

The Fourteenth Amendment states that persons “born or naturalized in the United States” are citizens entitled to equal protection under the Constitution. Until this amendment was added in 1868, children born in the U.S. to enslaved persons of African descent were excluded from citizenship. The amendment clarified that American citizenship applied not only to white landowners and their spouses, but to anyone born within the country. The Fourteenth Amendment also states that those who are naturalized in the United States are also citizens. But what does it mean to be naturalized? What is the process for attaining citizenship through naturalization?



The Oath of Allegiance is administered to applicants who have gone through a lengthy process to prove their desire to be American citizens.

### **Immigration and Record-Keeping**

Immigration increased in the United States after the Civil War, which led citizens to question how the country and each state should handle the immigration process. In 1875, the Supreme Court ruled that the federal government is solely responsible for immigration.

As a result of this ruling, Congress passed immigration laws and tried to regulate the flood of labor that increased after the 1880s. When labor regulation became too complex to address with legislation, Congress recognized the need for a federal agency. The Immigration Act of 1891 established an Office of the Superintendent of Immigration within the Treasury Department. The office was responsible for establishing a national policy for how to handle immigration, which led to the opening of immigration centers, such as Ellis Island, to process the new arrivals.

The language of the Fourteenth Amendment did not specify how the naturalization process would work. Since 1802, any court in good standing, whether local or federal, could naturalize an immigrant. In 1905, however, President Theodore Roosevelt called for an investigation into the country’s approach to naturalization. Not surprisingly, the results of the investigation showed that the process was inconsistent across more than 5,000 naturalization courts. To create uniformity in the process, Congress passed the Naturalization Act of 1906. This Act made the regulation process for naturalization the responsibility of the newly created Bureau of Immigration and Naturalization. In 1933, the name of the bureau was changed to the Immigration and Naturalization Service (INS). It remains active today.

### The Criteria and Process

Qualifying for naturalization is a lengthy process based on a variety of factors. One factor is how long an immigrant has lived in the United States. Most immigrants must reside in the country for at least five years before applying for citizenship.

Living in the U.S. as an immigrant usually requires getting a Green Card. This is a permanent resident identification card that allows an individual to live and work in the United States. The length of time required before citizenship is granted is shorter for spouses and family members of American citizens. It is also shorter for those who have served in the U.S. armed forces.

Once the wait is over, the next step is to file an application for citizenship. The application is used by the government to verify each individual's work history, family circumstances, and criminal record. Tax returns, marriage certificates, and court-related documents must also be included in the application, along with a processing fee. As of 2014, the current fee for filing for citizenship is \$680.00, which includes an \$85.00 fingerprinting fee.

If all of the documents are acceptable and the INS determines that an immigrant has met the requirements, the individual is permitted to continue the naturalization process. The next steps require each applicant to embrace an American identity and pledge allegiance to the nation and its ideals.



Thousands of people recite the Pledge of Allegiance during a naturalization ceremony.

### The Test and Pledge

All applicants for naturalization who are under the age of 50 must be able to read, write, or speak the English language. This is required because all applicants are administered tests on English and Civics as part of the naturalization process. The applicants are provided materials to help them to prepare for the test, but it is the responsibility of the applicant to study and learn the material.

The tests are conducted after an interview process at local branches of the INS. During the interview, the applicant might be asked about their marital status, financial obligations, or any past crimes the person may have committed. Issues such as speeding tickets, unpaid debts, or even personal relationships may be addressed during this step.

After the interview, the naturalization test is administered. Questions on the Civics portion of the test might require applicants to identify amendments in the Bill of Rights, explain the differences between the branches of federal government, or describe the responsibilities of a U.S. citizen. For the English portion of the test, applicants are required to read sentences aloud and complete a writing activity.

Once the interview and test are completed, the applicant can begin the final stage of naturalization. With these words the applicant begins the Oath of Allegiance:

*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*

Large groups of applicants are often called together to repeat these words, the same that have been used since 1929. With this oath, new citizens pledge to uphold the Constitution and support the United States. After a long and often challenging process, the individuals are declared American citizens at last.

After reading the passage, answer the following questions:

- 1.** Which circumstance reduces the length of time required before citizenship is granted?
  - A.** The applicant has other relatives seeking U.S. citizenship.
  - B.** The applicant has served in a foreign army.
  - C.** The applicant is married to a U.S. citizen.
  - D.** The applicant is a full time employee.
  
- 2.** How does the United States government establish that a naturalization applicant is financially responsible?
  - A.** by including economics questions on the citizenship test
  - B.** by interviewing the applicant's boss and coworkers
  - C.** by requiring a monthly deposit from the applicant
  - D.** by reviewing the applicant's tax returns
  
- 3.** What has happened to the process of naturalization since the 14th amendment passed?
  - A.** The process has been turned over to the individual states.
  - B.** The process has eliminated wait times for naturalization.
  - C.** The process has become inconsistent across the country.
  - D.** The process has become the responsibility of Congress.
  
- 4.** Imagine that you are on a panel to revise the Naturalization Test. What topics are important for applicants seeking American citizenship to know? Think of at least five topics in U.S. history and government and explain why these are necessary for new citizens to understand.