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Naturalization Oath of Allegiance to the United States of America

Oath

"I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God."

Note: In certain circumstances there can be a modification or waiver of the *Oath of Allegiance*. Read [Chapter 5 of A Guide to Naturalization](#) for more information.

The principles embodied in the *Oath* are codified in [Section 337\(a\)](#) in the Immigration and Nationality Act (INA), which provides that all applicants shall take an oath that incorporates the substance of the following:

1. Support the Constitution;
2. Renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the applicant was before a subject or citizen;
3. Support and defend the Constitution and laws of the United States against all enemies, foreign and domestic;
4. Bear true faith and allegiance to the same; and
5. A. Bear arms on behalf of the United States when required by the law; or
B. Perform noncombatant service in the Armed Forces of the United States when required by the law; or
C. Perform work of national importance under civilian direction when required by the law.

The language of the current *Oath* is found in the Code of Federal Regulations [Section 337.1](#) and is closely based upon the statutory elements in [Section 337\(a\)](#) of the INA.

History

Throughout our nation's history, foreign-born men and women have come to the United States, taken the *Oath of Allegiance* to become naturalized citizens, and contributed greatly to their new communities and country. The *Oath of Allegiance* has led to American citizenship for more than 220 years.

Since the first naturalization law in 1790, applicants for naturalization have taken an oath to support the Constitution of the United States. Five years later the Naturalization Act of 1795 required an applicant to declare an intention (commitment) to become a U.S. citizen before filing a Petition for Naturalization. In the declaration of intention the applicant would indicate his understanding that upon naturalization he would take an oath of allegiance to the United States and renounce (give up) any allegiance to a foreign prince, potentate, state, or sovereignty. Applicants born with a hereditary title also had to renounce their title or order of nobility.

Prior to 1906, naturalization courts had little or no guidance on how to apply or administer the law. The law did not include an exact text for the oath. It stated only that an applicant:

"...shall...declare, on oath...that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty; and, particularly, by name, to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court."

Before 1906, there were as many as 5,000 courts with naturalization jurisdiction. Each court could develop its own procedures for administering the oath. Some courts simply documented that applicants swore an oath. Other courts chose to write and print their own text for the oath, which the applicant would read at the final hearing.

In 1905 a Presidential Commission on Naturalization studied naturalization in the United States. They found that U.S. naturalization courts lacked uniformity. They recommended classifying and summarizing naturalization laws into a code (re-codification), the creation of a federal agency to oversee naturalization procedures, and standard forms for all U.S. naturalizations, including a form for the oath of allegiance.

The Basic Naturalization Act of 1906 implemented many of the Commission's recommendations, but did not mandate a separate form for the oath of allegiance. Instead, the new Declaration of Intention form and Petition for Naturalization form included some of the substance of the oath. At the final hearing the applicant still recited a spoken oath adapted from the law. In 1906 the Basic Naturalization Act also added the section of the oath requiring new citizens to defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

and bear true faith and allegiance to the same.

An official standard text for the oath of allegiance did not appear in the regulations until 1929. The regulation said that before a naturalization certificate could be issued, the applicant should take the following oath in court:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, State, or sovereignty, and particularly to _____ of who (which) I have heretofore been a subject (or citizen); that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservation or purpose of evasion: So help me God. In acknowledgment whereof I have hereunto affixed my signature.

This regulation introduced a signed oath with standardized language. There was still no separate, federal form for the oath. It was most likely printed on the back of the application form.

The Immigration Act of September 23, 1950, added text to the oath of allegiance about bearing arms on behalf of the United States when required by the law; and performing noncombatant service in the armed forces of the United States when required by the law. Prior to 1946, the Supreme Court had ruled that the language in the oath about supporting and defending the Constitution and laws of the United States against all enemies implied a promise to bear arms. This was challenged in the court case of *Girouard v. U.S.* (328 U.S. 61). The Court ruled that the oath of allegiance did not imply a promise to bear arms. A refusal to bear arms was justified on the basis of religious training and beliefs. Under current law, an applicant opposed to bearing arms or performing noncombatant service because of his or her religious training and beliefs is exempt from taking the full oath of allegiance.

The section of the oath of allegiance about performing work of national importance under civilian direction was added by the Immigration and Nationality Act of 1952 and is the last major addition to the oath of allegiance as it appears today.

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