ELLIS PORTER

US CITIZENSHIP · BEFORE YOU FILE

The N-400 Readiness Checklist

Can you file yet? Check the 5-year and 3-year rules, your travel and time in the US, the record issues to raise first, and what to gather before you apply.



Prepared by the Ellis Porter content team. This checklist has not been reviewed by an attorney for your specific situation. It is general information, not legal advice; current USCIS rules and form instructions control. Details checked against USCIS and federal sources on November 18, 2026.

CAN YOU FILE YET?

Am I eligible to file yet?

Form N-400 is how a green card holder applies for US citizenship. Find your path first.

1 **The 5-year rule (most applicants)**
You have been a lawful permanent resident for at least 5 years.

2 **The 3-year rule (spouses of US citizens)**
A permanent resident for at least 3 years, married to and living with your US citizen spouse for those 3 years, with your spouse a citizen the whole time. A legal separation, divorce, or a spouse's death can end eligibility on this path.

THE BASICS

- [ ] I am at least 18 years old.
- [ ] If I had a 2-year conditional green card, the conditions have been removed.
- [ ] I have no doubts about how I got my green card. USCIS says a green card obtained by fraud, willful misrepresentation, or even a government error generally makes you ineligible.

The 90-day early filing window. You can file up to 90 calendar days before you complete your 5-year (or 3-year) period as a permanent resident. USCIS rejects applications filed too early, and every other requirement (such as 3 years of marriage on the 3-year path) must already be met the day you file.

Continuous residence and physical presence

Long trips affect continuous residence; total days abroad affect physical presence.

LONG TRIPS

- [ ] **No trip longer than 6 months.** A trip of more than 6 months but less than 1 year is presumed to break continuous residence. Proof that you kept your US job, your US home, and your family here may overcome it.
- [ ] **No trip of 1 year or more.** That breaks continuous residence; you may then file 4 years and 1 day after you return to live here (2 years and 1 day on the 3-year path). The narrow exception, Form N-470, covers only certain work abroad and must be filed before you have been gone 1 year.

TIME IN THE US

- [ ] **Half the time here:** at least 30 months (913 days) of the last 5 years, or 18 months of the last 3 years on the marriage path. Short trips add up, so total every day abroad.
- [ ] You have lived at least 3 months in the state or USCIS district where you will apply.
- [ ] You will keep living in the US until your oath. A long trip after you file counts too.

CHECK YOUR RECORD

Good moral character: red flags to check first

USCIS reviews your conduct from generally 5 years before you file (3 on the marriage path) through your oath, and can look further back. **If any box applies to you, talk to an attorney before you file.**

- [ ] Any arrest, citation, or charge anywhere, even if dismissed, sealed, or expunged
- [ ] Any conviction, diversion, or deferred adjudication
- [ ] Any drug offense, even where state law allows marijuana
- [ ] Any DUI, or a traffic incident involving alcohol or drugs
- [ ] Jail or prison time totaling 180 days or more
- [ ] On probation or parole now
- [ ] Ever lied under oath to get an immigration benefit
- [ ] Ever claimed to be a US citizen, registered to vote, or voted in a citizens-only election
- [ ] Unfiled or unpaid taxes, or a "nonresident alien" tax return
- [ ] Behind on child support, or not supporting your children
- [ ] Unpaid court fines or restitution
- [ ] Born male, an immigrant in the US at 18 to 26, and never registered for Selective Service

Disclose everything. Some convictions are a permanent bar no matter when they happened: murder, and an aggravated felony on or after November 29, 1990. USCIS asks for records of arrests even when no charges were filed, and for sealed or expunged records. False testimony under oath to get an immigration benefit is its own bar.

Documents and information to gather

Your lookback is the last 5 years (3 on the marriage path).

EVERYONE

- [ ] A copy of your green card, front and back
- [ ] Every trip abroad in the lookback, with dates
- [ ] Every address in the lookback
- [ ] Every job or school, full or part time, in the lookback
- [ ] Your marriage certificate, and the decrees or certificates that ended any prior marriages
- [ ] Marriage path: proof your spouse has been a citizen for the last 3 years, and that their prior marriages ended

IF IT APPLIES

- [ ] Arrest and court records, and proof you finished any sentence or probation
- [ ] If you owe taxes, a signed IRS or state payment agreement
- [ ] Child support orders and proof of payment
- [ ] For a trip over 6 months: lease, pay stubs, bank statements, tax transcripts
- [ ] Selective Service letter and explanation, if you did not register and are over 26 but under 31 (29 on the marriage path)

COST AND FILING

What it costs and how to file

USCIS Form G-1055, edition 10/26/26. Fees change; confirm at uscis.gov/g-1055.

ONLINE	PAPER	REDUCED FEE	FEE WAIVER
$710	$760	$380	$0
Through a USCIS online account.	Mailed to USCIS.	Paper only. Household income up to 400% of the poverty guidelines, with proof.	Paper only, with Form I-912, if you qualify.

Biometrics. The fee schedule lists no separate biometric fee for Form N-400. After you file, USCIS generally schedules an appointment for your fingerprints, photo, and signature. If you miss it, USCIS may deny your application.

FILING CHECKS

- ☐ **Online or paper.** Online filing uses a USCIS online account. Reduced fee and fee waiver requests must be on paper.
- ☐ **The current edition.** On paper, every page from edition 01/20/25 (current as of November 2026).
- ☐ **Signed.** USCIS says it will reject any unsigned form.
- ☐ **The exact fee.** An incorrect fee means rejection. By mail, pay by card on Form G-1450 or by bank withdrawal on Form G-1650.

Your dates

BECAME A PERMANENT RESIDENT	5-YEAR OR 3-YEAR DATE	EARLIEST FILING DATE (90 DAYS BEFORE)	DAYS OUTSIDE THE US IN THE LOOKBACK

Want a second set of eyes before you file?

Request a free citizenship eligibility review. An Ellis Porter attorney will review your case and respond within 1 business day: lp.ellisporter.com/citizenship

Prepared by the Ellis Porter content team. General information, not legal advice; reading it does not create an attorney-client relationship. As of November 18, 2026. Confirm current rules at uscis.gov/n-400 before filing. Sources: INA 316, 319(a), and 334(a) (8 U.S.C. 1427, 1430, 1445); 8 CFR 316.2, 316.5, 316.10, 319.1, and 334.2; USCIS Policy Manual, Volume 12, Parts D and F; USCIS Form N-400 page and instructions (edition 01/20/25); USCIS Form G-1055, Fee Schedule (edition 10/26/26).