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USCIS Updates Policy Guidance on Naturalization Applicants Who Did Not Properly Obtain Lawful Permanent Resident Status

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Submitted by Chief Editor on Nov 18th 2020

On Nov. 18, U.S. Citizenship and Immigration Services updated policy guidance in the [USCIS Policy Manual](#) [2] to clarify the circumstances when USCIS would find applicants ineligible for naturalization because they were not lawfully admitted for permanent residence.

Applicants are ineligible for naturalization if they obtained lawful permanent residence (LPR) status in error, by fraud or otherwise not in compliance with the law.

The update also clarifies that USCIS reviews whether applicants have abandoned their LPR status when USCIS adjudicates their naturalization application. If an applicant does not meet the burden of establishing that they maintained LPR status, USCIS generally denies the naturalization application and place the applicant in removal proceedings by issuing a Notice to Appear (NTA). The update also provides that USCIS generally denies a naturalization application filed on or after the effective date if the applicant is in removal proceedings pursuant to a warrant of arrest.

For more information, see the [Policy Manual update \(PDF, 329.41 KB\)](#) [3].

Citizenship and Naturalization:

[Naturalization](#) [4]

Agency:

[USCIS](#) [5]

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[2] <https://www.uscis.gov/policy-manual>

[3] <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20201118-LPRAdmissionForNaturalization.pdf>

[4] <https://immigration.com/citizenship/citizenship-and-naturalization/naturalization>

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