)(1), 8 U.S.C. §1423(a)(1).

³⁵ INA §312(b)(2), 8 U.S.C. §1423(b)(2).

³⁶ Individuals taking the test in their native language must bring an interpreter with them to the interview. See USCIS, "Exceptions and Accommodations," <https://www.uscis.gov/citizenship/exceptions-and-accommodations>.

The civics test fulfills a statutory requirement for naturalized citizens to demonstrate an understanding of the history, principles, and form of government of the United States.³⁷ The exam is an oral test administered by a USCIS officer during the eligibility interview. USCIS has discretion over the test questions and periodically makes updates to the test. Applicants have two opportunities to pass the test. They may retake a failed portion of the test between 60 and 90 days from the date of the initial interview.³⁸ The pass rate for the English and civics components of the naturalization test was 95.7% in FY2022.³⁹

Special consideration on the civics requirement is given to individuals who are over 65 years and have lived in the United States for at least 20 years.⁴⁰ These individuals may take a modified, shorter version of the test. Both the language and civics requirements are waived for those unable to comply because of physical or developmental disabilities or mental impairment.⁴¹

On December 1, 2020, USCIS implemented a new version of the civics test, which had been last updated in 2008. The 2020 version had the same “pass” score of 60% but required individuals to answer 12 of 20 questions, an increase in the number of questions to be answered from the prior 6 of 10 questions. It also increased the pool of all possible questions from 100 to 128. USCIS stated that the revision was undertaken “as part of a decennial update to ensure that it remains an instrument that comprehensively assesses applicants’ knowledge of American history, government and civic values.”⁴²

Some stakeholders argued that the new test format and questions would pose a barrier to naturalization.⁴³ In February 2021, President Joe Biden issued an executive order directing agencies to comprehensively review naturalization processes, including the civics and English language tests.⁴⁴ Subsequently, USCIS rescinded the new exam and reverted to the previous version from 2008, stating it had determined that the 2020 test “may inadvertently create potential barriers to the naturalization process.”⁴⁵

As part of the President’s 2021 executive order, in December 2022 USCIS announced the Naturalization Test Redesign Initiative to test new formats for the English language speaking test and civics exam.⁴⁶ The proposed new speaking test would use picture prompts that applicants

³⁷ INA §312(a)(2), 8 U.S.C. §1423(a)(2).

³⁸ DHS, USCIS, “The 2020 Version of the Civics Test,” December 10, 2020, <https://www.uscis.gov/citizenship/2020test>.

³⁹ Includes applicants who passed the initial exam (88%) and those who failed the initial exam and passed the reexam. DHS, USCIS, “Naturalization Test Performance,” October 5, 2023, <https://www.uscis.gov/citizenship-resource-center/naturalization-related-data-and-statistics/naturalization-test-performance>.

⁴⁰ INA §312(b)(3), 8 U.S.C. §1423(b)(3).

⁴¹ INA §312(b), 8 U.S.C. §1423(b).

⁴² DHS, USCIS, “USCIS Announces a Revised Naturalization Civics Test,” news release, November 13, 2020, at <https://www.uscis.gov/news/news-releases/uscis-announces-a-revised-naturalization-civics-test>.

⁴³ Simon Romero and Miriam Jordan, “New U.S. Citizenship Test Is Longer and More Difficult,” *New York Times*, December 3, 2020, at <https://www.nytimes.com/2020/12/03/us/citizenship-test.html>.

⁴⁴ Executive Order 14012, “Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans,” 86 *Federal Register* 8278, February 5, 2021 (hereinafter, “Executive Order 14012, 2021”).

⁴⁵ DHS, USCIS, “USCIS Reverts to the 2008 Version of the Naturalization Civics Test,” news release, February 22, 2021, at <https://www.uscis.gov/news/news-releases/uscis-reverts-to-the-2008-version-of-the-naturalization-civics-test>. Applicants who filed their Form N-400 between December 1, 2020, and February 28, 2021, and are scheduled for an examination before April 19, 2021, may choose which version (2008 or 2020) they take. Applicants who filed on or after March 1 or whose exams are scheduled on or after April 19, 2021, are to take the 2008 version.

⁴⁶ DHS, USCIS, “Trial Testing of Redesigned Naturalization Test for Naturalization Applications,” 87 *Federal Register* 76634-76637, December 15, 2022.

would describe using simple words and phrases. The civics test trial includes updated content and a multiple-choice format. USCIS began a voluntary trial test of the new exam with community-based organizations in June 2023 and may proceed with a second trial test at USCIS field offices in 2024.⁴⁷

The Naturalization Process

Application Procedures

The naturalization process begins when applicants file the USCIS Form N-400, Application for Naturalization with USCIS along with filing fees (see the “Naturalization Fees” section). Following formal acknowledgement of receipt of the application, USCIS instructs applicants to attend a mandatory biometrics appointment to have their fingerprints, photograph, and signature recorded. Individuals undergo a background check to establish eligibility; USCIS checks fingerprints against federal databases to see whether the individual has been arrested or convicted of a crime, deported, involved with terrorist activities, or has used other identities.⁴⁸

USCIS then schedules interviews with the applicants. During the interview, applicants are questioned about their application and background and tested on their English ability and civics knowledge (see the “English Language Proficiency and Civics Knowledge” section).

Those who pass their interviews and exams become U.S. citizens upon taking the Oath of Allegiance to the United States in a naturalization ceremony,⁴⁹ which can occur either the same day or in a ceremony at a later date. At the time of the naturalization ceremony, LPRs are expected to bring several USCIS documents, including their Permanent Resident Card (*green card*) which they must return to USCIS.⁵⁰ After an LPR has taken the Oath, USCIS issues a Form N-550, Certificate of Naturalization to document the individual’s new status as a U.S. citizen.⁵¹ Newly naturalized citizens are instructed to update their Social Security record at a local Social Security Administration office. They are also encouraged to apply for a U.S. passport, register to vote, and obtain certificates of citizenship for their children.⁵²

⁴⁷ DHS, USCIS, “Stakeholder Engagement: The Naturalization Test Redesign, Trial Test Updates,” May 31, 2023, <https://www.uscis.gov/sites/default/files/document/outreach-engagements/NaturalizationTestRedesign-TrialTestUpdates-May.pdf>; CIS Ombudsman, “The CIS Ombudsman’s Webinar Series: Naturalization Test Redesign Updates,” July 19, 2023, https://www.dhs.gov/sites/default/files/2023-08/23_0719_cisomb_naturalization-test-redesign-updates-final-508.pdf.

⁴⁸ Michael T. Dougherty, “Annual Report 2020, Citizenship and Immigration Services Ombudsman,” DHS, June 30, 2020, https://www.dhs.gov/sites/default/files/publications/20_0630_cisomb-2020-annual-report-to-congress.pdf (hereinafter, “Dougherty, 2020”).

⁴⁹ See DHS, USCIS, “Naturalization Oath of Allegiance to the United States of America,” <https://www.uscis.gov/citizenship/learn-about-citizenship/the-naturalization-interview-and-test/naturalization-oath-of-allegiance-to-the-united-states-of-america>.

⁵⁰ USCIS Form N-445 provides specific documentation requirements.

⁵¹ INA §§338, 341; 8 U.S.C. §§1449, 1452; and C.F.R. §§338.1-338.5. In July 2013, USCIS announced it would begin issuing redesigned certificates for citizenship and naturalization for individuals who request replacement certificates. According to USCIS, the replacement certificates incorporate state-of-the-art technology to help deter counterfeiting, prevent tampering, and facilitate quick and accurate authentication. See DHS, USCIS, “USCIS Redesigns Replacement Citizenship and Naturalization Certificates,” press release, July 1, 2013.

⁵² DHS, USCIS, “Important Information for New Citizens,” Form M-767, August 2019.

Naturalization Oath of Allegiance

An individual seeking to become a naturalized citizen must take the Naturalization Oath of Allegiance to the United States of America before citizenship can be granted:

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 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.⁵³

In addition, naturalization applicants must renounce any hereditary titles or orders of nobility in a foreign state.⁵⁴ The Oath of Allegiance may be modified for conscientious objectors to military service or for individuals preferring to affirm (instead of swear to) the substance of the oath.⁵⁵

Applicants for naturalization may choose to have the oath administered either in an administrative ceremony conducted by USCIS or by an immigration judge (Department of Justice, or DOJ), or in a judicial ceremony in the district of jurisdiction.⁵⁶ They must appear in person in a public ceremony,⁵⁷ which must be held as frequently as necessary to ensure timely naturalization.⁵⁸

Children's Citizenship and Naturalization⁵⁹

The INA specifies different requirements for a child to obtain citizenship through his or her parents, which may be obtained at birth or after birth and before the age of 18.

A child born in the United States automatically acquires U.S. citizenship regardless of the legal status of his or her parents based on the principle of *jus soli*,⁶⁰ codified in the Citizenship Clause of the Fourteenth Amendment of the U.S. Constitution and Section 301(a) of the INA.⁶¹

⁵³ 8 C.F.R. §337.1. Language of the oath is closely based upon the statutory elements in INA §337(a). For more information on the naturalization ceremony, see DHS, USCIS, "Naturalization Ceremonies," May 22, 2023, <https://www.uscis.gov/citizenship/learn-about-citizenship/naturalization-ceremonies>.

⁵⁴ 8 C.F.R. §337.1(d).

⁵⁵ INA §337, 8 U.S.C. §1448. See also 8 C.F.R. §337.1.

⁵⁶ 8 C.F.R. §337.2. INA Section 310 confers upon the Attorney General and USCIS the authority to naturalize persons as citizens of the United States unless applicants are subject to the exclusive oath administration authority of an eligible court per INA Section 310(b), 8 U.S.C. §1421(b).

⁵⁷ Due to the COVID-19 pandemic, USCIS temporarily suspended naturalization ceremonies in March 2019 but fully resumed them, with some modifications, in June 2019. See U.S. Citizenship and Immigration Services, "USCIS to Celebrate Independence Day by Hosting Naturalization Ceremonies Across the Country," July 1, 2020, <https://www.uscis.gov/news/news-releases/uscis-to-celebrate-independence-day-by-hosting-naturalization-ceremonies-across-the-country>.

⁵⁸ 8 C.F.R. §337.2(a). Applicants may be granted an expedited oath under certain circumstances. 8 C.F.R. §337.3.

⁵⁹ For more information about citizenship for children born abroad, see CRS Report R47223, *U.S. Citizenship for Children Born Abroad: In Brief*.

⁶⁰ *Jus soli* is the principle that a person acquires citizenship in a nation by virtue of his birth in that nation or its territorial possessions. *Black's Law Dictionary*, 5th ed. (St. Paul, MN: West, 1979), p. 775; entry for "jus soli."

⁶¹ For additional information, see CRS Legal Sidebar LSB10214, *The Citizenship Clause and "Birthright Citizenship": A Brief Legal Overview*.

For children born outside the United States, the INA enumerates a number of different circumstances for citizenship acquisition depending on the citizenship status of the parent(s) and the residence of the parent(s) and child, as specified in **Table 1**.

Table 1. Requirements for U.S. Citizenship Acquisition for Children Born Outside the United States

Circumstances	Timing of Citizenship Acquisition	Requirements	Relevant Section of INA
Children born to two U.S. citizen parents	At birth	Child acquires automatic citizenship at birth if at least one of the parents resided in the United States or one of its outlying possessions ^a prior to the child's birth.	INA §301(c)
Children born to one U.S. citizen parent and one U.S. national parent ^b	At birth	Child acquires automatic citizenship at birth if the U.S. citizen parent was physically present in the United States or one of its outlying possessions for a continuous period of at least one year prior to the child's birth.	INA §301(d)
Children born to one U.S. citizen parent and one noncitizen parent ^c	At birth	Child acquires automatic citizenship at birth if the U.S. citizen parent was physically present in the United States or one of its outlying possessions for five years prior to the child's birth and at least two years after the parent's 14 th birthday.	INA §301(g)
Children lawfully admitted for permanent residence and residing in the United States ^d	After birth; before age 18	Child acquires automatic citizenship if the following conditions are met: (1) at least one parent, including an adoptive parent, is a U.S. citizen by birth or naturalization; (2) the child is under 18 years of age; (3) the child is an LPR; and (4) the child is residing in the United States in the legal and physical custody of the citizen parent. ^e	INA §320(a)
Children residing outside the United States	After birth; before age 18	Child may become a U.S. citizen if the following conditions are met: (1) at least one parent, including an adoptive parent, is a U.S. citizen by birth or naturalization; (2) the U.S. citizen parent has resided for at least five years in the United States, of which at least two years were after the parent's 14 th birthday; (3) the child is under 18 years of age; (4) the child is residing outside of the United States in the legal and physical custody of the citizen parent; and (5) the child has been lawfully admitted temporarily to the United States and remains in lawful status.	INA §322(a)

Source: CRS analysis of the Immigration and Nationality Act.

- a. Outlying possessions are American Samoa and Swains Island (INA §101(a)(29); 8 U.S.C. §1101(a)(29)).
- b. Individuals born in outlying possessions of the United States to parents who are noncitizen nationals are considered U.S. nationals but not U.S. citizens (INA §308; 8 U.S.C. §1408). Children born in an outlying possession of the United States receive automatic citizenship under INA Section 301(e) if at least one U.S. citizen parent was physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the child's birth.
- c. These provisions apply to children born abroad in wedlock; the INA enumerates additional requirements for children born out-of-wedlock to one U.S. citizen parent and one noncitizen parent. See INA §§309(a), 309(c), 8 FAM 304, and CRS Report R47223, *U.S. Citizenship for Children Born Abroad: In Brief*.
- d. Children generally become LPRs as derivative beneficiaries of a parent who receives LPR status (e.g., through family-sponsored or employment-based preference categories.) For more information, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

- e. These provisions apply only for children born on or after February 27, 2001, per the Child Citizenship Act of 2000 (P.L. 106-395). For children born earlier, the law in effect at the time the fourth condition was met before reaching age 18 is the relevant law to determine whether they acquired citizenship.

In 2020, special provisions for the residence requirement under INA Section 320(a) were made for the children of U.S. military members and government employees under the Citizenship for Children of Military Members and Civil Servants Act.⁶² Under this law, a child born outside of the United States acquires automatic citizenship, even if the child is residing outside the United States, in cases where the child is an LPR and is in the legal and physical custody of his or her U.S. citizen parent who is

- stationed and residing outside of the United States as a member of the U.S. Armed Forces;
- stationed and residing outside of the United States as an employee of the U.S. government; or
- the spouse residing outside the United States who is married to a U.S. Armed Forces member or U.S. government employee who is stationed outside the United States.⁶³

Military Naturalizations⁶⁴

The INA contains provisions facilitating the naturalization of foreign-born military personnel of most branches of the U.S. Armed Forces and recently discharged members.⁶⁵ Currently, LPRs, noncitizen nationals (from American Samoa), and persons from Micronesia, the Marshall Islands, and Palau may enlist in the U.S. Armed Forces. Requirements and qualifications (see “Naturalization Requirements”) for military naturalizations are similar to general naturalization requirements, but military personnel are exempt from residence and physical presence requirements.⁶⁶ Military naturalization applicants are exempt from naturalization filing fees.⁶⁷

The INA distinguishes between naturalization during peacetime and wartime service.⁶⁸ For current or past *peacetime* military service, under INA Section 328, naturalization applicants are not required to meet the naturalization residence requirements if they apply while still serving or

⁶² P.L. 116-133.

⁶³ INA §320(c), 8 U.S.C. §1431(c).

⁶⁴ For more information, see CRS Infographic IG10035, *Expedited Naturalization through Military Service* and CRS In Focus IF12089, *U.S. Citizenship Through Military Service and Options for Military Relatives*.

⁶⁵ Qualifying branches include Army, Navy, Air Force, Marine Corps, Coast Guard, and certain National Guard organizations that are recognized as reserve components of the U.S. Armed Forces. 8 C.F.R. §328.1. Under 10 U.S.C. §504(b)(1), only citizens and noncitizen nationals of the United States; LPR aliens; and certain nationals of the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau who are admissible as nonimmigrants under the Compacts of Free Association with those nations, are eligible to enlist in the Armed Forces. However, under 10 U.S.C. §504(b)(2), the Secretary of any U.S. Armed Force may authorize the enlistment of an alien “if the Secretary determines that such person possesses a critical skill or expertise that is vital to the national interest and that the person will use in the primary daily duties of that person as a member of the armed forces.” 10 U.S.C. §504(b)(3)(B) further specifies requirements for background investigations and security screenings and limits the Secretary to 1,000 such enlistments in a calendar year per military department unless “the Secretary of Defense submits to Congress written notice of the intent of that Secretary concerned to authorize more than 1,000 such enlistments in a calendar year; and a period of 30 days has elapsed after the date on which Congress receives the notice.”

⁶⁶ INA §§328, 329, 8 U.S.C. §§1439, 1440.

⁶⁷ INA §328(b)(4), 8 U.S.C. §§1439(b)(4), 1440e.

⁶⁸ Wartime service refers to a designated period in which the Armed Forces of the United States are or were engaged in military operations involving armed conflict with a hostile foreign force. INA §329(a), 8 U.S.C. §1440(a).

within six months of discharge.⁶⁹ The applicant must have served honorably⁷⁰ in the U.S. Armed Forces for at least one year and must be an LPR.

For current or past *wartime* military service during periods of designated military hostilities,⁷¹ under INA Section 329, naturalization applicants are also not required to meet the naturalization residency requirements, but there are no conditions regarding the timing of the applicability of this exemption.⁷² During a period of military hostilities, members of the Armed Forces who serve honorably for any period of time may qualify for naturalization. Those who have separated from military service must have been discharged under honorable conditions.⁷³ Applicants are not required to be LPRs, as long as they were physically present in the United States⁷⁴ at the time of their enlistment or reenlistment.⁷⁵ An Armed Forces statute separately determines citizenship and residency criteria for enlistment.⁷⁶

Posthumous citizenship is available for individuals whose death resulted from injury or disease incurred on active duty with the U.S. Armed Forces during specified periods of military hostilities. Surviving spouses and children of deceased servicemembers who qualify for posthumous citizenship may be eligible for certain immigration benefits under the INA.⁷⁷

As of July 2002, noncitizens serving honorably in the U.S. Armed Forces on or after September 11, 2001, may apply to naturalize under Section 329 requirements for service during hostilities.⁷⁸ Military naturalizations increased substantially following the executive order, growing more than four-fold, from FY2002 to FY2004 (**Figure 1**).

⁶⁹ INA §328, 8 U.S.C. §1439.

⁷⁰ To certify honorable service, the servicemember must submit USCIS Form N-426, which requires attestation from a certifying official from DOD or the Coast Guard. For more information on the services' policies for processing Form N-426, see U.S. Government Accountability Office, *Military Naturalizations: Federal Agencies Assist with Naturalizations, but Additional Monitoring and Assessment Are Needed*, GAO-22-105021, September 2022, pp. 21-23.

⁷¹ Wartime military service refers to a designated period of military hostilities, defined under INA §329(a) as a period during which the President designates by executive order a period in which the U.S. Armed Forces are or were engaged in military operations involving armed conflict with a hostile foreign force. Such designated periods include Sept. 1, 1939-Dec. 31, 1946; June 25, 1950-July 1, 1955; Feb. 28, 1961-Oct. 15, 1978; Aug. 2, 1990-April 11, 1991; and Sept. 11, 2001-present.

⁷² INA §329, 8 U.S.C. §1440.

⁷³ Citizenship obtained through military service may be revoked if the individual obtaining it separates from the military under "other than honorable conditions" before completing five years of honorable service. INA §§328(f), 329(c), 340.

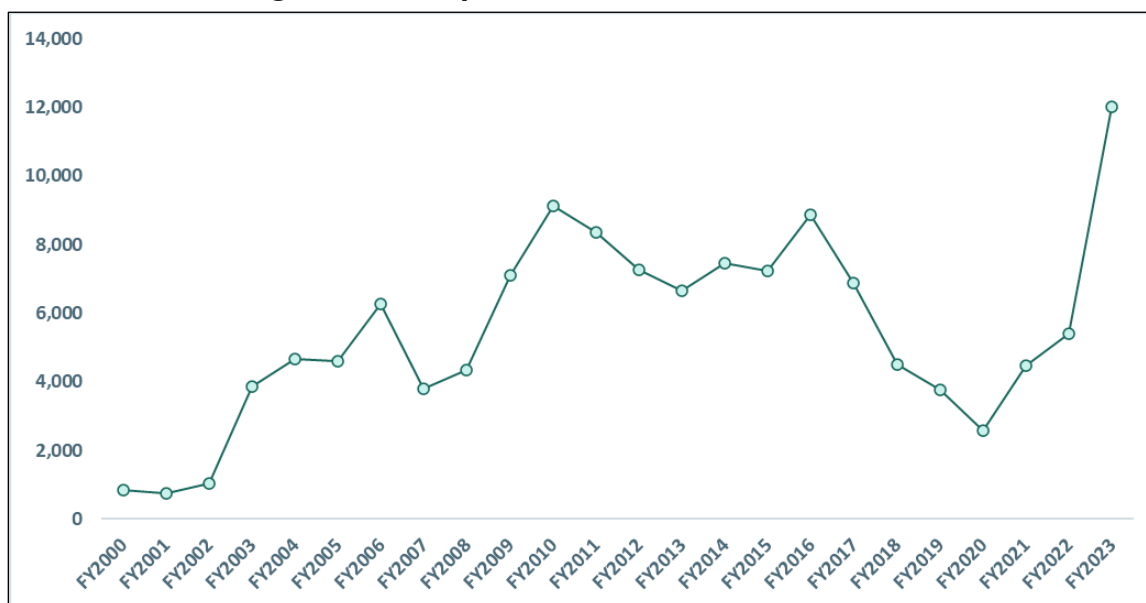
⁷⁴ In this case, the United States includes the Canal Zone, American Samoa, and Swains Island.

⁷⁵ INA §329(a), 8 U.S.C. §1440(a). If such naturalization applicants are LPRs, they are not required to be present in the United States at the time subsequent to their enlistment.

⁷⁶ 10 U.S.C. §504(b).

⁷⁷ INA §329A, 8 U.S.C. §1440-1, and USCIS Policy Manual, Chapter 8—Posthumous Citizenship.

⁷⁸ INA §329. In Executive Order 13269, President George W. Bush officially designated the period beginning on September 11, 2001, as a "period of hostilities," which triggered immediate naturalization eligibility for active-duty U.S. military servicemembers. This executive order signed on July 3, 2002, also covers veterans of selected past wars and conflicts.

Figure I. Military Naturalizations, FY2000-FY2023

Source: FY2000-FY2022: DHS, *Yearbook of Immigration Statistics 2022*, Table 20. FY2023: DHS, USCIS, “Completing an Unprecedented 10 Million Immigration Cases in Fiscal Year 2023, USCIS Reduced Its Backlog for the First Time in Over a Decade,” February 9, 2024.

Military naturalizations also increased sharply from FY2007 to FY2010—from 3,808 to 9,122—facilitated by Department of Defense (DOD) and USCIS initiatives. In 2008, DOD authorized the Military Accessions Vital to the National Interest (MAVNI) program based on 10 U.S.C. §504(b)(2). MAVNI allowed the Armed Forces to recruit certain lawfully present⁷⁹ foreign nationals whose skills—either in medical specialties or in certain languages—were deemed vital to the national interest. During the period MAVNI was active from 2008-2017, qualified applicant categories included refugees, holders of Temporary Protected Status (TPS), beneficiaries of the Deferred Action for Childhood Arrivals (DACA) program, and a range of nonimmigrant categories. Approved MAVNI applicants who then met the conditions for expedited naturalization through military service, as described above, could immediately apply for U.S. citizenship. In 2009, USCIS implemented the *Naturalization at Basic Training Program*, which offered enlistees the option to naturalize upon graduation from basic training.⁸⁰

Military naturalizations declined after FY2016. That year, DOD renewed MAVNI through FY2017, but implemented additional background investigation and security review requirements for noncitizen recruits.⁸¹ A report from the Government Accountability Office states, “According to DOD officials, due to backlogs in the background check process, these new recruits were delayed in beginning their service, and officials stated that it may take DOD up to a year to complete enhanced requirements for certain recruits.”⁸² DOD’s 2017 guidance also required completion of basic training and six months of active duty service (inclusive of basic training) to

⁷⁹ The statute itself does not require lawful presence.

⁸⁰ DHS, USCIS, *Annual Report 2012, Citizenship and Immigration Services Ombudsman*, June 25, 2012, p. 23.

⁸¹ Under Secretary of Defense, Memorandum for Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, “Military Accessions Vital to the National Interest Pilot Program Extension,” September 30, 2016.

⁸² U.S. Government Accountability Office, *Immigration Enforcement: Actions Needed to Better Handle, Identify, and Track Cases Involving Veterans*, GAO-19-416, June 2019, p. 21, <https://www.gao.gov/assets/gao-19-416.pdf>.

qualify for an honorable service determination, a requirement that was later vacated.⁸³ Following the new security screening requirements, the services suspended MAVNI in 2017.

In 2018, the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (P.L. 115-232), codified new security standards at 10 U.S.C. §504(b)(3)(A), which states that no person enlisting under MAVNI “may report to initial training until after the Secretary concerned has completed all required background investigations and security and suitability screening as determined by the Secretary of Defense regarding that person.” The same year, USCIS ended the *Naturalization at Basic Training Program*.⁸⁴

Annual military naturalizations decreased to 3,670 in FY2019 and 2,588 in FY2020. They increased in FY2021 (4,462) and FY2022 (5,412), before more than doubling in FY2023 to approximately 12,000 military naturalizations.

Dual Citizenship

Dual citizenship refers to an individual’s possession of citizenship for two countries at the same time. Each country has its own citizenship laws that define the nationality status of its citizens.⁸⁵ Because such laws generally do not coincide, persons may have dual nationality by automatic operation of different laws rather than by choice. For example, a child born in a foreign country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth. Likewise, a child born in the United States to foreign-born parents not only acquires U.S. citizenship at birth but may also acquire the citizenship of his or her parents. For a variety of reasons, a number of countries such as Mexico, Colombia, and Brazil have facilitated dual citizenship by passing laws permitting their expatriates the right to naturalize in other countries without losing citizenship from their countries of origin.⁸⁶

The United States has no authority to prohibit another country from continuing to treat an individual as its citizen. However, the United States considers that person, upon naturalization, to have renounced other citizenships and to be only a U.S. citizen.

Loss of Citizenship

U.S. citizens may lose their citizenship in two ways: voluntarily, through expatriation, or involuntarily, through denaturalization.

⁸³ See Patricia Kime and Richard Sisk, “Judge Strikes Down Minimum Service Requirement for Troops Applying for US Citizenship,” *Military.com*, August 26, 2020, <https://www.military.com/daily-news/2020/08/26/judge-strikes-down-minimum-service-requirement-troops-applying-us-citizenship.html>.

⁸⁴ Vera Bergengruen, “The US Army Promised Immigrants a Fast Track for Citizenship. That Fast Track Is Gone,” *BuzzFeed News*, March 5, 2018, <https://www.buzzfeednews.com/article/verabergengruen/more-bad-news-for-immigrant-military-recruits-who-were>.

⁸⁵ U.S. Department of State, “Dual Nationality,” 2021, <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/Advice-about-Possible-Loss-of-US-Nationality-Dual-Nationality/Dual-Nationality.html>.

⁸⁶ Scholars contend that many countries have become more tolerant of dual citizenship since World War II. See Peter J. Spiro, *At Home in Two Countries: The Past and Future of Dual Citizenship* (New York: NYU Press, 2016). Empirical research suggests that such legal changes in other countries have contributed to increasing levels of naturalization by reducing the penalty for naturalizing in the United States. See Francesca Mazzolari, “Dual Citizenship Rights: Do They Make More and Richer Citizens?,” *Demography*, vol. 46, no. 1 (2009), pp. 169-191.

Expatriation

A U.S. citizen may lose citizenship through expatriating acts, including

- voluntary naturalization in a foreign country after age 18;
- making a formal declaration of allegiance to a foreign country after age 18;
- serving in the armed forces of a foreign country engaged in hostilities against the United States;
- serving in the armed forces of a foreign country as an officer;
- holding an office under the government of a foreign country if foreign nationality is acquired or if a declaration of allegiance is required;
- renunciation of citizenship before a U.S. diplomatic or consular officer abroad;
- formal written renunciation of citizenship during a state of war if the Attorney General approves the renunciation as not contrary to the national defense; and
- conviction of treason, seditious conspiracy, or advocating violent overthrow of the government.⁸⁷

The Supreme Court has held that expatriating acts alone are not sufficient for expatriation unless undertaken with intent to relinquish U.S. citizenship.⁸⁸ This restriction also has been enacted in statute.⁸⁹ The requisite intent to relinquish need not be expressed but may be inferred from the circumstances.⁹⁰

Unlike citizenship revocation (see the “Revocation” section), expatriation or loss of nationality does not have a retrospective effect. Hence, loss of citizenship through expatriation does not affect that of “derivative” citizens—spouses and children—who acquired their citizenship by virtue of their relationship with a “principal” citizen.⁹¹

Revocation

A naturalized citizen may be *denaturalized* (i.e., have his or her citizenship revoked) on the basis that the citizenship was procured illegally, by concealment of material fact, or by willful misrepresentation.⁹² Various acts occurring after naturalization are considered evidence of misrepresentation or suppression at the time of naturalization. For example, if a naturalized citizen joins certain political or terrorist organizations within five years of becoming a citizen, and membership in that group would have precluded eligibility for naturalization under the INA, then the joining of the organization is held to be *prima facie* evidence raising a rebuttable presumption⁹³ that naturalization was obtained by concealing or misrepresenting how attached to

⁸⁷ INA §349, 8 U.S.C. §1481.

⁸⁸ *Vance v. Terrazas*, 444 U.S. 252 (1980).

⁸⁹ INA §349(a), 8 U.S.C. §1481(a).

⁹⁰ For example, *Richards v. Sec’y of State*, 752 F.2d 1431 (9th Cir. 1985); *Terrazas v. Haig*, 653 F.2d 285 (7th Cir. 1981).

⁹¹ *Perkins v. Elg*, 307 U.S. 325, 59 S. Ct. 884, 83 L. Ed. 1320 (1939).

⁹² INA §340(a), 8 U.S.C. §1451(a).

⁹³ A rebuttable presumption is an assumption made by a court that is taken to be true unless someone comes forward to contest it and prove otherwise.

the United States the citizen was when naturalized.⁹⁴ Naturalized citizens may have their citizenship revoked because of less than honorable discharge from the U.S. armed services.⁹⁵

Citizenship revocation must be initiated by a U.S. district attorney and must occur in the district where the naturalized citizen resides.⁹⁶ If a naturalized citizen is convicted of knowingly procuring naturalization in violation of law, the court in which that conviction is obtained has jurisdiction to revoke that person's citizenship.⁹⁷ In both cases, the court in which the revocation occurs must cancel the certificate of naturalization and notify the Attorney General of that action. The holder of the certificate of naturalization must return it to the Attorney General.⁹⁸

The effect of denaturalization is to divest a person of their status as a U.S. citizen and to return them to their former immigration status as a noncitizen. Once final, the denaturalization is effective as of the original date of the certificate of naturalization.⁹⁹

Derivative citizens may also lose their citizenship under these circumstances. If a principal immigrant's citizenship is revoked based on "procurement by concealment of a material fact or by willful misrepresentation," derivative citizens (i.e., their naturalized family members) also lose their citizenship regardless of where they are living.¹⁰⁰ If citizenship is revoked because of membership in a subversive organization¹⁰¹ or less than honorable discharge from the Armed Forces,¹⁰² derivative citizens lose their citizenship only if they are living abroad.¹⁰³

In February 2020, DOJ announced the establishment of a Denaturalization Section within its Office of Immigration Litigation dedicated to citizenship revocation investigations and litigation. DOJ stated that its Office of Immigration Litigation had a 95% success rate in denaturalization cases and that "the growing number of referrals anticipated from law enforcement agencies motivated the creation of a standalone section."¹⁰⁴ In 2021, President Biden issued an executive order that directed federal agencies to review denaturalization policies and practices "to ensure these authorities are not used excessively or inappropriately."¹⁰⁵ A December 2022 DOJ policy lists as priorities for revocation of naturalization cases against individuals who pose a threat to national security, engaged in war crimes or human rights violations, or committed serious felonies not disclosed during the naturalization process.¹⁰⁶

⁹⁴ INA §340(c), 8 U.S.C. §1451(c).

⁹⁵ INA §329(c), 8 U.S.C. §1440(c).

⁹⁶ INA §340(a), 8 U.S.C. §1451(a). If the naturalized citizen does not reside in any judicial district in the United States at the time of the suit, proceedings may be instituted in the U.S. District Court for the District of Columbia or in the U.S. district court in which such person last had his or her residence. The naturalized citizen against whom such action is taken has 60 days in which to respond to the action.

⁹⁷ INA §340(e), 8 U.S.C. §1451(e).

⁹⁸ INA §340(f), 8 U.S.C. §1451(f).

⁹⁹ *Ibid.*

¹⁰⁰ INA §340(d), 8 U.S.C. §1451(d).

¹⁰¹ INA §340(c), 8 U.S.C. §1451(c).

¹⁰² INA §329(c), 8 U.S.C. §1440(c).

¹⁰³ INA §340(d), 8 U.S.C. §1451(d).

¹⁰⁴ DOJ, "The Department of Justice Creates Section Dedicated to Denaturalization Cases," press release, February 26, 2020, <https://www.justice.gov/opa/pr/department-justice-creates-section-dedicated-denaturalization-cases>.

¹⁰⁵ Executive Order 14012, 2021

¹⁰⁶ DOJ, Justice Manual, Title 4: Civil, 4-7.200 "Revocation of Naturalization."

Naturalization Trends

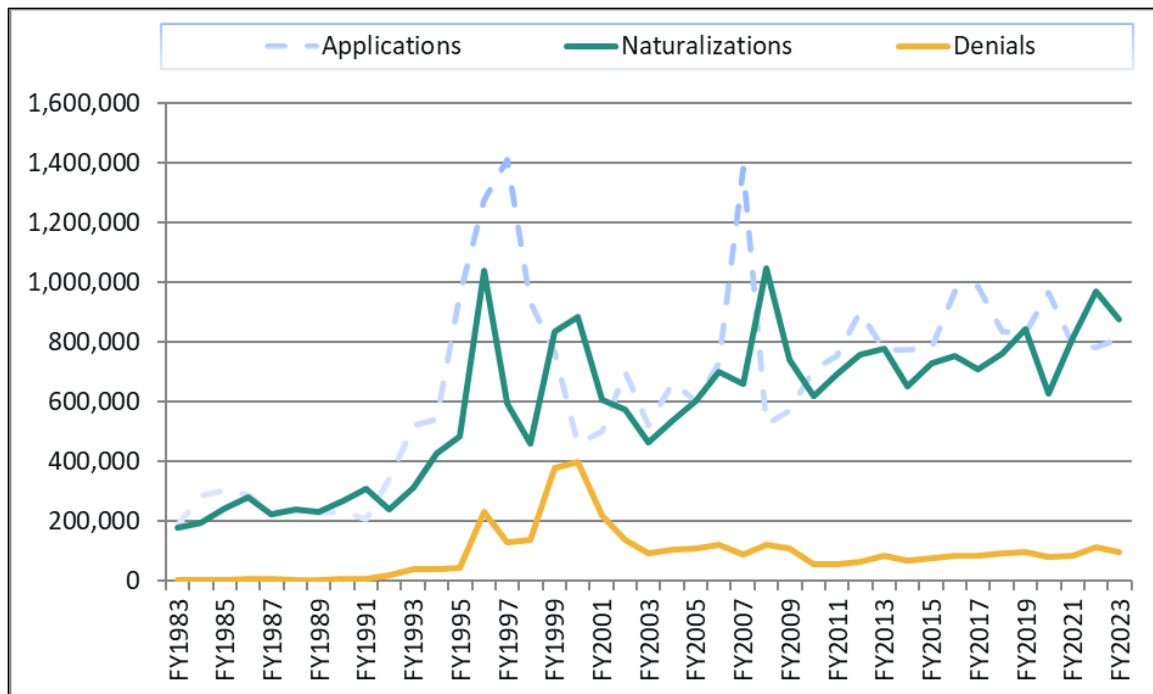
The number of persons applying to naturalize annually has generally increased over the past four decades (**Figure 2**). Naturalization application volume peaked in FY1997 and FY2007. These increases have been attributed to legislative and demographic factors. Legislatively, the Immigration Reform and Control Act of 1986 resulted in approximately 2.8 million unauthorized immigrants becoming LPRs between 1986 and 1989 who then became eligible to naturalize in the mid-1990s. Four years later, the Immigration Act of 1990 increased the limits on legal immigration to the United States, among other provisions, which also resulted in increased numbers of persons applying for naturalization by the mid-1990s.¹⁰⁷ USCIS has also attributed the 2007 surge in naturalization application volume to several factors including a green card replacement program,¹⁰⁸ a broad-based increase in USCIS fees that took effect in July 2007, and grassroots campaigns to increase naturalizations prior to the 2008 elections.¹⁰⁹ Naturalization application numbers generally tend to increase in advance of general elections (e.g., as seen in FY2012, FY2016, and FY2020 in **Figure 2**) and planned fee increases.

¹⁰⁷ Some have speculated that part of the 1997 increase in naturalization application volume stemmed from greater eligibility restrictions for means-tested benefits and other federal assistance enacted through the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Other research suggests that the social context of state-level immigrant receptivity plays a more important role in the decision to naturalize than state-level welfare benefit levels. See Jennifer Van Hook, Susan K. Brown, and Frank D. Bean, “For Love or Money? Welfare Reform and Immigrant Naturalization,” *Social Forces*, vol. 85, no. 2 (December 2006), pp. 643-666. GAO attempted to address this question, but encountered methodological difficulties. See General Accounting Office, *Welfare Reform: Public Assistance Benefits Provided to Recently Naturalized Citizens*, GAO IHEHS-99-102, June 1999.

¹⁰⁸ In the early 1990s, the Immigration and Naturalization Service (INS), predecessor agency to DHS, instituted a green card replacement program to curb the increasing prevalence of document fraud. At that time, the INS estimated that 1.5 million LPRs in the United States would have to replace their existing green cards (I-151 cards), which would all expire in 1996, with new biometric LPR cards. Because the cost of replacing a green card was nearly the same as that to naturalize, many LPRs reportedly chose to naturalize instead.

¹⁰⁹ DHS, USCIS, *USCIS Ombudsman’s Annual Report 2009*, p. 3.

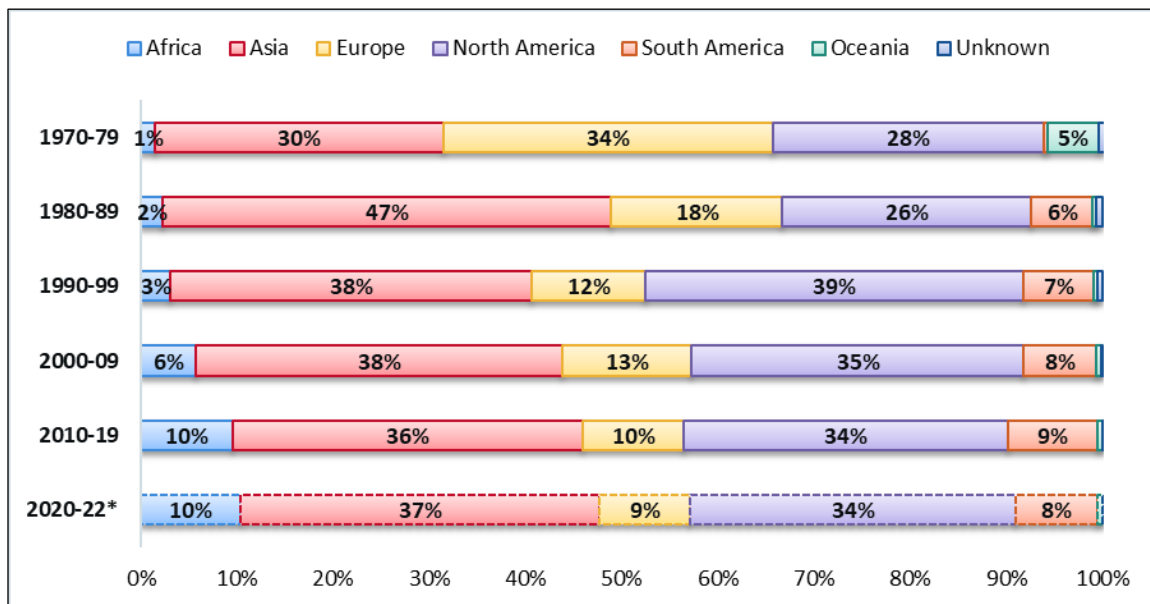
Figure 2. Naturalization Applications Filed and Denied, and Persons Naturalized, FY1983-FY2023



Sources: FY1983-FY2022: DHS, *2022 Yearbook of Immigration Statistics*, Table 20, FY2023: DHS, USCIS, “Number of Service-wide Forms By Quarter, Form Status, and Processing Time July 1, 2023 - September 30, 2023” and “Completing an Unprecedented 10 Million Immigration Cases in Fiscal Year 2023, USCIS Reduced Its Backlog for the First Time in Over a Decade,” February 9, 2024.

Figure 3 shows the proportion of naturalizations by newly naturalized citizens’ region of birth for each decade beginning in 1970. After representing the largest proportion of persons naturalized in the 1970s, naturalizations of European nationals have declined over time, while naturalizations of African and South American nationals have increased. By the 2010s, European, African, and South American nationals represented similar proportions of naturalizations. Since the 1980s, Asia and North America (which includes Mexico and Central America) have consistently represented the largest proportions of persons naturalizing by region of birth.

Figure 3. Proportion of Persons Naturalized, by Region of Birth
By decade, FY1970-FY2022



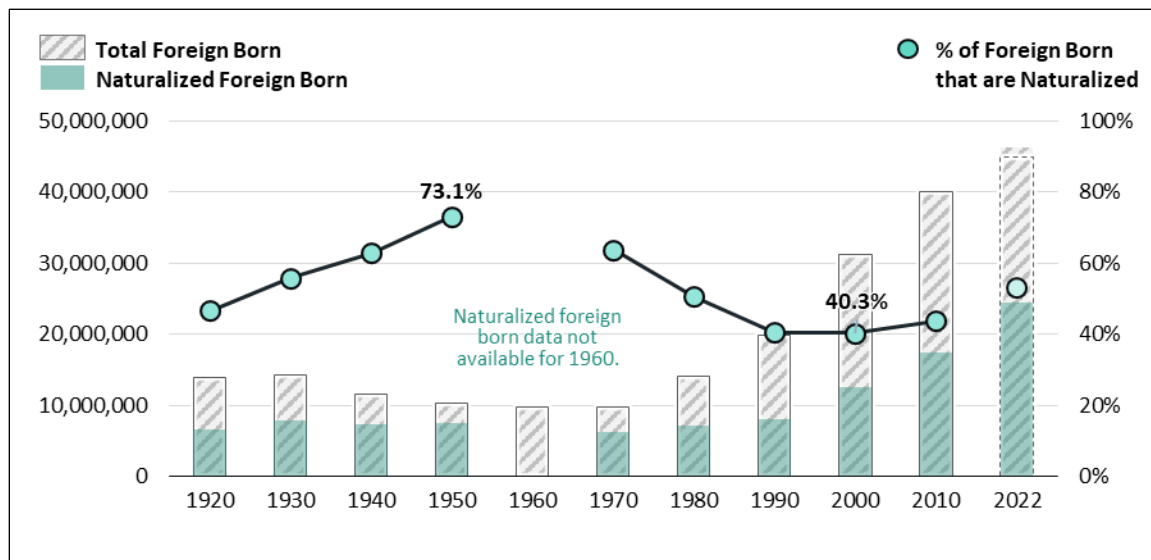
Sources: 1970: *Immigration and Naturalization Service 1975 Annual Report*. 1971-1980: *1980 Statistical Yearbook of the Immigration and Naturalization Service*. 1981-1990: *1990 Statistical Yearbook of the Immigration and Naturalization Service*. 1991-2000: *2000 Statistical Yearbook of the Immigration and Naturalization Service*. 2001-2010: DHS, *2010 Yearbook of Immigration Statistics*. 2011-2019: DHS, *2019 Yearbook of Immigration Statistics*. 2020-2022: DHS, *2022 Yearbook of Immigration Statistics*.

Notes: FY2020-FY2022 represents a three-year period.

Despite increasing numbers of naturalization applications filed in recent years, the number of naturalizations has not kept pace with the overall growth of the foreign-born population. The naturalized percentage of the foreign born peaked in 1950 (74.5%), reflecting high naturalization rates among refugees after World War II.¹¹⁰ After 1950, it declined, reaching its lowest point of 40.3% in 2000. The naturalized proportion of the foreign born increased to 53.1% in 2022 (Figure 4).¹¹¹

¹¹⁰ Guillermina Jasso and Mark R. Rosenzweig, *The New Chosen People: Immigrants in the United States* (New York: Russell Sage Foundation, 1990), p. 102.

¹¹¹ In 1920, the Census Bureau began asking all foreign-born persons whether they had naturalized, and almost half (49%) reported that they had. Prior decennial censuses in 1900 and 1910 asked only adult men their citizenship status. Historically, certain immigrant groups have been excluded from naturalization. Until the Immigration and Nationality Act was enacted in 1952, naturalization was reserved broadly for “free white person[s],” as specified by the Naturalization Act of 1790. The Naturalization Act of 1870 extended citizenship to African nationals. The Chinese Exclusion Act of 1882 explicitly excluded Chinese nationals from citizenship until it was repealed by Congress in 1943.

Figure 4. Naturalized Foreign Born as a Proportion of the Total Foreign Born

Sources: 1900-2000: Campbell Gibson and Kay Jung, "Historical Census Statistics on the Foreign-Born Population of the United States: 1850 to 2000," U.S. Census Bureau Population Division (February 2006). 2010 and 2022: CRS analysis of American Community Survey 1-year estimates, Table B05001.

Notes: The 1960 Decennial Census did not ask respondents about their citizenship status. See Guillermina Jasso and Mark R. Rosenzweig, *The New Chosen People* (New York: Russell Sage Foundation, 1990), p. 105. CRS used 2022 instead of 2020 because it is the most recent available year of data and because of complications with data collection during the onset of the COVID-19 pandemic in 2020.

In FY2022 (most recent available data), 969,380 individuals became naturalized U.S. citizens. Individuals born in Mexico represented the largest number of naturalizations, followed by persons from India, Philippines, Cuba, and the Dominican Republic (**Figure 5**). The top 20 countries displayed in **Figure 5** represent approximately 62% of all naturalizations in FY2022.

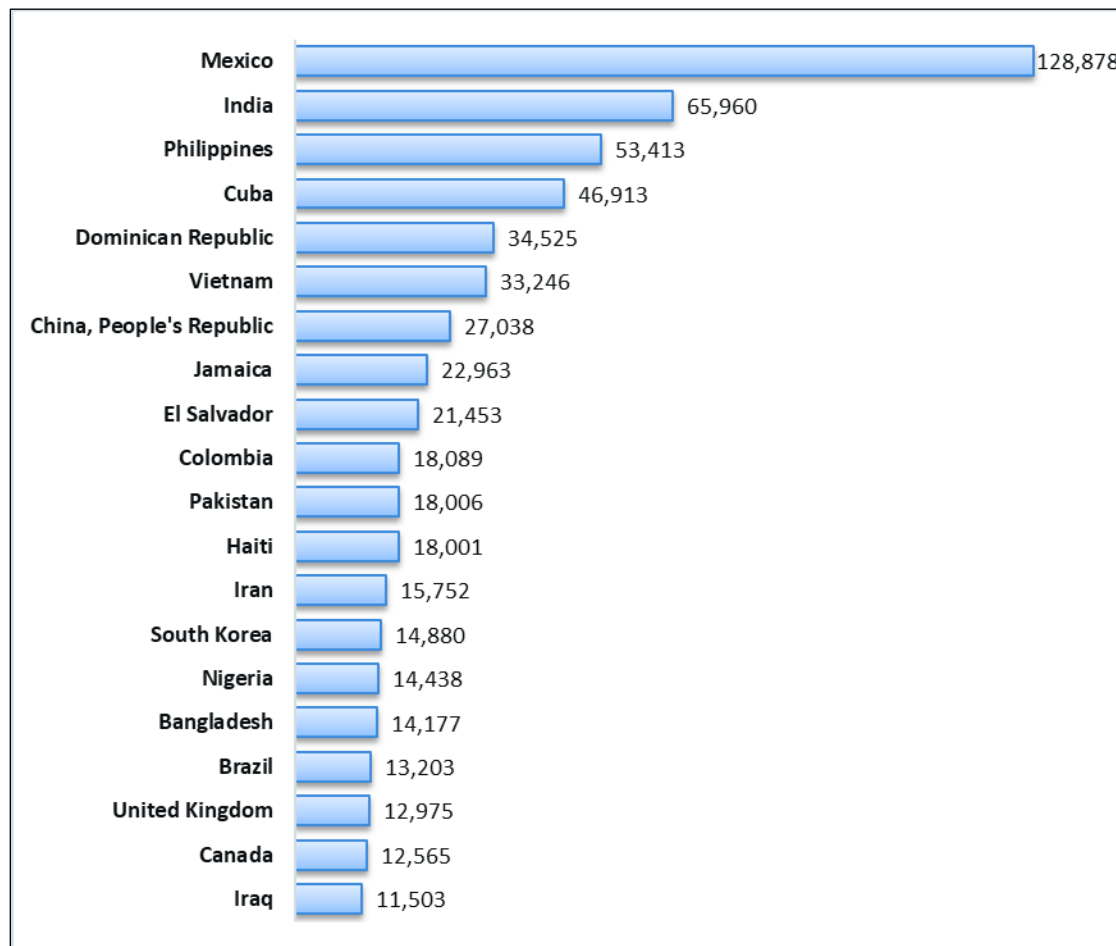
People who naturalized in FY2022 spent a median of seven years in LPR status before becoming citizens.¹¹² Naturalized foreign-born from North America and Oceania had the highest median number of years (10) in LPR status; those from Africa and Asia had the lowest (6).¹¹³

¹¹² Camille Caterina, *U.S. Naturalizations: 2022*, Annual Flow Report, DHS, Office of Homeland Security Statistics, November 2023, https://www.dhs.gov/sites/default/files/2023-12/2023_0818_plcy_naturalizations_fy2022.pdf.

¹¹³ *Ibid.*

Figure 5. Persons Naturalized by Country of Birth, FY2022

Top 20 countries



Source: DHS, 2022 Yearbook of Immigration Statistics, Table 21d.

Naturalization Determinants

An estimated 46 million foreign-born persons resided in the United States in 2022, approximately 14% of the total U.S. population (333 million), according to American Community Survey data from the U.S. Census Bureau. Of these, 24.5 million (about 53%) reported their status as naturalized citizens.¹¹⁴ An additional estimated nine million LPRs were eligible to naturalize but had not done so.¹¹⁵

LPRs who are eligible to naturalize may not do so for a variety of reasons, such as language and cost barriers.¹¹⁶ Other noncitizens are not eligible to naturalize because they are LPRs with

¹¹⁴ U.S. Census Bureau, American Community Survey, 2022 1-year estimates, Table B05001 (data.census.gov).

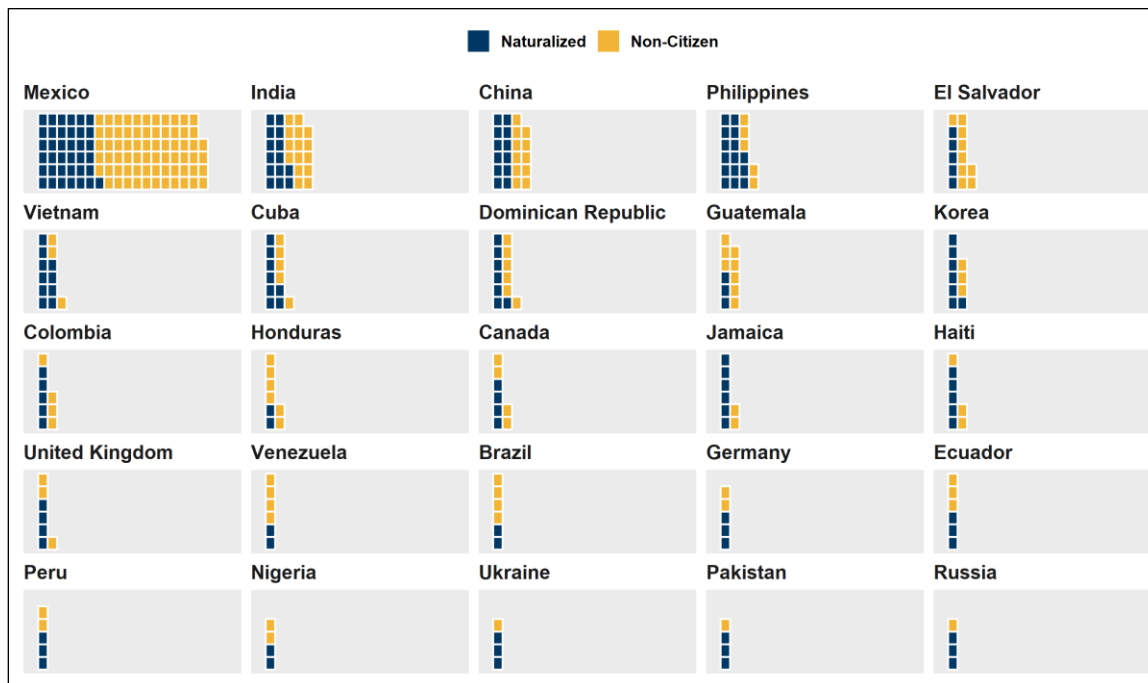
¹¹⁵ Miller and Baker, 2023.

¹¹⁶ Ana Gonzalez-Barrera, "Mexicans Among Least Likely Immigrants to Become American Citizens," Pew Research Center, June 29, 2017, <https://www.pewresearch.org/hispanic/2017/06/29/mexican-lawful-immigrants-among-least-likely-to-become-u-s-citizens> (hereinafter, "Gonzalez-Barrera, 2017") and Bloemraad, 2006, pp. 40-42.

insufficient years of U.S. residency, are nonimmigrants, or are unauthorized and are not eligible to naturalize.¹¹⁷

Figure 6. Foreign-Born Population by Origin Country and Citizenship Status, 2022

25 largest national origins, listed in order of U.S. population size (each square represents 100,000 people)



Source: 2022 American Community Survey (ACS) Public Use Micro Sample (PUMS), U.S. Census Bureau.

Note: Populations are rounded to the nearest 100,000.

As shown in **Figure 6**, the proportion of naturalized individuals varies by country of origin.¹¹⁸ Among the 25 national origin groups with the largest U.S. populations, foreign-born individuals from Honduras, Guatemala, Venezuela, Mexico, El Salvador, and Brazil have the lowest naturalized percentages (less than 40% naturalized). These low proportions have several explanations, including large numbers of recent legal immigrants, which reduces the proportion of all foreign born with at least five years of U.S. residence; geographic proximity, which can increase the likelihood that individuals maintain strong ties to their countries of origin; and sizable numbers of unauthorized individuals who are ineligible to naturalize.¹¹⁹ Individuals born

¹¹⁷ Nonimmigrants refer to foreign nationals admitted for a designated period of time and a specific purpose. They include a wide range of visitors, including tourists, foreign students, diplomats, and temporary workers. See CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

¹¹⁸ See also National Academies, 2015; Nancy Rytina, *The Timing of Naturalization in the United States Through 1996: The Experience of the Legal Immigrant Cohorts of 1977 and 1982*, DHS Office of Immigration Statistics, Working Paper, August 2008; and Guillermina Jasso and Mark R. Rosenzweig, *The New Chosen People* (New York: Russell Sage Foundation, 1990), pp. 98-121.

¹¹⁹ Gonzalez-Barrera, 2017; and Karen A. Woodrow-Lafield et al., "Naturalization of U.S. Immigrants: Highlights from Ten Countries," *Population Research and Policy Review*, vol. 23, no. 3 (June 2004), pp. 187-218 (hereinafter, "Woodrow-Lafield et al., 2004").

in Latin America and the Caribbean represent an estimated 79% of the total unauthorized population in the United States.¹²⁰

In contrast, foreign-born individuals from countries including Vietnam, the Philippines, and Russia all have naturalization rates exceeding 70%. Countries whose immigrants show relatively high naturalization proportions tend to be characterized by large geographic distance from the United States, less democratic or more oppressive political systems, and/or geopolitical factors and calamities that initiate flows of refugees and asylees.¹²¹

By country of origin, Mexican nationals represent by far the largest number of LPRs who meet the five-year residency requirement and who are potentially eligible for naturalization (2.39 million in 2023).¹²² However, because many others lack LPR status, a relatively large proportion of Mexican nationals (42%) are ineligible for naturalization. Other national groups with large numbers of LPRs potentially eligible for naturalization (more than 300,000 people) include China, Cuba, the Dominican Republic, and the Philippines (**Table 2**).

National groups with the highest percentage of potentially eligible LPRs (greater than 25%) relative to their total foreign-born populations include Japan, the Dominican Republic, Cuba, the United Kingdom, and Canada. National groups with the highest percentages of persons who are ineligible for naturalization (greater than 40%) include Guatemala, El Salvador, Mexico, and India. The ineligible proportion of a population includes foreign-born individuals who are not LPRs or who are LPRs but have not yet met the residency requirements for naturalization (**Table 2**).

¹²⁰ Migration Policy Institute, “MPI Issues New Estimates of the Size and Origins of the U.S. Unauthorized Immigrant Population,” September 13, 2023, <https://www.migrationpolicy.org/news/2021-estimates-us-unauthorized-immigrant-population>.

¹²¹ Gonzalez-Barrera, 2017; Woodrow-Lafield et al., 2004.

¹²² Miller and Baker, 2023.

Table 2. Foreign-Born Population, by Naturalization Eligibility and Country of Birth
 Top 20 countries listed in order of number of persons potentially eligible for naturalization as of 2023

Country	Total Population in the U.S.	Percent Naturalized	Percent Ineligible for Naturalization	Percent Potentially Eligible for Naturalization	Number of LPRs Potentially Eligible for Naturalization
Mexico	10,638,429	35%	42%	22%	2,390,000
China	2,225,447	52%	23%	25%	550,000
Cuba	1,314,330	64%	6%	30%	390,000
Dominican Republic	1,285,678	56%	14%	30%	390,000
Philippines	2,010,597	76%	7%	17%	350,000
India	2,831,330	48%	42%	10%	290,000
Vietnam	1,340,499	78%	5%	17%	230,000
Canada	818,909	51%	22%	27%	220,000
El Salvador	1,415,035	36%	48%	16%	220,000
South Korea	1,043,937	67%	14%	19%	200,000
United Kingdom	684,130	59%	13%	28%	190,000
Haiti	726,594	63%	15%	22%	160,000
Jamaica	814,606	71%	11%	18%	150,000
Colombia	923,125	58%	28%	14%	130,000
Germany	538,118	64%	11%	24%	130,000
Guatemala	1,150,094	28%	61%	11%	130,000
Japan	332,386	34%	30%	36%	120,000
Ecuador	523,013	50%	35%	15%	80,000
Pakistan	406,152	69%	11%	20%	80,000
Poland	372,502	75%	3%	21%	80,000
Other/unknown	—	—	—	—	2,550,000
Total		53%	27%	20%	9,040,000

Sources: Number of LPRs potentially eligible: Sarah Miller and Bryan Baker, *Estimates of the Lawful Permanent Resident Population in the United States and the Subpopulation Eligible to Naturalize: 2023*, Table 2, DHS, Office of Homeland Security Statistics, October 2023. Total U.S. Population, Percent Potentially Eligible and Percent Ineligible: CRS analysis of data from Miller and Baker and 2022 American Community Survey (ACS) Public Use Micro Sample (PUMS), U.S. Census Bureau.

Notes: *Potentially eligible* individuals have been in LPR status for a sufficient length of time to meet naturalization residency requirements. *Ineligible for naturalization* represents foreign-born who are not naturalized citizens and are not potentially eligible to naturalize. These individuals either are not LPRs or are LPRs with insufficient residency for naturalization. Because this calculation does not take into account other requirements for naturalization (e.g., English language proficiency), the proportion ineligible presented is likely an undercount. Percentages may not add to 100% due to rounding.

Other contextual factors are significant in predicting naturalization, including living in an area with other immigrants from the same racial/ethnic background.¹²³ A study examining naturalization among refugees, for example, found that naturalization rates were higher among individuals placed in counties with a high share of conationals.¹²⁴

The availability of dual citizenship is positively correlated with naturalization for some groups, particularly those from Latin America.¹²⁵ Scholars posit that dual citizenship may reduce barriers to naturalization because it allows individuals to become U.S. citizens without sacrificing their rights in their countries of origin.

Previous experience with unauthorized status and concerns about immigration enforcement may also impact propensity to naturalize. For example, one study found that LPRs who entered the United States without inspection and were formerly unauthorized had a higher propensity to naturalize than those who were not previously unauthorized.¹²⁶ Researchers have found that some LPRs choose to naturalize as a protective mechanism against policies that curtail rights or benefits for noncitizens.¹²⁷

Apart from country-level and contextual characteristics, individual and family characteristics also influence naturalization. Those with a naturalized family member or spouse are more likely to naturalize.¹²⁸ Time spent in the United States is positively associated with naturalization.¹²⁹ Measures of socioeconomic status, measured by income, education, and English skills are also positively correlated with naturalization.¹³⁰

Some eligible LPRs, including those who are low-income or limited English proficient, may face barriers to naturalization. For example, one study found that 98% of Mexican LPRs surveyed said they would naturalize if they could, citing factors such as English language ability, lack of time or

¹²³ John R. Logan, Sookhee Oh, and Jennifer Darrah, “The Political and Community Context of Immigrant Naturalisation in the United States,” *Journal of Ethnic and Migration Studies* vol. 38, no. 4 (2012), pp. 535–554 (hereinafter, “Logan, Oh, and Darrah, 2012”).

¹²⁴ Nadwa Mossaad et al., “Determinants of Refugee Naturalization in the United States,” *Proceedings of the National Academy of Sciences, USA*, vol. 115, no. 37 (2018), pp. 9175–9180 (hereinafter, “Mossaad et al., 2018”).

¹²⁵ Michael Jones-Correa, “Institutional and Contextual Factors in Immigrant Naturalization and Voting,” *Citizenship Studies*, vol. 5, no. 1 (2001), pp. 41–56 (hereinafter, Jones-Correa, 2001); Francesca Mazzolari, “Dual Citizenship Rights: Do They Make More and Richer Citizens?,” *Demography*, vol. 46, no. 1 (2009), pp. 169–191; Logan, Oh, and Darrah, 2012.

¹²⁶ Amanda R. Cheong, “Legal Histories as Determinants of Incorporation: Previous Undocumented Experience and Naturalization Propensities Among Immigrants in the United States,” *International Migration Review*, 2020, pp. 1–32. For information about legalization provisions under the Immigration and Nationality Act, see CRS Report R45993, *Legalization Framework Under the Immigration and Nationality Act (INA)*.

¹²⁷ Greta Gilbertson and Audrey Singer, “The Emergence of Protective Citizenship in the USA: Naturalization Among Dominican Immigrants in the Post-1996 Welfare Reform Era,” *Ethnic and Racial Studies*, vol. 26, no. 1 (2003), pp. 25–51; Paul M. Ong, “Defensive Naturalization and Anti-Immigrant Sentiment: Chinese Immigrants in Three Primate Metropolises,” *Asian American Policy Review*, vol. 21 (2011); Yunju Nam and Wooksoo Kim, “Welfare Reform and Elderly Immigrants’ Naturalization: Access to Public Benefits as an Incentive for Naturalization in the United States,” *International Migration Review*, vol. 46, no. 3 (2012), pp. 656–679; Catalina Amuedo-Dorantes and Mary Lopez, “Recent Changes in Immigration Policy and U.S. Naturalization Patterns,” *Review of Economics of the Household* (2020).

¹²⁸ Thai V. Le and Manuel Pastor, “Family Matters: Modeling Naturalization Propensities in the United States,” *International Migration Review*, vol. 57, no. 4 (2023), pp. 1427–1455 (hereinafter, “Le and Pastor, 2023”).

¹²⁹ Jones-Correa, 2001; Irene Bloemraad, “Becoming a Citizen in the United States and Canada: Structured Mobilization and Immigrant Political Incorporation Immigrant Integration and Social Membership,” *Social Forces*, vol. 85, no. 2 (2006), pp. 667–696.

¹³⁰ National Academies, 2015; Logan, Oh, and Darrah, 2012; Mossaad et al., 2018; Le and Pastor, 2023.

initiative, and cost as primary reasons for not yet becoming citizens.¹³¹ (For more discussion of barriers to naturalization, see the “Issues for Congress” section).

Issues for Congress

Backlogs, Processing, and USCIS Capacity

Congress has expressed interest in USCIS’s ability to timely process immigration benefits, including naturalization applications. During the last five years (FY2019-FY2023), naturalization applications accounted for 10% of all applications received and processed by USCIS, making it the second most common immigration form handled by the agency (after I-765, Employment Authorization applications).¹³² In recent years, USCIS has improved its processing times, including for naturalization applications, following processing challenges in previous years. The annual number of pending naturalization applications increased from FY2016 (524,000) through FY2018 (739,000) and reached a peak of nearly 943,000 in FY2020 (**Figure 7**) at the onset of the COVID-19 pandemic.

USCIS, the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) and Office of Inspector General, and external observers attributed those backlogs of pending applications to multiple factors:

- USCIS changes to Form N-400, including adding 13 questions in 2016, which required longer adjudication times;¹³³
- increased numbers of naturalization applications in recent years (**Figure 2**) and inaccurate USCIS projections, which are used to estimate necessary staffing;¹³⁴
- a USCIS hiring pause in FY2020 and budget cuts in response to financial challenges;¹³⁵
- insufficient USCIS staffing levels and office space;¹³⁶
- initial challenges transitioning from paper to electronic processing for some forms in 2016;¹³⁷
- increased scrutiny of Form N-400 by adjudicators, including more requests for evidence;¹³⁸

¹³¹ Gonzalez-Barrera, 2017.

¹³² DHS, USCIS, *Number of Service-wide Forms by Fiscal Year to Date*, multiple years.

¹³³ DHS, *FY2018-2020 Annual Performance Report*, 2020), p. 40, https://www.dhs.gov/sites/default/files/publications/19_0318_MGMT_CBJ-Annual-Performance-Review-DHS-Overview_0.pdf.

¹³⁴ Dougherty, 2020, p. 13.

¹³⁵ Letter from Joseph B. Edlow, USCIS deputy director for policy, to The Honorable Bill Cassidy, December 23, 2020, https://www.uscis.gov/sites/default/files/document/foia/USCIS_budget_shortfall_Senator_Cassidy.pdf.

¹³⁶ Dougherty, 2020.

¹³⁷ DHS Office of Inspector General, “USCIS Has Been Unsuccessful in Automating Naturalization Benefits Delivery,” November 30, 2017, <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-23-Nov17.pdf>. However, more recently, USCIS has reportedly “turned a corner in its electronic processing” of Forms N-400. See Dougherty, 2020.

¹³⁸ Randy Capps and Carlos Echeverría-Estrada, “A Rockier Road to U.S. Citizenship? Findings of a Survey on Changing Naturalization Procedures,” Migration Policy Institute, July 14, 2020, <https://www.migrationpolicy.org/research/changing-uscis-naturalization-procedures>.

- increased numbers of applications in advance of a planned 83% naturalization fee increase (which was not subsequently implemented);¹³⁹ and
- processing disruptions related to the pandemic, including the temporary suspension of in-person services at USCIS field offices and the inability to obtain paper immigration files stored in federal records centers.¹⁴⁰

The agency has since taken steps to reduce these backlogs, supported by additional funds appropriated by Congress in FY2022 and FY2023.¹⁴¹ For example, in 2019 USCIS announced a new strategy to decrease processing times by shifting caseloads between field offices, which may require scheduling interviews at field offices outside of applicants' normal jurisdictions.¹⁴²

In addition, after initially struggling to transition to electronic processing, the CIS Ombudsman reported in 2020 that "the agency is now able to leverage automated functions ... to enhance vetting and better manage workloads at field offices."¹⁴³ USCIS also began using automated assessments of N-400 applications to determine expected interview lengths.¹⁴⁴ During the COVID-19 pandemic in 2020, USCIS began using video interviews for N-400 applicants during which the applicant and interviewing officer are in separate rooms within a field office to allow for adjudication while maintaining social distancing.¹⁴⁵

In 2021, President Biden issued an executive order directing federal agencies to develop a plan to "substantially reduce current naturalization processing times."¹⁴⁶ Subsequently, USCIS increased its hiring. Since FY2022, USCIS seems to have prioritized the adjudication of naturalization applications (in addition to employment-based petitions).¹⁴⁷ In 2022, USCIS announced new internal "time cycle goals" for completing cases, including a six-month processing completion goal for Form N-400.¹⁴⁸ USCIS adjudicated more than 1 million naturalization applications in FY2022 and approximately 976,000 application in FY2023.¹⁴⁹

As shown in **Figure 7**, the number of pending N-400 applications declined to 408,034 by the end of FY2023. Processing times have also declined as this backlog has reduced. In FY2021, the

¹³⁹ DHS, "U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements," 85 *Federal Register* 46788, August 3, 2020.

¹⁴⁰ DHS, USCIS, "USCIS Temporarily Closing Offices to the Public March 18-April 1," news release, March 17, 2020, <https://www.uscis.gov/news/alerts/uscis-temporarily-closing-offices-to-the-public-march-18-april-1>; USCIS, "USCIS Preparing to Resume Public Services on June 4," news release, May 27, 2020, <https://www.uscis.gov/news/alerts/uscis-preparing-to-resume-public-services-on-june-4>; CIS Ombudsman, *Annual Report 2022*, June 30, 2022, p. 5.

¹⁴¹ For more information, see CRS Report R48021, *U.S. Citizenship and Immigration Services (USCIS): Operations and Issues for Congress*.

¹⁴² DHS, USCIS, "USCIS Aims to Decrease Processing Times for N-400 and I-485," news release, June 17, 2019, <https://www.uscis.gov/news/alerts/uscis-aims-to-decrease-processing-times-for-n-400-and-i-485>.

¹⁴³ Dougherty, 2020, p. 19.

¹⁴⁴ Ibid.

¹⁴⁵ DHS, USCIS, *USCIS Response to the Citizenship and Immigration Services Ombudsman's (CISBOM) 2020 Annual Report to Congress*, December 4, 2020, https://www.dhs.gov/sites/default/files/publications/2020_uscis_response.pdf.

¹⁴⁶ Executive Order 14012, 2021.

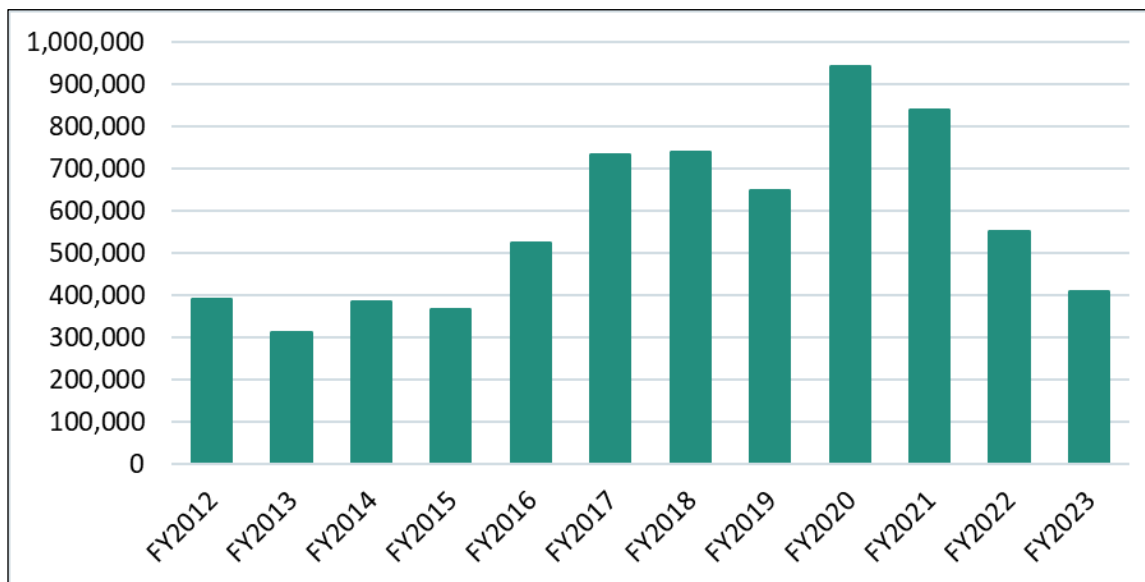
¹⁴⁷ CIS Ombudsman, *Annual Report 2023*, June 30, 2023, https://www.dhs.gov/sites/default/files/2023-07/2023%20Annual%20Report%20to%20Congress_0.pdf.

¹⁴⁸ DHS, USCIS, "USCIS Announces New Actions to Reduce Backlogs, Expand Premium Processing, and Provide Relief to Work Permit Holders," news release, March 29, 2022.

¹⁴⁹ DHS, USCIS, *Number of Service-wide Forms by Quarter, From Status, and Processing Time*, July 1, 2022-September 30, 2022 and July 1, 2023-September 30, 2023.

median processing time for the N-400 was 11.5 months. As of January 31, 2024, the median processing time had declined to 5.2 months.¹⁵⁰ Processing times vary by USCIS Field Offices.¹⁵¹

Figure 7. Number of Pending Naturalization Applications, FY2012-FY2023



Source: DHS, USCIS, *Number of Service-wide Forms by Quarter, Form Status, and Processing Time*, multiple years.

Naturalization Fees

USCIS operates largely as a fee-funded agency: Congress has authorized USCIS to set fees for adjudication and naturalization services at a level that ensures recovery of the full costs of providing those services.¹⁵² In FY2023, approximately 94% of its budget was funded through fees collected and deposited into the Immigration Examinations Fee Account, which includes N-400 filing fees for (nonmilitary) naturalizations.¹⁵³

The amount of the naturalization fee raises several issues for Congress, including whether it accurately reflects USCIS's cost to process naturalization applications and whether it discourages persons from naturalizing due to the expense.

USCIS naturalization fee increases are usually subsumed within across-the-board USCIS fee increases for many types of forms based upon audits of the costs of providing immigration services/benefits.¹⁵⁴ USCIS has generally set naturalization fees at a level that is below the full cost of providing naturalization services.¹⁵⁵ Proponents of fee increases maintain that cost of

¹⁵⁰ DHS, USCIS, "Historical National Median Processing Time (in Months) for All USCIS Offices for Select Forms By Fiscal Year, Fiscal Year 2019 to 2024 (up to January 31, 2024)," <https://egov.uscis.gov/processing-times/historic-pt>.

¹⁵¹ Processing times by Field Office or Service Center are available at <https://egov.uscis.gov/processing-times/>.

¹⁵² INA §286(m); 8 U.S.C. §1356(m). For background information, see archived CRS Report R44038, *U.S. Citizenship and Immigration Services (USCIS) Functions and Funding*.

¹⁵³ DHS, "United States Citizenship and Immigration Services Budget Overview, Fiscal Year 2024," Congressional Justification, p. CIS-4. For more information, see CRS Report R48021, *U.S. Citizenship and Immigration Services (USCIS): Operations and Issues for Congress*.

¹⁵⁴ P.L. 101-576 §902(b) requires USCIS to review its fees on a biennial basis.

¹⁵⁵ See, for example, DHS, "U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements," 88 *Federal Register* 426, January 4, 2023.

processing USCIS applications are rising (e.g., because of inflation), immigration benefits such as naturalization should be self-financing, and that the beneficiaries should bear the full cost of processing a naturalization application.¹⁵⁶ Opponents argue that naturalization fee increases discourage eligible LPRs from applying for naturalization, disproportionately impact low-income immigrants, and prevent individuals from obtaining eligibility to vote in federal elections.¹⁵⁷ One experimental study, for example, found that offering fee vouchers for N-400 application costs to low-income (between 150% and 300% of the Federal Poverty Guidelines, or FPG) immigrants eligible for citizenship increased naturalization application rates by 41%.¹⁵⁸

In previous changes to its fee schedule, USCIS set N-400 filing fee increases at amounts lower than the full costs of adjudication and lower than other fee increases in an effort to “promote citizenship.”¹⁵⁹ In FY2016, for example, USCIS increased its fees by a weighted average of 21% but increased the naturalization fee by 8% to \$640, or \$725 total when including the required \$85 biometric fee.¹⁶⁰

In FY2020, USCIS proposed several fee increases, including an 83% increase in the N-400 filing fee, stating, “DHS now believes that shifting costs to other applicants ... is not equitable given the significant increase in Form N-400 filings in recent years.”¹⁶¹ The final rule was enjoined by two federal courts and not implemented.¹⁶² A February 2021 executive order directed DHS, DOS, and the U.S. Attorney General to review the 2020 fee rule, “recommend steps, as appropriate and consistent with applicable law, to revise or rescind those agency actions,” and “make the naturalization process more accessible to all eligible including through a potential reduction to the naturalization fee and restoration of the fee waiver process.”¹⁶³ Subsequently, the rule was rescinded.

In FY2024, USCIS implemented a final fee regulation, effective April 1, 2024, that changed filing fees for certain immigration benefits for the first time since 2016 and implemented discounts for online filing. For the N-400, the new fees are \$710 for online filings and \$760 for paper filings, which include biometric services.¹⁶⁴ The rule also introduced a 50% discount for certain low-income individuals who may not qualify for a fee waiver. Those whose household incomes are between 150% and 400% of the FPG pay a discounted fee of \$380. The rule states:

¹⁵⁶ See, for example, DHS, “U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,” 85 *Federal Register* 46788-46929, August 3, 2020; and DHS, “U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,” 89 *Federal Register* 6194-6400, January 31, 2024.

¹⁵⁷ Hailey Fuchs, “Looming Fee Increase Could Thwart Many U.S. Citizenship Applications,” *New York Times*, August 16, 2020, <https://www.nytimes.com/2020/08/16/us/politics/us-citizenship-fee-increase.html>.

¹⁵⁸ Jens Hainmueller et al., “A Randomized Controlled Design Reveals Barriers to Citizenship for Low-Income Immigrants,” *Proceedings of the National Academy of Sciences, USA*, vol. 115, no. 5 (2018), pp. 939–944. See also Gonzalez-Barrera, 2017.

¹⁵⁹ DHS, “U.S. Citizenship and Immigration Services Fee Schedule,” 81 *Federal Register* 26916, May 4, 2016.

¹⁶⁰ *Ibid.*

¹⁶¹ DHS, “U.S. Citizenship and Immigration Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,” 84 *Federal Register* 62316, November 14, 2019.

¹⁶² Suzanne Monyak, “Calif. Judge Blocks Upcoming Immigration Fee Hikes,” *Law360*, September 29, 2020, <https://www.law360.com/articles/1315144/calif-judge-blocks-upcoming-immigration-fee-hikes>; Genevieve Douglas, “Second Court Blocks Visa Fee Rule, Doubts DHS Chief’s Authority,” *Bloomberg Law*, October 9, 2020, <https://news.bloomberglaw.com/daily-labor-report/second-court-blocks-visa-fee-rule-doubts-dhs-chiefs-authority>.

¹⁶³ Executive Order 14012, 2021.

¹⁶⁴ DHS, “U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,” 89 *Federal Register* 6194-6400, January 31, 2024.

DHS believes that this change will provide additional relief to longtime residents who struggle to pay naturalization fees without requiring further fee increases for other forms to offset the cost. The increased income threshold for a reduced naturalization fee will also enable the United States to further benefit from newly naturalized citizens, including their greater civic involvement and tax revenues.¹⁶⁵

Applicants whose incomes are less than 150% of the FPG may qualify for a fee waiver.¹⁶⁶

Citizenship Resources and Promotion

Some in Congress have expressed interest in facilitating language and civics instruction as a means to promote naturalization. Multiple federal agencies currently support these objectives. Among these, the Citizenship Resource Center, part of the USCIS Office of Citizenship, provides English and civics training directly and through public/private partnerships. USCIS also provides competitive grants for citizenship preparation services to public and private nonprofit organizations through its Citizenship and Integration Grant Program.¹⁶⁷ USCIS estimates that since the grant program was established in 2009, it has helped prepare more than 300,000 LPRs for U.S. citizenship.¹⁶⁸ The U.S. Department of Education offers grants to states to improve English skills among adults who are not enrolled in school.¹⁶⁹

Some have advocated for new funding for citizenship assistance, including proposals for a National Office of New Americans within the Executive Office of the President to promote citizenship, English-language learning, and workforce development training.¹⁷⁰ As mentioned previously, in February 2021 President Biden issued an executive order directing federal agencies to develop a plan to eliminate barriers to naturalization and review N-400 application processes. The order established an Interagency Working Group on Promoting Naturalization and directed the group to submit a naturalization promotion strategy to the President.¹⁷¹ The Naturalization Working Group, chaired by USCIS, has cited efforts including a citizenship public education and awareness campaign, which includes outreach to refugees, asylees, agricultural workers, long-term LPRs, and military members; video interviews for military members; partnerships with other federal agencies to promote naturalization and conduct data analysis to inform naturalization outreach; improving citizenship education materials; conducting special naturalization

¹⁶⁵ Ibid., p. 6236.

¹⁶⁶ See DHS, USCIS, *Adjudicator's Field Manual*, Chapter 10.9 "Waiver of Fees," <https://www.uscis.gov/sites/default/files/document/policy-manual-afm/afm10-external.pdf>. A recent experimental study found that informing low-income immigrants about their eligibility for fee waivers increased the rate of citizenship applications by 8.6 percentage points. See Michael Hotard et al., "A Low-Cost Information Nudge Increases Citizenship Application Rates Among Low-Income Immigrants," *Nature Human Behaviour*, vol. 3, no. 7 (July 2019), pp. 678–683.

¹⁶⁷ Eligible grant applicants are public or nonprofit organizations with recent experience providing citizenship instruction programs, preparation workshops, and naturalization processes for immigrants. Because this program is not directly related to USCIS's central mission of reviewing and processing immigration-related petitions and applications, its funding comes from congressional appropriations, which for FY2023 totaled \$25 million (see P.L. 117-328). For more information, see "Citizenship and Integration Grant Program," <https://www.uscis.gov/citizenship/civic-assimilation/learn-about-the-citizenship-and-assimilation-grant-program>.

¹⁶⁸ DHS, USCIS, "Learn About the Citizenship and Assimilation Grant Program," updated February 7, 2024, <https://www.uscis.gov/citizenship/civic-assimilation/learn-about-the-citizenship-and-assimilation-grant-program>.

¹⁶⁹ For more information on adult education, see CRS Report R43789, *Adult Education and Family Literacy Act: Major Statutory Provisions*.

¹⁷⁰ See, for example, S. 883 and H.R. 1643 in the 118th Congress.

¹⁷¹ Executive Order 14012, 2021.

ceremonies; outreach to foreign embassies; a “citizen ambassadors” initiative; and a new award recognizing the outstanding achievements of naturalized citizens.¹⁷²

Those opposing expenditures for citizenship preparation funding have argued such funding creates a burden on taxpayers, expands the role of government, and is redundant with services already provided by USCIS.¹⁷³

Legislation in the 118th Congress

In the 118th Congress, some Members have proposed modifications to naturalization requirements and processes. Certain measures seek to restrict citizenship and naturalization, including those that would restrict automatic citizenship for certain children born in the United States.¹⁷⁴

Other measures would expand access to naturalization, including those that would

- remove the requirement to have resided in a USCIS service district for three months prior to applying to naturalize for the spouses of active-duty military members stationed in the United States;¹⁷⁵
- facilitate and further expedite the naturalization of servicemembers and honorably discharged veterans, including those residing abroad;¹⁷⁶
- expand automatic citizenship acquisition for certain children born abroad;¹⁷⁷
- facilitate naturalization for certain LPRs abused by U.S. citizen relatives;¹⁷⁸
- allow individuals to naturalize after three years in LPR status if they were lawfully present and authorized for employment for at least three years prior to becoming an LPR;¹⁷⁹
- exempt American Samoans from certain naturalization requirements;¹⁸⁰
- allow for remote video naturalization ceremonies during national emergencies, natural disasters, or public health emergencies;¹⁸¹ and
- establish within the Executive Office of the President a National Office of New Americans, in part to promote U.S. citizenship and facilitate naturalization.¹⁸²

¹⁷² See DHS, USCIS, “Interagency Strategy for Promoting Naturalization: Naturalization Working Group Progress Report, First Anniversary Accomplishment Highlights, and Second Anniversary Accomplishment Highlights,” <https://www.uscis.gov/promotingnaturalization>.

¹⁷³ See, for example, Minority Views from Senators Grassley, Session, Lee, and Cruz in S.Rept. 113-40: U.S. Congress, Senate Committee on the Judiciary, *Border Security, Economic Opportunity, and Immigration Modernization Act*, Report, 113th Cong., 1st sess., June 7, 2013, p. 169.

¹⁷⁴ H.R. 4864; H.R. 6612; H.R. 6940.

¹⁷⁵ H.R. 3274.

¹⁷⁶ H.R. 717; H.R. 4569.

¹⁷⁷ H.R. 1386; H.R. 3599 §51102.

¹⁷⁸ H.R. 5145.

¹⁷⁹ H.R. 3194 §1206.

¹⁸⁰ H.R. 6061.

¹⁸¹ H.R. 3544.

¹⁸² H.R. 1643 and S. 883.

Appendix. Selected Links to Naturalization Information and Application Materials

Naturalization Information

10 Steps to Naturalization

<https://www.uscis.gov/citizenship/learn-about-citizenship/10-steps-to-naturalization>

Learn About Citizenship

<https://www.uscis.gov/citizenship/learn-about-citizenship>

Naturalization Information for Military Personnel

<https://www.uscis.gov/military/naturalization-through-military-service>

USCIS Policy Manual: Citizenship and Naturalization

<https://www.uscis.gov/policy-manual/volume-12>

Commonly Asked Questions About the Naturalization Process

<https://www.uscis.gov/citizenship/learn-about-citizenship/commonly-asked-questions-about-the-naturalization-process>

Naturalization Application Materials

Online Application and Instructions for Naturalization

<https://www.uscis.gov/citizenship/apply-for-citizenship>

N-400 Application for Naturalization

<https://www.uscis.gov/n-400>

Document Checklist

<https://www.uscis.gov/sites/default/files/document/forms/attachments.pdf>

Citizenship Resource Center

<https://www.uscis.gov/citizenship>

Study Materials and Resources

<https://www.uscis.gov/citizenship/find-study-materials-and-resources>

Author Information

Holly Straut-Eppsteiner
Analyst in Immigration Policy

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