

US citizenship takes work, time - AvvoStories

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Getting US citizenship is a marathon, not a sprint

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On the Fourth of July in [Seattle](#), over 500 new American citizens were sworn in at an annual public ceremony that brings many participants and observers to tears each year. Similar ceremonies took place all over the country. Each of these new citizens had navigated the intricacies of the immigration system, a process that's opaque to most of us.

As the presidential election heats up and the amount of chatter around immigration rises accordingly, it seems like a good time to ask: just what does it take to become an American?

What is naturalization?

The United States is called “a nation of immigrants” for a reason. Most of our population of nearly 324 million were born citizens, but only about 5 million can claim to be descendants of the North America’s indigenous Native American and Alaskan peoples. The rest of us are – or are descended from – people who came to the United States from someplace else. And if they did so after 1790 and wanted to become citizens, they had to complete a congressionally mandated legal process known as naturalization. It is, like most federal processes, a test of endurance and attention to detail, and it takes years to complete.

Historical naturalization

Naturalization has grown into a highly complex process that no one should attempt to complete without an attorney. Even the earliest immigration law, passed in 1790, made naturalization a two-step process that could not begin before a candidate had lived for two years in the United States. At that time naturalization was restricted to white males “of good character.” The citizenship of women and children was determined by their male guardian, and people of color were simply out of luck.

Over time, the minimum residency requirement was raised and reduced repeatedly, peaking at 14 years in the early 1800s. Laws fluctuated with immigration patterns and political fears. Occasionally, the process was made easier, as in 1968, when a streamlined method was introduced for non-citizens who had served in the US armed forces during the Vietnam War and other periods of hostility. But generally the changes made the process longer and more complex, as in 1922, when the residency requirement for immigrants from the Western Hemisphere was raised from one year to five years.

The green card – it's not easy

The first and often hardest step on the path to citizenship for nearly all immigrants is obtaining a green card, which signifies the status of the holder as a legal, permanent resident of the United States. The process varies depending on the applicant’s current immigration status and place of residence.

- Applicants who currently reside outside of the United States and intend to obtain a green card before arrival will follow the consular processing protocol.
- Those who are currently residing in the United States on a temporary work or student visa must follow the adjustment of status process to apply for a green card.

- Non-citizens who currently reside in the United States, but their visa has expired or they entered without documentation, need to obtain the services of an [immigration attorney](#). The rules governing immigration amnesty are labyrinthine and constantly changing. The U.S. Citizenship and Immigration Services website does not even have a page addressing eligibility for undocumented residents.

Regardless of which process the applicant follows, there are three main categories of eligibility for a green card. As with every aspect of US immigration, there are exceptions and special cases:

- *Through family*: The spouse and minor children of a US citizen or green card holder is eligible to apply for a green card for themselves. This is the category often depicted as rife with abuse in movies and TV shows whose plots revolve around a so-called marriage of convenience. But in real life, immigration officials are on the lookout for such [fraud](#). Additional close relatives – parents, siblings, and adult children – can apply for a “family preference” green card but are usually placed on a waiting list. There are also [special categories](#) under this category.
- *Through work*: To qualify for a work-related green card, the applicant must have an offer of a job from a US employer willing to petition on his or her behalf; be an investor in a venture that generates US jobs; qualify as an “Alien of Extraordinary Ability”; or have experience in one of a list of [specific jobs](#). Favored job experiences usually involve work performed abroad for the US government, but doctors, broadcasters, and religious workers get special treatment as well.
- *Through refugee or asylum*: This category gets a lot of press, but only about [85,000](#) of the 1.3 million foreign-born individuals who moved to the United States last year were classified as refugees. The unfortunate truth is that for many refugees, it might be easier to obtain a green card through another category.

In addition to the three main categories above, up to 50,000 individuals each year receive green cards through the Diversity Immigrant Visa Program, often called the “green card lottery,” which randomly selects entrants from countries with low rates of immigration to the United States. A small number of people obtain green cards via the Legal Immigration Family Equity Act, K Nonimmigrant status, and Special Immigrant Juvenile status. These special programs have complex rules that are beyond the scope of this article.

Path to naturalization

Once an individual has received a green card, naturalization is still at least five years away. During those five years, the prospective citizen must remain out of legal trouble and spend at least 30 months in the United States. When an immigrant becomes eligible for citizenship, the [remaining steps](#) are arduous, but fairly straightforward.

1. Submit the USCIS Form N-400.
2. Be fingerprinted for an FBI background check.
3. Pass the naturalization test. The test includes an interview and sections on US history and government. Opinions vary on the difficulty of these sections – you can [draw your own conclusions](#). Applicants must be proficient in English.
4. Attend an oath ceremony and receive a certificate of naturalization.

Given all the above description, you can see how the naturalization ceremony is an emotional experience for new citizens and witnesses alike, the culmination of years of legal hurdles and bureaucratic frustrations. For more information and assistance, consult [Avvo's immigration section](#).

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