

DRAFT

Department of Homeland Security
U.S. Citizenship and Immigration Services

Instructions for N-470, Application to Preserve Residence for Naturalization Purposes

Instructions

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A Number), if any, at the top of each sheet of paper and indicate the section and number of the item to which the answer refers.

What Is the Purpose of This Form?

Use Form N-470 to preserve your lawful permanent resident status for naturalization purposes.

In certain limited situations, a person may be able to preserve residency, previously accumulated for naturalization purposes, even though he or she may be residing outside the United States for longer than 1 year. Thus the time spent abroad may be counted toward the residency requirement.

These cases involve persons employed in specific jobs in the United States government and private sector as well as religious organizations.

To obtain approval to preserve residency, such permanent residents must file a Form N-470 application before departing from the United States.

The regulations are different for religious workers proceeding abroad to perform religious duties. Religious workers may apply before or after departure, or after return to the United States. They are not required to have lived in the United States for a specific period of time prior to filing Form N-470.

Filing a Form N-470 does not relieve a permanent resident from obtaining a reentry permit, in advance of trips outside the United States for 1 year or more, nor does it relieve the applicant from the naturalization law's physical presence requirement.

An applicant qualifying for the residency preservation may extend the benefit to his or her spouse and dependent children who are all members of the same household and have lived with the principal applicant while abroad.

Another exception to the residency requirement is made for alien members of the U.S. Armed Forces. A permanent resident employee of the U.S. government abroad who has filed a Form N-470 is considered physically present in the United States during such employment abroad. He or she does not need to obtain a reentry permit.

NOTE: As a naturalization applicant, you may be eligible for expeditious processing if your U.S. citizen spouse is employed outside the United States as a missionary, or by a

U.S. corporation or as a member of the U.S. military. For additional information, call our National Customer Service Center at **1-800-375-5283** or visit our Internet Web site at **www.uscis.gov**.

When Should I Use Form N-470?

Generally, applicants for naturalization must reside in the United States for 5 years (3 years if qualifying under the citizen-spouse exemption) immediately preceding the date of filing an application for naturalization. Additionally, naturalization applicants are required to have been physically present in the United States for at least 30 months of those 5 years (18 months if eligible under the citizen-spouse exemption).

Permanent residents who remain outside the United States for more than 1 uninterrupted year will disrupt their naturalization residence requirement, unless they are the beneficiaries of an approved Form N-470.

You should use Form N-470 if you are a lawful permanent resident (permanent resident) who will be absent from the United States for more than one year due to qualifying employment and you want to preserve your residence for naturalization purposes.

Please note that in most cases you must have been physically present and residing in the United States for an uninterrupted period, **without any absences whatsoever**, for at least 1 year after your admission as a lawful permanent resident before you can file Form N-470.

In addition, you must submit the Form N-470 to USCIS before you have been absent from the United States for a continuous period of 1 year. However, if your absence from the United States is, was or will be solely as a clergyman or clergywoman, missionary, brother, nun or sister of a religious denomination or interdenominational mission organization having a bona fide organization within the United States, you may file this application before or after an absence of 1 year or more.

For additional information regarding qualifying employment and eligibility, see **Step 1** of these instructions.

General Instructions.

How Do I File Form N-470?

You do not have to be in the United States to file Form N-470, but you must file it before you have been absent for a continuous period of one year. However, members of a qualifying religious or interdenominational mission organization may file Form N-470 before or after an absence of one year or more.

You may include in your application a qualifying spouse and dependent unmarried children, sons and daughters. These family members must be permanent residents and are or will be residing outside of the United States as members of your household.

Follow the steps below to complete your application:

Step 1 - Reason for Filing Form N-470

Step 2 - Fill Out the Form N-470

Step 3 - Submit Your Application

Step 1. Reason for Filing Form N-470.

Check the box in **Part 2** of Form N-470 that applies to your request.

My absence from the United States is:

1. **On behalf of the U. S. Government - Check Box A** if you are, or will be employed by, or are under contract with the U.S. Government. This includes members of the U.S. Armed Services.
2. **For the purpose of carrying on scientific research on behalf of an American institution of research - Check Box B** if you are employed by a qualifying organization.
3. **For the purpose of engaging in the development of foreign trade and commerce of the United States on behalf of an American firm or corporation or a subsidiary thereof - Check Box C** if you are employed by a qualifying firm or corporation.
4. **Necessary to the protection of property rights outside the United States of an American firm or corporation engaged in the development of foreign trade and commerce of the United States - Check Box D** if you are employed to perform such services.
5. **On behalf of a public international organization of which the United States is a member- Check Box E** if you are employed by a qualifying organization.

NOTE: Your employment cannot have started until after your admission as a permanent resident.
6. **Solely because of my capacity as a clergyman or clergywoman, missionary, nun, or sister of a denomination or mission having a bona fide organization in the United States - Check Box F** if you are to serve in such capacity for a qualifying mission or organization.

Step 2. Fill Out the Form N-470.

Use **black ink**. Type or print clearly using **capital** letters. If an item does not apply to you, write "N/A." If the answer is none, write "NONE."

This form is divided into **Parts 1** through **5**. The following information should help you fill out the form.

Part 1. Information about you.

1. **Family Name** (Last name) - Give your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.
2. **Home Address** - Give your physical street address. This must include a street number and name or a rural route number. Do not put a post office box (P.O. Box) number here.
3. **Mailing Address** - Give your mailing address, if different from your address.
4. **Daytime Telephone Number** - Give a telephone number with area code where you can be reached during the day.
5. **Country of Birth** - Give the name of the country where you were born.
6. **Country of Citizenship** - Give the name of the country of which you are a citizen.
7. **Date of Birth** - Use eight numbers to show your date of birth (example: May 1, 1979, should be written 05/01/1979).
8. **A #** - This is your Alien Registration File Number. It can be found on your Form I-551, Permanent Resident Card.
9. **U.S. Social Security #** - If you do not have a U.S. Social Security number, leave this blank.

Part 2 - Reason for Request.

Note that your absence from the United States is:

- A. On behalf of the U. S. Government.
- B. For the purpose of carrying on scientific research on behalf of an American institution of research.
- C. For the purpose of engaging in the development of foreign trade and commerce of the United States on behalf of an American firm or corporation or a subsidiary thereof.
- D. Necessary for the protection of property rights outside the United States of an American firm or corporation engaged in the development of foreign trade and commerce of the United States.
- E. On behalf of a public international organization of which the United States is a member.
- F. Solely because of your capacity as a clergyman or clergywoman, missionary, brother, nun or sister of a denomination or mission, having a bona fide organization in the United States.

Part 3 - Additional information.

1. **Number 1** - Give the date you entered the United States as a lawful permanent resident or the date you adjusted status to that of a lawful permanent resident.
2. **Number 2** - Mark the appropriate box.
3. **Number 3** - When furnishing information regarding absences, you must show each departure from and return to the United States, including absences in foreign contiguous countries (i.e., Canada, Mexico), no matter how short.
4. **Numbers 4 through 7** - Give all the requested information.

Part 4 - Signature.

As the applicant, you must sign and date the Form N-470. If you do not sign the form, the application will be returned as incomplete.

Part 5 - Signature of person preparing form, if other than the applicant.

If you, the applicant, did not fill out Form N-470, the preparer must also sign, date and give his or her address.

Where to File?

You should submit your application to the USCIS office having jurisdiction over your place of residence in the United States.

What is the Filing Fee?

The filing fee for Form N-470 is **\$330**.

Use the following guidelines when you prepare your check or money order for the application fee.

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
2. Make the check or money order payable to the **Department of Homeland Security**, unless:
 - A. If you live in Guam and are filing your application there, make it payable to the **Treasurer, Guam**.
 - B. If you live in the U.S. Virgin Islands and are filing your application there, make it payable to the **Commissioner of Finance of the Virgin Islands**.

- C. Your check or money order must be honored by the bank or financial institution on which it is drawn. If it is not, we will charge you a fee and your application and any document issued to you will not be valid.

NOTE: Please spell out **Department of Homeland Security**. Do not use the initials "USDHS" or "DHS."

How to Check If the Fees Are Correct.

The form fee on this form is current as the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our Web site at **www.uscis.gov**, select "FORMS" check the appropriate fee;
2. Review the Fee Schedule included in your form package, if you called us to request the form; or
3. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

Address Changes.

If you change your address and you have an application or petition pending with USCIS, you may change your address on-line at **www.uscis.gov**, click on "Online Change of Address" and follow the prompts or by completing and mailing Form AR-11, Alien's Change of Address Card, to:

**U.S. Citizenship and Immigration Services
Change of Address
P.O. Box 7134
London, KY 40742-7134**

For commercial overnight or fast freight services only, mail to:

**U.S. Citizenship and Immigration Services
Change of Address
1084-I South Laurel Road
London, KY 40744**

Evidence.

Attach copies, showing the front and back of the following documents, if available. **Do not send original documents unless instructed to do so.**

As evidence of your eligibility, submit letters or affidavits from the appropriate officer or the department or agency of the U.S. Government, American research institution, American firm or corporation, public international organization, or religious denomination or interdenomination mission organization. Depending on the circumstances why you are applying to preserve your residence, the letters or affidavits should include the following documentation:

1. An official communication from the appropriate office of the department or agency of the U.S. Government, or the public international organization; or
2. Affidavit or affidavits executed by the appropriate administrative official of the American institution or religious denomination or interdenominational mission for whom you are, were or will be employed or with whom you entered into a contract; or by the appropriate administrative official of the American firm or corporation, or subsidiary thereof by whom you are or will be employed.

When an affidavit is made with respect to employment by such firm, corporation or subsidiary, it should state:

1. The title of the official making the affidavit, the name of the firm or corporation in which he or she holds office and whether he or she has access to records of the same;
2. Whether the employing organization is an American firm or corporation engaged in the development of foreign trade and commerce of the United States, or subsidiary thereof;
3. The nature of the business conducted by the employing organization, church, religious denomination or interdenominational mission organization;
4. If it is a corporation, the name of the State under laws of which it was organized, the date of incorporation and that it is existent;
5. If it is a subsidiary (whether American or foreign) of an American firm or corporation engaged in the development of foreign trade and commerce of the United States, the affidavit should be:
 - A. Executed by an appropriate administrative official of the parent organization, and
 - B. Should state the facts of ownership and/or control of the subsidiary, and
 - C. Should state the exact percentage of stock owned by the parent organization.
6. The facts of your employment, including the nature of the services performed by you during the period or periods of absence to be considered;
7. Whether you will be engaged in the development of foreign trade and commerce of the United States; or

8. Your absence from the United States was or will be necessary for the protection of the property rights abroad of the employing firm or corporation or subsidiary during the period or periods of absence to be considered;
9. Solely in the capacity of a regularly ordained clergyman or clergywoman, missionary, brother, nun or sister; and
10. In the case where employment is for a public international organization, the date when and place where you were first employed.

In addition, you must submit the following evidence.

1. Attach a copy showing the front and back of your I-551, Permanent Resident Card.
2. Copies of legal evidence of a name change or date of birth (See **Part 3** of the form).
3. A complete copy of all passports in your possession, expired or unexpired, issued to you since your admission as a permanent resident to the United States.

Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.

Translations. Any document containing foreign language submitted to USCIS shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

What is the effect of claiming nonresident alien status?

After having been admitted to the United States as a permanent resident, if you claim or claimed nonresident alien status under the income tax laws, you may be regarded as having abandoned your residence in the United States and as having lost permanent resident status under the immigration and nationality laws. Consequently, you may be or become ineligible for naturalization or for preservation of residence. If you have claimed nonresident alien status, submit a full explanation. This should be written on a separate sheet(s) of paper.

What is the effect on employment changes or on a valid document for reentry?

Approval of this application will be only for the employment and conditions stated. Any changes of employment must be approved by a new application.

Approval of this application will not relieve you of the requirement to present a valid document for reentry into the United States.

Processing Information.

Acceptance. Any application that is not signed or accompanied by the correct fee will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. However, an application is not considered properly filed until accepted by USCIS.

Initial Processing. Once the application has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form or file it without the required initial evidence, you will not establish a basis for eligibility and we may deny your application.

Requests for More Information. We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer needed.

Decision. The decision on the Form N-470 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

USCIS Forms and Information.

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet Web site at **www.uscis.gov**.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, **InfoPass**. To access the system, visit our Web site. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties.

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this Form N-470, we will deny the Form N-470 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice.

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form N-470.

Paperwork Reduction Act.

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 35 minutes per response, including the time for reviewing instructions, completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529-2210. OMB No. 1615-0056. **Do not mail your application to this address.**

Check List

- Did you completely fill out and sign the form?
- Did you attach all required evidence?
- Did you attach a check or money order for the application fee?

You should keep copies of your application and documents for your records.