



# U.S. Citizenship and Immigration Services

# Immigration 101

# 3 Agencies within DHS

The Department of Homeland Security is divided into three agencies to address different aspects of immigration as a result of the elimination of the previous Immigration & Naturalization Service (INS):

- US Customs & Border Protection
- US Immigration & Customs Enforcement
- US Citizenship & Immigration Service

These are three separate agencies but all follow immigration law originating from the Immigration & Nationality Act (INA).



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# CBP and its role

- Inspectors “inspect” aliens at the Port of Entry and determine whether the person is admissible into the United States or not.
- Ports of Entry include airports, seaports, and land ports.
- Individuals are admitted into the U.S. based upon the appropriate documentation and for nonimmigrants a classification is given to the person depending upon the purpose of the visit.
- Border Patrol Agents who patrol the Northern and Southern borders of the US are part of CBP.



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# The role of ICE

- ICE is the law enforcement branch of DHS relative to immigration.
- ICE conducts investigations and has the authority to detain, make arrests, and process individuals for deportation relative to immigration law.



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# USCIS' Responsibilities

- Agency responsible for the granting of immigration benefits sought by aliens
- Process benefit requests such as citizenship, green cards, work authorization, etc.
- No law enforcement authority



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# Field Offices – Service Centers

- Field Offices are located throughout the US
- Designed to conduct interviews of those seeking immigration benefits
- Office provides direct person to person contact with the public
- Five Service Centers throughout the US
- Adjudication of applications/petitions without personal contact with individuals



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# Immigrants

- Those authorized to legally remain in the US on a permanent basis – Lawful Permanent Residency (LPR)
- Gain permanent residency through family petitions, employer petitions, asylum and refugee programs
- Temporary Protected Status – not an immigrant and do not have LPR status





# Nonimmigrants

- Stay in the US is temporary in nature
- Nonimmigrant stay varies in length of time depending upon purpose of visit
- Some may be engaged in employment
- Must restrict their activities to that of their nonimmigrant classification.



# Department of State (DOS)

- Issues visas to those seeking to travel to the United States
- A visa does not guarantee entry into the US
- An approved petition by USCIS does not guarantee issuance of a visa by the DOS
- Is a separate agency from the Department of Homeland Security and the various agencies under its umbrella.



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# Department of Labor (DOL)

- A separate agency from the Department of Homeland Security
- Is involved in part of the process for certain nonimmigrant employment classifications
- Is responsible for the maintenance of wages and employment of citizens and nationals of the US



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# The New N-400 Application

- The N-400 is the application aliens use to apply for US citizenship (naturalization)
- Has recently been revised and is 22 pages long
- Collects the same information but through an enhanced format
- 5/3 LPR requirement for eligibility
- Questions regarding the individuals travel in and out of the US, addresses, and employment during the last five years
- Family relationships



# Good Moral Character (GMC)

- Series of questions on the N-400 are designed to determine if the individual has GMC
- Those determined to not have GMC are denied and may have to wait 5 years to re-apply for citizenship
- Some examples of issues that would cause a denial under GMC include DUIs, spousal or child abuse, criminal activity, etc



# English Testing

- Individuals are required to pass a test of the ability to read English
- They are also required to pass a test on their ability to write in English
- There are some situations in which the person may be waived the requirement for English testing



# Civics – History Testing

- Applicants are to take a test on American Civics and History
- Ten questions are given and they must get six correct
- The ten questions are a random selection of 100 questions
- The questions are created and vetted through a process and must have multiple departmental approval



# Citizenship Benefits

- Ability to vote in a federal election (and other elections)
- Ability to obtain a US passport
- Unmarried children under 18 years of age become citizens
- Eligibility for federal funding for education
- Additional protections under the law
- Enhanced opportunities to start or develop businesses
- Opportunity to enhance one's quality of life

