



Residence and physical presence requirements for naturalization

IN A NUTSHELL

You need:

3 months residence in the US-CIS district where you apply

5 years of continuous residence in the US (only 3 years if you have been married to and living with your US citizen spouse)

You must be physically present in the US for half that time

POTENTIAL PROBLEMS

If you have moved in the last ninety days, don't apply yet

A trip out of the US for more than a year will disrupt residence and normally causes you to lose your green card unless you apply for a travel permit *before traveling*

A trip of at least 6 months but less than a year may disrupt your residence. Gather evidence to show that you did not intend to disrupt your residence when you took the trip; share it with an attorney

Residence requirements

What residence means

Residence means your principal dwelling place, in other words, where you really live. If you have a second residence outside the country, CIS must consider it to be secondary to your United States residence.

Three months local residence

You have to have lived in the state or CIS district where you will be interviewed for 3 months prior to filing.

Five years (or three years) of continuous residence in the United States.

You must have resided in the US continuously for 5 years just prior to filing. (The time period is 3 years if you have been married to and living with your United States citizen spouse for the 3 years or if you gained residence based on having been battered by your United States citizen spouse.) The rules on disruption of residence can be tricky. CIS **will likely** consider your residence to be disrupted if you travel outside of the US for more than 180 days. CIS **will** consider your residence to be disrupted if you travel for a year or more, even with a travel permit. Limited exceptions exist for government personnel, missionaries and employees of US companies stationed overseas who file an application to preserve their residence for citizenship purposes. (*Try to file this application before traveling.*)

Physical presence requirement

Physical presence: half of the required three- or five-year period prior to filing

You must have been physically present in the United States¹ for at least half of the five- or three-year pre-filing period: To see if you meet this requirement, just count the days that you spent in and out of the United States in the three- or five-year period.

¹ For the purposes of measuring residence and physical presence, the United States includes Puerto Rico, Guam, and the Virgin Islands.