



Marriage

An LPR applying for citizenship based on marriage MUST:

- be married to a USC for at least 3 years (applicant can apply 90 days prior to the three year anniversary of obtaining his/her green card, but must have been married for a full 3 years);
- have been living with the USC for at least 3 years (and still living with); and
- the USC must have had his or her citizenship for at least 3 years.

If any of the above is not true, and the applicant has not had a green card for at least 5 years, do not schedule for an appointment (with two exceptions—see below).

VAWA Exception:

Green card holders who were approved for lawful U.S. residency based upon a Form I-360 VAWA (Violence Against Women Act) self-petition may be eligible to apply for U.S. citizenship after three years instead of the usual five.

Is the applicant a battered spouse, child, or parent of a U.S. citizen who obtained a green card on that basis?

- Ask for the applicant's green card code. Eligible codes include: IB0, IB1, IB2, IB3, IB5, IB6, IB7, or IB8.
- If yes, then the applicant may apply after three years, regardless of whether the applicant is still married to the battering spouse, divorced, or if the battering spouse/parent/child is deceased or no longer a USC.

*Note that it is possible to have received a green card through a VAWA self-petition by other means than by marriage to a U.S. citizen. These applicants are not eligible for the three-year VAWA rule and must wait the full five years.