

# THE FILIPINO **EXPRESS**

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## **Requirements to Become a U.S. Citizen**

**By Reuben S. Seguritan**

**Question:** I am a Filipino citizen. I obtained my green card several years ago and I now plan to apply for U.S. citizenship. Can you please give me the requirements that have to be met in order to qualify for US citizenship? Mr. Acluba, Jersey City, NJ.

**Answer:** US citizenship may be acquired through birth in the US or through birth outside the US to at least one US citizen parent. It may also be acquired through naturalization. To be eligible for US citizenship through naturalization, a person must meet four important requirements:

1. The applicant must be a green card holder;
2. He must be at least 18 years old at the time of filing an application;
3. He must have resided in the US for a certain period of time; and
4. He must be a person of good moral character.

The first two requirements, although they have certain exceptions, are self explanatory, but the third and fourth need some discussion. To fulfill the third requirement, the applicant must have continuously resided in the US for a period of five years after receiving his green card. If he is married to a U.S. citizen, the requirement is reduced to three years. The couple however, must have been married for three years, and the spouse must have been a US citizen for at least three years.

This residence requirement does not mean that one cannot leave the US at all during those five years or three years. For instance an absence of six months or less will not break continuous residence. On the other hand, an absence of one year or more will be considered an abandonment of continuous residence, unless he is serving abroad in the U.S. Armed Forces or he has an approved application to preserve residence for naturalization purposes.

A gray area lies where there is an absence of more than six months but less than a year. An applicant in this case may have to convince the Immigration Service that he never intended to break his continuous stay but that he had to leave for unavoidable reasons.

To be safe, if one is contemplating going home to the Philippines, it would be much simpler to just come back before the six months is due. It is also an important requirement that of the five or three years of continuous residence one must have actually been living in the US for at least half that time or a period of at least 30 months or 18 months.

Another residency requirement is that the green card holder must have lived within the State or within the INS district for a period of at least three months immediately preceding the filing of his application. This may be easily met as it is not as tough as the five year requirement. After filing the application, it is important that the applicant must reside in the US until the time he is admitted as citizen.

As to the requirement of good moral character, the INS doesn't demand the highest degree of moral excellence. It is enough that the applicant measures up to the standards of average citizens in the community where he resides.

A person convicted of a crime and was actually confined to a penal institution for a total of 180 days is not eligible for naturalization. So is one who has falsified his papers to acquire a green card. Those involved in prostitution, illegal gambling, and even a person who is a habitual drunkard are also not qualified for naturalization for lack of good moral character.

Willfully refusing to support dependents, commission of adultery, and contributing to the delinquency of his minor children have also been ruled as grounds to disqualify an applicant.