



“Why didn’t my Ancestor Naturalize?”

Navigating U.S. Naturalization Records

Danielle Batson, AG[®], MLS
Batsondl@familySearch.org

Naturalization is the process by which a native or citizen of one country becomes a citizen of a different country. Immigrants to the United States have never been required to apply for citizenship. Some began the naturalization process to become a citizen, but never completed it. This class will teach the process of naturalization, relevant time periods, records, and websites.

Colonial Period to 1790

British immigrants were automatically citizens of the colonies. Non-British immigrants could naturalize to obtain rights within the colony. In the early colonial time period you might find a list of people naturalized, or a court record that included the country of origin, the date of naturalization, and the place of residence

Types of Naturalization

- Denization—naturalization for land ownership purposes, with no political privileges.
- Oath of Allegiance—renouncing loyalty to one’s former country to gain full privileges.
- Collective citizenship—the act of naturalizing a group. In 1776, the Continental Congress granted citizenship to all those living in the colonies who were loyal to the new government. There is no paperwork for collective naturalization.

Colonial Naturalization Index (index to published naturalization records): Filby, P. William, *Passenger and Immigration Lists Index, 1500s–1900s*, 15 vols. (Detroit, Michigan: Gale Research, 1981–). Available: www.ancestry.com (up to 2012).

1790 to 1906 Time Period

1790 Naturalization Law

The first federal naturalization law was passed in 1790. The basic requirements were a one-year residency in the state, a two-year residency in the United States, good moral character, and the performance of the naturalization in a court of record. Although laws changed throughout the years, generally an immigrant was required to reside in the state for one year and in the United States for a total of five years to become a citizen.

Declaration of Intention

Immigrants could file a declaration of intention immediately after they arrived, although many waited one to three years. There was a three-year waiting requirement (which changed to two years after 1824) between filing the declaration of intention and petitioning the court for citizenship. The immigrant began the process by filling out a declaration of intention, or first papers. This could be done at the age of 18 or 21 (depending on the law at the time), or at any time in his or her adult life. Any court could be used—often the immigrant chose the most convenient court.

Petition

The second step of the process required the immigrant to petition the court for citizenship. This required a second document known as a petition, also called the final or second papers. The

petition and the declaration may be filed in different courts or states. Depositions were often filed to attest to the immigrant's moral character.

Oath of Allegiance

To complete the naturalization process, the immigrant took the oath of allegiance. A certificate of naturalization was then given to the immigrant and the court retained the certificate stub. The petition and certificate of naturalization were always recorded in the same court.

Content of Naturalization Records (1790–1906)

The content of naturalization records in this time period might include the port of arrival, date of immigration, country of origin, and age of the applicant. Forms were not standardized in this time period and each court used their own forms. Thus, information varied widely.

After 1906

Immigration and Naturalization Service

The year 1906 was a turning point for naturalization records. New laws were passed and naturalization forms were standardized. More federal courts naturalized immigrants. The law required that the courts send duplicate copies of naturalization records to the newly created Bureau of Immigration and Naturalization—later changed to Immigration and Naturalization Service (INS). In March 2004, the INS was renamed the U. S. Citizenship and Immigration Services (USCIS). The process for naturalization has remained similar to before 1906.

Content of Naturalization Records After 1906

After 1906, the following information may be found in naturalization records: Age, birth date, birthplace, residence, date of application, last foreign address, country of birth or allegiance, occupation, personal description, port and date of arrival, vessel of arrival, marital status, birth dates and birthplaces of spouse and children, and date and place the declaration was filed.

Records with U.S. Citizenship & Immigration Services (USCIS)

C-Files

All persons naturalized between 1906 and 1956 have a C-File with the INS. The C-Files include a copy of the declaration, petition, certificate of naturalization, and other documents. Files can be obtained from the USCIS genealogy program.

Alien Registration Form

Created between 1940 and 1944. The original forms were destroyed, but USCIS has microfilm copies which may be obtained through a genealogy index search at <http://www.uscis.gov>. Alien registration forms contain the individual's name, address, date of birth, nationality, marital status, physical description, port and date of arrival, and occupation.

| Information on Naturalization Records | | | | |
|---------------------------------------|-------------|-----------|-------------|----------|
| Data | Before 1906 | | After 1906 | |
| | Declaration | Petition | Declaration | Petition |
| Name | ★ | ★ | ★ | ★ |
| Age | | ★(rarely) | ★ | |
| Birth info | | | ★ | ★ |
| Residence | | ★ | ★ | ★ |
| Application date | ★ | ★ | ★ | ★ |
| Last foreign Address | | | ★ | ★ |
| Country of Birth or Allegiance | ★ | ★ | ★ | ★ |
| Occupation | | | ★ | ★ |
| Personal Description | | | ★ | ★ |
| Port & Date of Arrival | ★ (rarely) | ★(rarely) | ★ | ★ |
| Vessel & port of embarkation | | | ★ | ★ |
| Marital Status | | | ★ | ★ |
| Name of wife & children | | | ★ | ★ |
| Birth info of wife & children | | | ★ | ★ |
| Address of adult children | | | ★ | ★ |
| Where & when declaration filed | | | | ★ |
| Witness affidavits | | | | ★ |

Alien Files or A-Files

These files go from 1944 to 1951. For immigrants not yet naturalized, the files contain visas, photographs, affidavits, and correspondence. For those that naturalized, the file can include alien registration form, declaration, and petition. *Aliens born before 1913: Records now at Kansas City National Archives Branch and San Bruno National Archives Branch. Use ARC to search for a name: <http://www.archives.gov/research/arc/>*

Visa Files

Visa files began with the Immigration Act of 1924. All unnaturalized persons had to have a visa to enter the United States. Visa files contain the individual's birth information, names of parents and children, previous residence, and a photograph. Visa files between 1924 and 1944, can be obtained through the USCIS genealogy program.

Registry Files

Registry files were created for unnaturalized persons who arrived before 1924, when no arrival record was found. Registry files contain employment records, a certificate of registry, and proof of residence. Files from 1929 to 1944, are available through the USCIS genealogy program.

Naturalization Exceptions – Explaining Lack of Naturalization Records

Collective Naturalization

Groups of people were granted citizenship by an act of Congress as new territories were acquired. This exception is called collective naturalization. Collective naturalization was used in 1868 to make African-Americans citizens and in 1924 to make Native Americans citizens. No records exist for people who naturalized by collective naturalization.

Women and Children

Both women and children received citizenship from either a father or a husband who was naturalized. This was called *derivative citizenship*. Derivative citizenship began for women in 1855, and for children in 1790. Starting in 1824, children of unnaturalized persons could submit a declaration and petition at the same time to be naturalized if they had lived in the U.S. three years before age 21, and stayed in the U.S. until age 23. Their records were often called "minor's records." After 1804, if a father or husband filed a declaration but died before filing a petition and becoming a citizen, the widow and children could become citizens by taking an oath of allegiance. In 1922, women were no longer eligible for derivative citizenship. Between 1907 and 1922, women lost their U.S. Citizenship if they married an unnaturalized man. In 1936, women could regain their U.S. citizenship if the marriage ended by divorce or death.

Military

Special dispensation was given to those in the military seeking naturalization. In 1862, the U.S. Army waived the declaration and required only one year of residence instead of five years for soldiers honorably discharged. The U.S. Navy and Marine Corps followed suit in 1894. In 1918, during World War I, both the declaration and the residency requirements were waived, and soldiers were naturalized at military posts.

How to Find Naturalization Records

After 1906, most naturalization occurred in federal courts. Be sure to also search other courts in this time period as the transition to federal courts was slow in some areas of the United States. Since jurisdiction was not an issue for pre-1906 naturalization, people usually chose the most convenient city, county, state, or federal court.

Naturalization Index and Record Collections Online

- **FamilySearch** – type, “Naturalization” into the “Filter by collection name” field, free: https://www.familysearch.org/search/collection/list#page=1®ion=UNITED_STATES
- **Fold3** – listed under “Non-military Collections,” \$: <http://fold3.com>
- **Ancestry** – \$: <http://search.ancestry.com/search/category.aspx?cat=115>
- **Online Searchable Naturalization Records and Indexes** – links to \$ and free websites: <http://www.germanroots.com/naturalization.html>
- **Digital State Archives** – free: <http://www.digitalstatearchives.com>

Ordering Naturalization Records

- **District Court records (declarations and petitions):** *National Archives and Regional Archives* – shows holdings and cost of records; regional branches have naturalization records usually from district courts; some branches have indexes online: <http://www.archives.gov/research/naturalization/index.html>
- **USCIS A-files:**
 - *National Archives* – Kansas City, MO: <http://www.archives.gov/kansas-city/finding-aids/subject-list.html#naturalization>
 - *National Archives* – San Francisco, CA (San Bruno): <http://www.archives.gov/research/immigration/aliens/a-files-san-francisco.html>
- **USCIS files (all but A-files):** *USCIS* – Only after 1906; Order online or by mail an index search and later obtain records through the Genealogy Program: <http://www.uscis.gov/genealogy>.
- **Naturalization records (declarations and petitions):** *FamilySearch Libraries and Centers* – Films may be ordered into centers; Use the FamilySearch Catalog (formerly called FHLC) “Place Search” for the state, county, or city and the topics, “Naturalization & Citizenship–Indexes” and “Naturalization & Citizenship”: <https://familysearch.org/catalog-search>
- **FamilySearch wiki - more information about U.S. naturalization:** http://www.familysearch.org/learn/wiki/en/United_States_Naturalization_and_Citizenship

| Naturalization Information Listed on Each Census | | | | | | | | |
|--|-----------|-----------|------|------|-----------|------|------|------|
| Information on Census | 1820-1840 | 1850-1860 | 1870 | 1880 | 1900-1910 | 1920 | 1930 | 1940 |
| Aliens not naturalized | X | | | | X | X | | |
| Birthplace of Individual | | X | X | X | X | X | X | X |
| Birthplace of Parents | | | | X | X | X | X | |
| Year of Immigration | | | | | X | X | X | |
| Naturalization Status | | | X | | X | X | X | X |
| Year of Naturalization | | | | | | X | | |
| Length of Residence in Country | | | | | X | | | |

Census Clues about Naturalization

1900 to 1930 Federal census:

- PA = 1st papers filed, declaration
- AL = alien, no papers filed
- NA = naturalized
- NR = not reported

1940 Federal census:

- 0 = Born in US
- 1 = Foreign born, naturalized
- 2 = Foreign born, has first papers
- 3 = Foreign born, alien
- 4 = Foreign born, U.S. Citizen at Birth