

# **USCIS Form N-565: Guide to Replacement Naturalization and Citizenship Certificates**

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## **FINDINGS**

# **USCIS FORM N-565: COMPREHENSIVE GUIDE TO REPLACEMENT NATURALIZATION AND CITIZENSHIP CERTIFICATES**

### **Executive Summary**

Form N-565, Application for Replacement Naturalization/Citizenship Document, serves a distinct and narrower purpose than initial naturalization applications. This application is available exclusively to individuals who already possess valid U.S. citizenship and need to replace or correct their citizenship documents—whether a Certificate of Naturalization, Certificate of Citizenship, Declaration of Intention, or Repatriation Certificate. The critical distinction requires emphasis: Form N-565 does not confer citizenship; rather, it addresses post-citizenship administrative matters involving existing citizenship documents. Current processing times range from approximately five to eight months depending on case complexity and USCIS workload, with filing fees of \$505 when submitted online or \$555 by mail, subject to fee waiver provisions for applicants demonstrating financial hardship. As of January 2025, applicants seeking gender changes on citizenship documents face significant federal restrictions on sex identification modifications, though a preliminary injunction has partially restored passport gender change procedures. The N-565 application process requires submission of supporting documentation tailored to the specific reason for replacement, biometrics appointment attendance, and adherence to strict evidentiary standards. This report addresses the complete N-565 ecosystem, including eligibility determinations, documentation requirements, processing procedures, current legal landscape developments, appeal mechanisms, and Northern California-specific procedural considerations.

**Client Risk Assessment: Medium.** For straightforward loss or damage replacement cases with complete documentation, approval rates are high and timelines predictable. For applications involving gender changes, name corrections, or USCIS error claims, additional scrutiny and documentation complexity increase moderate risk of requests for evidence (RFEs) or delays. For applicants with concurrent immigration enforcement concerns or prior criminal matters, biometrics appointments carry potential collateral consequences requiring advance consultation with immigration counsel.

**Strategic Options and Decision Framework:** Applicants with eligible N-565 cases should evaluate whether the replacement is necessary given intended use of the certificate. For lost certificates needed for passport applications, expedited federal processing may be available if state passport agencies can process contemporaneously. For name changes, applicants should confirm whether state documents (driver's license, marriage certificate, divorce decree) adequately serve identity purposes before filing. For gender designation changes, applicants must first understand current federal policy restrictions (effective January 2025) that generally prohibit sex identifier changes on federal immigration documents, with limited exceptions for passports pending ongoing litigation. For USCIS clerical errors, filing N-565 carries no fee advantage but provides official correction mechanism.

**Timeline and Deadline Considerations:** No statutory deadlines govern N-565 applications. Lost certificates may be replaced at any time. For individuals planning travel requiring citizenship proof, submission three to four months in advance of planned departure accounts for median processing time. For applicants whose original certificates were destroyed or lost more than five to ten years previously, locate the original certificate number (if available) through USCIS FOIA process before filing, as this facilitates case processing.

**Likelihood of Success Assessment:** High probability of approval for loss/damage/destruction replacement

cases with complete supporting documentation. High probability for legal name change applications supported by marriage certificates or court orders. Moderate probability for USCIS error claims requiring documentary proof of discrepancy. Low to moderate probability for gender change applications given January 2025 federal restrictions on sex identification modifications on federal records. Medium probability overall if complete documentation submitted and biometrics appointment successfully completed.

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## **Legal Authority and Statutory Framework**

### **Statutory Basis for Form N-565**

Form N-565 derives its authority from sections 343a.1 and 338.5 of Title 8, Code of Federal Regulations, which establish USCIS's regulatory power to issue, replace, and correct certificates of citizenship and naturalization.[4][10] The underlying statutory authority originates in the Immigration and Nationality Act (INA), which defines the rights and procedures for acquiring and maintaining U.S. citizenship status. Specifically, the INA provides that the Secretary of the Department of Homeland Security, through USCIS, possesses broad authority to issue replacement and corrective citizenship documents when applicants establish eligibility.[4] Unlike initial naturalization applications governed by INA sections 316 through 318, which establish affirmative requirements for citizenship acquisition, the N-565 replacement procedure assumes citizenship has already been obtained and addresses only the administrative correction or replacement of the documentary evidence thereof.

The distinction proves critical for understanding N-565's proper scope and application. Form N-400, Application for Naturalization, requires applicants to demonstrate five years of lawful permanent resident status (three years if married to a U.S. citizen), physical presence, continuous residence, good moral character, English language proficiency, and knowledge of U.S. civics and government before citizenship is conferred.[6] Form N-565, by contrast, presupposes successful completion of naturalization or derivative citizenship acquisition and addresses only the mechanics of document replacement or correction. No applicant filing N-565 must re-establish the foundational eligibility criteria for citizenship itself; USCIS does not revisit naturalization requirements when adjudicating replacement applications. This definitional clarity eliminates a frequent source of confusion among applicants and practitioners, particularly those whose initial naturalization occurred years or decades previously.

### **Regulatory Framework**

USCIS implements Form N-565 procedures through comprehensive regulatory authority codified in 8 CFR sections 338.5 and 343a.1.[4][10] These regulations specify that any individual who has been issued a Certificate of Naturalization, Certificate of Citizenship, Declaration of Intention, or Repatriation Certificate may apply for replacement when the document is lost, stolen, destroyed, mutilated, contains clerical or typographical errors made by USCIS, or requires updating due to a legally recognized name change, gender change, or date of birth modification.[4] The regulations further establish that when USCIS itself committed the error (such as misspelling a name or printing an incorrect date), no filing fee is required; the applicant bears no financial burden for correcting USCIS's own administrative mistakes.[4][28]

The regulatory framework also addresses procedural requirements including biometrics appointment attendance, evidence submission standards, and decisional authority. USCIS officers adjudicating N-565 applications may request additional information or evidence, require applicants to appear for interviews, or request original documents for verification purposes.[4][10] The officer's determination of eligibility becomes

final absent administrative or judicial review. The regulations establish that rejection of improperly filed or deficient applications occurs at the initial screening stage, with notice given to the applicant of correctable deficiencies.[4] Once an application is accepted for processing after initial completeness review, USCIS must adjudicate it and provide written notice of approval or denial with reasons if denied.[4]

### **Current Federal Policy Landscape (January 2025 Restrictions)**

As of January 2025, USCIS announced significant policy changes affecting applicants seeking to change sex identifiers on federal immigration documents.[42] Following a presidential executive order titled "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," USCIS declared that it will recognize only two sex categories-male and female-and will determine sex based on what appears on an applicant's birth certificate.[42] If the birth certificate lists a sex designation other than male or female, USCIS states it will rely on "secondary evidence" to determine which binary category applies.[42] This policy became effective April 2, 2025, for all pending and new N-565 applications.[42]

This policy reversal requires applicants to understand that the previous administration's recognition of gender markers beyond male and female on immigration documents has been withdrawn.[42] Previously, USCIS maintained procedures allowing applicants to change sex identifiers on naturalization certificates through Form N-565 if applicants provided court orders, government-issued documents, or medical certifications from licensed physicians recognizing their gender identity.[4][8] As of January 2025, those procedures no longer function in the manner previously available. However, a preliminary injunction in a federal lawsuit temporarily paused the federal ban specifically for passport changes only, meaning applicants may continue to update passport sex/gender designations pending the outcome of ongoing litigation.[45] This creates an asymmetry: applicants may update passports to reflect gender identity changes, but immigration and citizenship documents remain restricted to the binary sex designations tied to birth certificates.

For immigrants seeking to align immigration documents with their gender identity, this development creates legal complexity requiring immediate consultation with immigration counsel. Applicants should not file N-565 applications seeking gender changes without understanding that such requests will likely be denied under current USCIS policy absent change in executive branch leadership or successful judicial challenge to the underlying restrictions.

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## **Form N-565 Eligibility and Qualifying Circumstances**

### **Loss, Theft, and Destruction of Citizenship Documents**

The most common circumstance triggering Form N-565 applications involves loss, theft, or destruction of citizenship certificates.[1][2][4] USCIS recognizes that custody of original naturalization or citizenship documents can be lost through circumstances beyond an applicant's reasonable control-misplacement during relocation, inadvertent disposal, theft from vehicles or residences, water damage from flooding or fire, or simply passage of time and memory fade in cases where documents were issued decades previously.[1][2] The regulatory framework makes no distinction between negligent loss and involuntary loss; USCIS adjudges eligibility for replacement on the basis of credible evidence that the applicant once possessed the document and no longer has it, not on the basis of fault or responsibility for the loss itself.

Applicants reporting lost, stolen, or destroyed certificates must submit supporting evidence appropriate to the circumstances.[2][7] If the applicant retains even a photocopy of the original certificate, submission of that copy facilitates rapid processing because USCIS can immediately verify the certificate number, issuance date,

and other identifying information.[2][7] When no copy exists, applicants should provide a police report if theft occurred, or a sworn statement explaining the circumstances of loss and any efforts made to locate or recover the document.[2][5][46] The sworn statement need not employ legal formalism; USCIS accepts clear, factual narratives describing how and when the loss occurred, what efforts were undertaken to retrieve the document, and confirmation under penalty of perjury that the statement is truthful.[5][46] Consistency between the sworn statement and information provided in the N-565 form itself prevents requests for evidence and strengthens case file completeness.[5][46]

For applicants residing outside the United States at time of loss, USCIS permits filing N-565 from abroad, though applicants must ultimately be available to attend a biometrics appointment (typically at the nearest U.S. embassy or consulate) for identity verification.[2][4] If the N-565 is approved for an applicant residing abroad, USCIS will forward the replacement certificate to the nearest U.S. Embassy, U.S. Consulate, or USCIS field office, and the applicant will receive notification of where to retrieve the document.[4]

### **Damaged or Mutilated Documents**

Applicants whose original certificates have become damaged or mutilated to the point of being unusable qualify for N-565 replacement.[1][2][4] This category encompasses water-damaged documents suffering fading, torn documents with illegible portions, certificates with stains or markings rendering them unsuitable for official presentation, or creasing or breaking that compromises the document's integrity for purposes of government verification.[1] When filing for replacement due to damage or mutation, applicants must attach the original damaged document itself (not merely a photocopy) so USCIS can assess the extent of damage and determine that replacement is genuinely warranted.[2][4][10]

Applicants should exercise caution not to over-characterize minor wear as requiring replacement. A naturalization certificate that remains legible in all essential respects—certificate number, holder's name, date of issuance, date of citizenship acquisition—likely does not satisfy the "mutilated" standard. However, documents that have become substantially illegible due to water damage, documents with large sections physically missing or torn away, or documents that have become so fragile that physical handling risks further destruction clearly meet the mutilation standard. USCIS retains discretion to determine whether damage is sufficiently severe to warrant replacement; applicants whose damage is borderline should consider whether the certificate's continued use genuinely requires replacement.

### **Clerical and Typographical Errors Made by USCIS**

When USCIS itself committed clerical or typographical errors on the original naturalization or citizenship certificate, applicants may file N-565 to obtain a corrected replacement document without paying any filing fee.[1][28][50] USCIS distinguishes between errors caused by the agency and errors for which the applicant bears responsibility. A clerical error made by USCIS—such as misspelling an applicant's name when printing the certificate, transposing digits in the certificate number, recording an incorrect date of issuance, or misstating the date on which the applicant became a citizen—qualifies for fee-free correction.[28][50]

By contrast, if an applicant provided incorrect information during the naturalization interview and the naturalization officer recorded that incorrect information on the certificate (and the applicant certified under oath that the information was accurate), USCIS generally cannot correct the document through N-565 without additional legal documentation establishing the correct information.[4][27] For example, if an applicant mistakenly reported an incorrect date of birth during the naturalization interview and swore to that information, USCIS will not correct the date of birth shown on the naturalization certificate absent a court order or an amended vital record (such as a court-ordered amendment to the applicant's birth certificate)

proving the correct date.[4][27]

This limitation reflects USCIS's position that it cannot unilaterally undo an applicant's own sworn statements simply by filing a later N-565 application. Applicants whose original naturalization certificates contain information the applicant now believes to be incorrect face more complex remediation paths. If the issue involves a name the applicant reported during naturalization but no longer uses, an N-565 can correct the certificate to reflect a subsequently documented legal name change (via marriage certificate, court order, etc.). If the issue involves a date of birth the applicant reported and later learned to be incorrect, only a state court order establishing the correct date of birth will support correction.

### **Legal Name Changes After Certificate Issuance**

Applicants whose legal names have changed since the original certificate was issued may request a replacement certificate reflecting the new legal name.[1][2][4] Name changes occurring through marriage, divorce, annulment, or formal court order all trigger eligibility for N-565 name correction.[1][2][4] When filing for a name change correction, applicants must submit the original USCIS document and legal evidence of the name change—such as a marriage certificate, divorce decree, or certified copy of a court order—documenting the change.[1][2][4]

USCIS will not change a name on a certificate without legal documentation.[4][27] Applicants cannot simply assert they have changed their names; they must produce official evidence. A marriage certificate establishing a name change through marriage, a divorce decree reflecting the name the applicant took upon divorce, an annulment decree, or a court order from a state court or federal court changing the name all constitute sufficient evidence.[1][4] For applicants who have changed names multiple times (for example, Smith to Jones through marriage, then Jones to Williams through divorce, then Williams to Johnson through a subsequent marriage), submitting the most recent name change document is generally sufficient, though USCIS may request evidence of the earlier name changes for verification purposes if the applications raise questions about identity continuity.

For applicants residing outside the United States, the regulations establish that name change evidence must be documented and may include foreign vital records, court orders from foreign jurisdictions, or other official government documents recognizing the name change.[4] However, USCIS requires legible photocopies, and any documents in a foreign language must be accompanied by complete English translations certified by a translator as accurate and complete, with the translator certifying his or her competence to translate from the foreign language to English.[4][10]

### **Gender Changes (Current Restrictions)**

As discussed in the legal landscape section above, applicants seeking to change sex identification on naturalization certificates face substantial impediments under policy changes implemented in January 2025.[42][45] Prior to January 2025, applicants could file N-565 to change their sex designation if they provided evidence of a legally recognized gender change—court orders, government-issued documents, or medical certifications from licensed physicians.[4][8] As of January 2025, USCIS policy prohibits sex identifier changes on federal immigration and citizenship documents, recognizing only male and female designations tied to birth certificate sex recordings.[42]

The practical consequence is that applicants who are transgender, nonbinary, or intersex and who possess citizenship certificates with sex designations not aligned with their gender identity currently cannot obtain correction through N-565 unless and until the January 2025 federal restrictions are reversed through executive action, legislation, or successful judicial challenge. A preliminary injunction has temporarily restored passport

gender change procedures, but immigration documents remain within the restriction.[45] Applicants in this situation should consult immigration counsel about potential federal litigation challenging the restrictions or consider advocating for legislative change. Until the restrictions are lifted, N-565 applications seeking sex identifier changes will be denied.

### **Date of Birth Corrections for Certificates of Citizenship**

Applicants who hold Certificates of Citizenship (as distinguished from Naturalization Certificates) whose dates of birth have legally changed may apply for correction through N-565.[4][8] This circumstance applies when a court order or state-issued document establishes a correction to an applicant's date of birth. For example, if a court order amended an applicant's birth certificate to correct a recording error, the applicant may file N-565 to update the date of birth shown on the Citizenship Certificate.

However, USCIS maintains a critical restriction: it cannot change a date of birth on a Naturalization Certificate if the applicant reported and swore to that date during the original naturalization interview.[4][27] This limitation reflects the finality principle applicable to sworn statements in formal proceedings. Applicants cannot undo their own sworn testimony through a subsequent application. By contrast, Certificates of Citizenship are issued to individuals who derived citizenship through parents becoming naturalized when the applicant was under eighteen, or who obtained citizenship directly through being born to U.S. citizen parents abroad, and did not themselves participate in a naturalization interview and oath. For those individuals, correction of a documented date of birth error through court order is permissible.

### **Special Certificates of Naturalization for Foreign Recognition**

Applicants who are naturalized U.S. citizens may apply for special certificates of naturalization when a foreign government requires proof of U.S. citizenship for legitimate purposes other than the individual's admission to that country or processing of the foreign country's own immigration benefit requests.[4][24] The regulatory framework establishes that when a foreign state has a legitimate governmental purpose requiring proof of a person's U.S. citizenship, the individual may request a special naturalization certificate designating it as such.[4][24] These certificates must be forwarded by USCIS to the U.S. Department of State for delivery to the foreign government official who requested them.[4]

This provision addresses situations where a foreign government insists on official documentation of a person's U.S. citizenship status for inheritance purposes, succession in business interests, management of foreign property, or other legitimate governmental administrative functions. The applicant need not travel to a foreign country or be present in a foreign jurisdiction to apply for a special certificate; the entire process can occur while the applicant resides in the United States. When filing for a special certificate of naturalization, applicants must attach a copy of their existing Naturalization Certificate and provide identifying information about the foreign official and government agency requesting the certificate.[4][10]

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## **Filing Process, Documentation Requirements, and Current Procedures**

### **Filing Methods and Online Processing**

USCIS currently permits applicants to file Form N-565 using two methods: online through the MyUSCIS platform or by paper mail.[1][2][7] The online filing method has become the preferred and fastest option, reducing filing fees from \$555 (mail) to \$505 (online) and enabling real-time tracking of case status through the applicant's USCIS online account.[1][2][7][50] Applicants electing online filing must first create a USCIS

online account, complete the Form N-565 through the MyUSCIS interface, upload supporting documents as PDF or image files, and submit the \$505 filing fee electronically.[1][2][7][50]

The online filing process generates several advantages beyond fee savings and expedited processing. Applicants can save their work in draft form and return to complete the application over multiple sessions rather than attempting to complete the entire form in one sitting, reducing errors from fatigue or time pressure. The system performs real-time checks identifying incomplete sections or missing required information, prompting correction before submission rather than resulting in rejection after mailing. Once submitted, applicants receive immediate confirmation and are assigned a receipt number, and can track their case status by logging into the MyUSCIS account at any time.[1][2][7]

For applicants who are unable or unwilling to file online, paper filing remains available but subject to longer processing times and the higher \$555 fee.[1][2] Applicants filing by mail must determine the correct service center based on state of residence, prepare all required documentation with legible photocopies (unless USCIS specifically requires originals), include a signed Form N-565, and mail the complete package to the designated service center with a method of mailing permitting delivery confirmation.[1][2][10] USCIS has consolidated N-565 mail filing to two service centers based on geographic region, requiring applicants to verify the current mailing address before submitting, as outdated addresses result in rejection or delay.[1][2][10]

### **Required Supporting Documentation**

Documentation requirements for N-565 vary significantly depending on the specific reason for replacement, making a customized checklist essential to prevent rejection or requests for evidence.[1][2][4][10] All applicants, regardless of reason, must submit two identical color passport-style photographs taken within thirty days of filing, printed on thin glossy paper with white or off-white background, measuring 2 inches by 2 inches, with the applicant's full legal name and alien registration number (if applicable) lightly printed in pencil on the back of each photograph.[1][2][4][10] The applicant must be clearly visible in the photograph, facing forward, with head position measuring 1 to 1 3/8 inches from top of head to bottom of chin, and the applicant should not wear sunglasses (except as required by medical prescription or religious head covering).[1][4][10]

Beyond the photograph requirement, applicants must provide evidence of identity through submission of a government-issued photo identification, such as a valid driver's license, passport, or military identification.[1][2][4] Original documents are preferred for identity verification, though applicants may submit legible photocopies and USCIS will request originals if deemed necessary.[1][4]

For applicants reporting loss, theft, or destruction of the original certificate, provision of a copy of the certificate (if available) significantly expedites processing because USCIS can immediately verify the certificate number and issuance details.[2][7] If no copy exists, applicants should submit a police report if theft occurred, establishing that the loss was reported to law enforcement.[2][5] When neither a copy nor a police report is available, applicants should submit a sworn statement under penalty of perjury clearly explaining the circumstances of loss-when the document was last seen, how it was lost, what efforts were undertaken to locate it, and confirmation that the statement is truthful.[2][5][46] The sworn statement need not be notarized; a signed declaration under penalty of perjury constitutes legally sufficient evidence.[5][46]

For applicants seeking correction due to a legally changed name, submission of the original USCIS certificate and a copy of the legal document establishing the name change is required.[1][4] Acceptable name change documents include marriage certificates, divorce decrees, annulment decrees, court orders effecting name changes, amended birth certificates, or amended passports.[1][4][10] For applicants who have changed names

multiple times, USCIS generally requires the most recent name change document; however, applicants should be prepared to submit evidence of earlier name changes if USCIS requests such documentation to verify identity continuity.

For applicants whose marital status has changed since the original certificate was issued (through marriage, divorce, or death of spouse), submission of the most recent marriage certificate, divorce decree, or spouse's death certificate is required.[4][10] USCIS updates the marital status field on replacement certificates to reflect the current status, and this evidence document enables that verification.

For applicants reporting USCIS clerical or typographical errors, submission of the original certificate containing the error is required, along with documentation establishing what the correct information should be.[4][10][28] For example, if USCIS misspelled the applicant's name, the applicant should submit a birth certificate, passport, or other vital record showing the correct spelling. If USCIS recorded an incorrect date of birth, the applicant should submit a court-ordered amendment to the birth certificate or a state-issued vital record showing the correct date. If USCIS recorded an incorrect date of naturalization, the applicant should submit USCIS records or court records documenting the actual date citizenship was granted.

For applicants who have never possessed the original certificate (for example, because it was lost decades ago and no copy or documentation of its issuance remains), applicants should attempt to verify the certificate existed through a FOIA request to USCIS before filing N-565, as filing without confirmation of a prior certificate issuance results in automatic denial with fee forfeiture.[2][7] USCIS will not refund filing fees for applications where the applicant never possessed a certificate originally.[2][7]

### **Biometrics Appointment Requirements**

Once USCIS accepts the N-565 for processing after initial completeness review, the agency typically schedules biometrics appointment within approximately four to six weeks of filing.[1][3][7] The biometrics appointment differs from a naturalization interview; it exists solely for identity verification and background check purposes.[1][2][3][7] During the biometrics appointment, USCIS collects the applicant's fingerprints, photograph, and signature, and the applicant signs a reaffirmation oath confirming that all information in the application is complete, true, and correct.[1][2][3][7]

For applicants residing in the United States, biometrics appointments occur at the nearest USCIS Application Support Center (ASC), with the appointment notice specifying the location, date, and time.[3][7][30] Applicants should dress appropriately for the photograph that will appear on the replacement certificate.[1] USCIS may waive fingerprint collection for applicants age seventy-five or older, though these applicants must still attend the appointment for photograph and signature collection and oath reaffirmation.[15][33]

For applicants residing outside the United States, USCIS typically does not require biometrics, though the agency reserves the right to request biometrics at a U.S. embassy or consulate.[2][4] Applicants abroad who receive biometrics appointment notices should contact the nearest U.S. embassy or consulate to schedule the appointment.[4]

Rescheduling biometrics appointments results in processing delays, and USCIS discourages rescheduling absent undue hardship.[30] Applicants who cannot attend their scheduled appointment must contact USCIS before the appointment date to request rescheduling, providing a compelling reason (medical emergency, work conflict that cannot be resolved, transportation issues beyond applicant's control).[30] USCIS accepts rescheduling requests submitted online through the MyUSCIS account prior to the appointment date.[30]

Critically, missing a biometrics appointment without notifying USCIS can result in case abandonment and

denial.[30][33] If an applicant misses the scheduled appointment without rescheduling beforehand or explaining the absence, USCIS may close the case and consider it abandoned.[30][33] Applicants who miss appointments are only able to reschedule through the USCIS Contact Center (1-800-375-5283) by demonstrating undue hardship or exceptional circumstances; online rescheduling requests submitted after the missed appointment date will not be accepted.[30] Applicants in this situation should contact USCIS immediately to prevent case denial.

### **Timeline and Processing Expectations**

Current N-565 processing times generally range from three to eight months, with most applicants receiving replacement certificates within five to seven months of filing.[1][2][3][7][28] The variation reflects differences in USCIS workload, service center capacity, completeness of submitted documentation, and whether the application requires biometrics appointment or additional information requests.[1][3][28] Applicants filing online generally experience faster processing than those filing by mail, as online submissions are immediately uploaded to USCIS systems and do not require staff time to manually enter information.[1][7]

The process typically unfolds as follows: Upon receipt of the application, USCIS mails a receipt notice (Form I-797C, Notice of Action) within two to four weeks confirming that the application was accepted for processing.[1][3][7][31] This receipt notice contains a unique thirteen-character receipt number that applicants should preserve for future reference, as this number enables case status checking online or by telephone.[3][31][34] Within four to six weeks of filing, USCIS schedules and mails a biometrics appointment notice specifying the appointment location, date, and time.[1][3][7][31]

Following the biometrics appointment, USCIS processes the application and, if approved, mails the replacement certificate to the address provided on the N-565 form, typically within two to four months of the biometrics appointment.[1][2][3][7] If USCIS issues a request for evidence (RFE), applicants generally receive thirty days to respond, and the processing timeline restarts upon receipt of the RFE response.[1][3] Applicants can check case status at any time by logging into their MyUSCIS account, calling the USCIS Contact Center at 1-800-375-5283, or visiting the USCIS case status website at [usa.gov/immigration-case-status](https://www.uscis.gov/immigration-case-status). [34]

### **Fees, Fee Waivers, and Cost Considerations**

The current filing fee for Form N-565 is \$505 when submitted online or \$555 when submitted by mail.[1][2][3][7] No additional biometrics services fee is required when USCIS collects biometrics; biometrics services are included within the filing fee for N-565 applications (unlike some other immigration forms where biometrics fees are assessed separately).[4][10] The sole exception to the standard fee occurs when USCIS itself made the clerical or typographical error on the original certificate; in such cases, no filing fee is required.[1][4][28][50]

Applicants unable to afford the filing fee may request a fee waiver or fee reduction through Form I-912, Request for Fee Waiver or Fee Reduction.[2][7] USCIS approves fee waivers when the applicant or applicant's household demonstrates one of the following: (1) receipt of a means-tested benefit such as Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), or other federal or state public assistance; (2) household income at or below 150 percent of the Federal Poverty Guidelines; or (3) extreme financial hardship.[2][7] Documentation supporting the fee waiver request must accompany the I-912 form, such as recent pay stubs, tax returns, benefit award letters, or other evidence of income and household composition.[2][7]

Importantly, fee waiver requests cannot be submitted online; applicants requesting fee waivers must file their

entire N-565 application by mail, submitting both the N-565 and the fee waiver request together.[2][7] If the fee waiver is approved, USCIS processes the N-565 without requiring the filing fee. If the fee waiver is denied, USCIS returns the entire application package to the applicant with instructions to resubmit with the standard filing fee; applicants do not lose their place in the processing queue if a fee waiver is denied and they subsequently mail the application with payment.[2][7]

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## **Current Legal Landscape and Recent Developments (2025)**

### **Gender Recognition Policy Restrictions (January 2025)**

The most significant recent development affecting Form N-565 adjudication is the January 2025 implementation of federal restrictions on sex identification changes on federal records.[42][45] Following Executive Order 14068 titled "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," issued in early 2025, USCIS announced on April 2, 2025, that it would no longer recognize sex identifiers other than "male" and "female" on immigration documents, and would determine sex based solely on what appears on an applicant's birth certificate.[42] If a birth certificate lists a sex designation other than male or female, USCIS indicated it would rely on "secondary evidence" to force applicant information into one of the two binary categories.[42]

This policy reversal represents a significant shift from the previous administration's approach, which had recognized gender markers beyond the binary and permitted applicants with documented gender changes to update their sex designations on immigration documents.[42] Applicants who transition, are nonbinary, or are intersex now face categorical inability to align their immigration documents with their gender identity through the N-565 process. Pending litigation, including a preliminary injunction that temporarily restored passport gender change procedures, provides some hope for reversal or partial restoration of prior procedures, but applicants should not proceed with N-565 applications seeking gender changes without understanding that such applications will currently be denied under USCIS policy.[42][45]

For applicants affected by this policy change, alternative strategies exist but require careful legal consultation. Applicants might pursue federal judicial challenge to the policy through Administrative Procedure Act claims or constitutional claims in federal district court. Applicants might lobby for legislative change through their congressional representatives. Applicants whose gender identity is critical to their safety, integrity, or mental well-being but who cannot update immigration documents might prioritize updating state driver's licenses or passports (which remain subject to change under some state laws and the temporary passport injunction) as alternative forms of documentation for everyday identification purposes. Immigration counsel can evaluate whether any such individual applicant might qualify for asylum based on persecution related to gender identity if the applicant is unable to safely remain in the United States, though this remains a narrow category and should not be pursued lightly.

### **Procedural Updates and Service Center Processing**

As of 2025, USCIS continues to process N-565 applications through its consolidated service center system, with applications from certain geographic regions routed to specific service centers based on applicant state of residence.[1][2] The Nebraska Service Center processes N-565 applications from applicants residing in specified western and midwestern states, while the Texas Service Center handles applications from applicants in specified southern and other states.[1][2][10] Applicants must verify the correct service center address before mailing N-565 applications to prevent rejection or misrouting delays.

USCIS has also emphasized online filing as the preferred method, with online applications experiencing faster processing and reduced fees. The agency continues to encourage applicants to create MyUSCIS accounts and file online where possible, as paper filing now represents a small minority of applications and may be subject to longer processing times due to mail handling and manual data entry requirements.

### **Biometrics Technology and Fingerprint Validity**

USCIS maintains that fingerprints collected for immigration purposes remain valid for fifteen months following FBI processing.[30] Applicants whose biometrics appointments are scheduled more than fifteen months after they were previously collected for another USCIS application may receive multiple biometrics notices requiring fresh fingerprinting. This is not an error; USCIS requires updated biometrics to maintain security protocols and background check currency.[30] Applicants receiving second or subsequent biometrics notices should attend the new appointment as directed.

### **Northern California Regional Considerations**

Applicants residing in Northern California (including the San Francisco Bay Area, greater Sacramento region, and surrounding areas) typically have N-565 applications processed by either the Nebraska Service Center or the Texas Service Center depending on specific geographic details. For applicants in the Northern District of California, mail-in N-565 applications should be directed to the Nebraska Service Center unless instructed otherwise by USCIS. Applicants filing online through MyUSCIS need not be concerned with geographic routing, as the system automatically directs applications to the appropriate service center based on the applicant's stated residence address.

Biometrics appointments in Northern California are generally scheduled at USCIS Application Support Centers in San Francisco, Oakland, San Jose, Sacramento, or other regional locations based on the applicant's residence proximity. Applicants should account for regional commute times when considering whether to request rescheduling of biometrics appointments.

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## **Grounds for Denial and Request for Evidence (RFE) Issues**

### **Common Reasons for N-565 Denial and RFE Issuance**

USCIS denies Form N-565 applications or issues requests for evidence when the record does not establish the applicant's claimed eligibility or when submitted documentation is insufficient, unclear, or unconvincing.[1][21][25] The most frequent grounds for denial or RFE include missing name change documentation when applicants claim name changes but fail to submit marriage certificates or court orders establishing the change; unclear or inconsistent explanations for loss or destruction of the certificate; failure to provide any copy or evidence of the original certificate when claiming loss, making it impossible for USCIS to verify the certificate ever existed; poor quality copies of supporting documents that are illegible or do not provide sufficient detail for verification; and evidence that appears inconsistent with other information in the application or USCIS records.[21][25][46]

The most common reason for N-565 denial, according to USCIS administrative data, involves unsupported requests to change information on the certificate, particularly requests to change a date of birth without court-ordered documentation establishing the correct date, or requests to change information that the applicant certified under oath during the original naturalization proceeding.[21][59] Applicants should not file N-565 applications expecting USCIS to accept unsubstantiated claims that prior information was wrong; USCIS

requires official documentation before accepting corrections.

### **Requests for Evidence (RFE) Response Strategy**

When USCIS issues an RFE, the agency specifies what additional information or documentation is needed, the deadline for responding (typically thirty days), and the consequences of failure to respond timely (case denial without refund of filing fee).[25] Applicants receiving RFEs should treat them seriously and respond promptly, gathering the requested documentation or evidence within the thirty-day window and submitting the response to the address specified in the RFE notice.[25] Late or partial responses can result in automatic denials, so applicants should organize their RFE response logically, clearly labeled with reference to the specific requests in the RFE notice, and provided with a cover letter briefly explaining the response.[25]

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## **N-565 Denial and Administrative Appeal Procedures**

### **Denial Notice and Appeal Rights**

When USCIS denies an Form N-565 application, the agency provides written notice explaining the grounds for denial and informing the applicant of appeal rights.[1][4][18] N-565 denials differ procedurally from N-400 (naturalization) denials; applicants cannot appeal N-565 denials through the Form N-336 administrative appeal process that applies to naturalization denials.[18] Instead, applicants whose N-565 applications are denied have limited options: reapply after addressing the issue that led to denial, seek judicial review in federal district court, or pursue other remedies depending on the nature of the denial.

The lack of administrative appeal rights for N-565 denials underscores the importance of careful preparation before filing. Applicants should invest time in gathering complete documentation, crafting clear sworn statements if loss is involved, and ensuring that all information in the application is consistent and accurate before submission. Once denied, the applicant must address the underlying problem and resubmit, incurring additional fees and processing time.

### **Reapplication Strategy**

Applicants whose N-565 applications are denied should analyze the specific grounds for denial and determine whether the problem can be remedied. If the denial occurred because documentation was missing or unclear, applicants can gather the missing or clarifying evidence and reapply, paying the standard filing fee again. If the denial occurred because USCIS found that the applicant never actually possessed a citizenship certificate (making the replacement impossible), reapplication will again result in denial unless the applicant can obtain evidence that a certificate was indeed originally issued.

If the denial involved a gender change request made under the now-superseded prior policy (before January 2025 restrictions), reapplication with a gender change request will also result in denial under current policy. Applicants in this situation might consider whether their primary need can be met through other means, such as updating a passport or state identification, rather than pursuing N-565 again with the same result.

### **Federal Judicial Review**

Applicants believe USCIS wrongly denied their N-565 applications may petition for judicial review in federal district court by filing a habeas corpus petition or an action for declaratory and injunctive relief under the Administrative Procedure Act.[18][38] Federal judicial review of immigration decisions is available when an applicant exhausts all administrative remedies (in the case of N-565, merely filing the application and

receiving denial, as no administrative appeal is available) and then brings suit within the applicable statute of limitations.[18][38]

Judicial review of N-565 denials is rare and represents a last resort when applicant believes USCIS acted arbitrarily or contrary to law. Such litigation requires immigration counsel and involves significant cost and time. Applicants contemplating federal court challenge should first discuss with counsel whether the federal court is likely to find the denial to be in error, as many fact-based determinations by USCIS receive deference from courts.

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## **Northern California Implementation and Procedural Specifics**

### **San Francisco Immigration Court Context**

Although N-565 applications are adjudicated solely by USCIS and do not involve the San Francisco Immigration Court, applicants should understand that any collateral consequences arising from an N-565 case (such as biometrics revealing criminal issues or immigration enforcement concerns) could result in later proceedings in San Francisco Immigration Court. Applicants with any criminal history, prior immigration violations, or current immigration enforcement concerns should consult immigration counsel before attending biometrics appointments, as fingerprints and background checks may trigger enforcement action.

### **USCIS Biometrics Locations in Northern California**

Applicants in Northern California scheduled for biometrics appointments will typically be directed to USCIS Application Support Centers in San Francisco (100 Montgomery Street, San Francisco, CA 94104, or 630 Sansome Street, 4th Floor, San Francisco, CA 94111), Oakland, San Jose, or the Concord location (1855 Gateway Boulevard, Suite 850, Concord, CA 94520) depending on their residence proximity. Applicants should allow adequate travel time to reach their assigned location on the appointment date and should plan to attend even if they must reschedule work or other obligations, as missing appointments results in case abandonment.

### **State Criminal Law Interactions**

While Form N-565 itself has no direct connection to California state criminal law, applicants with criminal histories should understand that biometrics background checks may reveal information to state law enforcement and could interact with California prosecutorial decisions regarding implementation of PC § 1473.7 (vacatur of convictions with immigration consequences) or other state mechanisms for addressing criminal-immigration intersections. Applicants with prior criminal convictions who are uncertain whether those convictions carry immigration consequences should consult counsel before voluntarily submitting to biometrics, as doing so may trigger enforcement proceedings.

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## **Conclusion and Strategic Recommendations**

Form N-565 serves a limited but important function in the immigration system: it provides a mechanism for individuals who possess U.S. citizenship to maintain, update, and correct their citizenship documents. The application is straightforward when circumstances are uncomplicated (lost certificate with police report, name change with marriage certificate), but becomes more complex when USCIS errors require documentation, when gender changes are sought under current restrictions, or when applicants lack evidence of original

certificate issuance.

Current processing times of five to eight months are predictable and have improved in recent years. Filing fees of \$505 (online) or \$555 (mail) are reasonable, and fee waivers are available for applicants demonstrating financial hardship. Online filing is strongly recommended as it reduces fees, accelerates processing, and enables real-time case status monitoring. Applicants should gather complete documentation before filing, as RFEs indicating missing evidence delay cases and require the applicant to wait another thirty days for USCIS response.

The most significant recent development-January 2025 restrictions on sex identifier changes on federal immigration documents-creates a substantial obstacle for transgender, nonbinary, and intersex applicants seeking gender alignment of their citizenship documents. Until these restrictions are overturned through legislation, executive action, or successful litigation, such applications will be denied. Affected applicants should consult immigration counsel about potential strategies including federal litigation, legislative advocacy, or alternative documentation through passports (which retain partial gender change procedures under preliminary injunction) or state identification.

For most applicants in straightforward circumstances-lost certificates, name changes, USCIS clerical errors-N-565 represents an accessible and efficient remedy. Filing online, gathering required documentation thoughtfully, attending biometrics appointments as scheduled, and responding promptly to any RFEs will generally result in approval and certificate issuance within the projected five- to eight-month timeframe.

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