

Who Is a US Citizen? Is It Important to Be One?



By Michael J. Wildes, Esq.

Some people acquire US citizenship immediately at birth; for others, US citizenship is conferred later in life. Regardless of how it is acquired, there are very fundamental reasons why a person would want to be recognized as a US citizen.

Birthright Citizenship

Under United States law, any person born within the United States or territories that are possessions of the US is automatically considered a US citizen at birth. Moreover, most children born to American citizen(s) parents abroad are automatically granted US citizenship.

Derived Citizenship

US citizenship can be acquired after birth by application through US citizen parents or by filing an N-400 naturalization application with the United States Citizenship and Immigration Service (USCIS). In addition to the application, naturalization applicants are subject to an in-person interview at which time they may be required to show a command of the English language and to pass a US history exam.

Benefits of US Citizenship

US citizens have the right to live and work in the US without fear of deportation. This is one of the main reasons a foreign national who enters the US initially on a visa may desire to become a Lawful Permanent Resident (green-card holder) and then apply for US citizenship. Just because an individual has a US citizen spouse or children, does not mean that he/she has an automatic right to remain in the US, especially if that person has an issue with law enforcement. Any time a green-card holder has a run-in with the police, even if the case is later dismissed, it is cause for concern as the person may be deported or become ineligible for US citizenship. This places a heavy burden on the other members of his family living in the US.

Ours is a country that was founded on the premise of welcoming immigrants from all over the world, many of whom have given us their incredible legacies. We have benefitted greatly from the contributions of many of yesterday's immigrants, who are today's citizens.

Qualifying individuals, who are eligible to become US citizens, must take an oath of allegiance that they will be faithful to and uphold the Constitution of the United States, America's supreme law, and agree to serve their new country, if needed. In exchange, new citizens may be able to petition to sponsor and bring certain qualifying family members from overseas to join them in the US, reuniting families.

One of the most fundamental rights granted by the US Constitution to US citizens is the right to vote. Only US citizens have the right to vote in federal elections and to be candidates in most local, state, and federal elections.

Participating in a federal jury is another important benefit that many US citizens enjoy. Members of the jury help determine

the innocence or guilt of the accused, for example, [ok to add? not all cases are criminal] and federal jurors are randomly selected from databases such as voting or driver's license lists. Finally, another important aspect of US citizenship is that US citizens benefit from international protection because the US protects its citizens abroad through its embassies and consulates.

US citizens also benefit from having access to more jobs in the country since the federal government is one of the largest employers in the world and offers many job opportunities in a wide range of industries. All available federal jobs are posted on the US-

Ajobs.gov website and the majority of federal jobs require that applicants be US citizens. For new US citizens who are still in academia, student aid is available because the federal government has different types of financial assistance available only to US citizens, including scholarships and grants.

N-400 Application

Eligible applicants must fill out an Application for Naturalization, Form N-400, which is 21 pages long. The applicant must disclose whether he or she has "ever been arrested, cited, or detained by any law enforcement officer (including USCIS or by

the former INS or any military officer) for any reason," or if he or she has "ever committed a crime or offense for which [he or she was] not arrested?"

The USCIS's purpose is to obtain a full picture of whether the applicant is a person of "good moral character." This means proving to the US government that the applicant does in fact possess good moral character, and any inkling of trouble in one's life, if not balanced out by positive factors, could undermine this showing and an applicant's chances of becoming a US citizen.

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