U.S. Citizenship and Immigration Services

Fact Sheet

Feb. 3, 2009

NATURALIZATION PROCESS FOR THE MILITARY

USCIS recognizes the important sacrifices made by non-U.S. citizen members of the United States armed forces and their families and is committed to processing their naturalization applications in a timely and efficient manner while providing exemplary customer service, maintaining the integrity of the immigration system, and the security of the process. Qualifying military service is generally in the Army, Navy, Air Force, Marine Corps, Coast Guard, and certain components of the National Guard and the Selected Reserve of the Ready Reserve.

QUALIFICATIONS

While a member of the U.S. armed forces must meet some of the general requirements and qualifications to become a citizen of the United States, such as good moral character, some of the requirements are either reduced or completely waived.

Specifically, qualifying service members and certain veterans are not required to pay an application fee or a biometrics fee to apply for naturalization, and are not required demonstrate residence or physical presence in the United States. Additionally, service members who serve during specifically designated periods of hostilities may not need to be lawful permanent residents.

Additionally, the *National Defense Authorization Act for Fiscal Year 2004* extended all aspects of the naturalization process, including naturalization applications, interviews, oaths and ceremonies to members of the U.S. armed forces serving overseas. Before Oct. 1, 2004, military service members could only naturalize while physically within the United States.

Finally, the *National Defense Authorization Act for Fiscal Year 2008* added Sections 319(e) and 322(d) to the Immigration and Nationality Act (INA), allowing certain eligible spouses and children of members of the U.S. armed forces to naturalize abroad without traveling to the United States for any part of the naturalization process.

SERVICE IN PEACETIME

Section 328 of the INA applies to all members of the U.S. armed forces or those already discharged from service. An individual may qualify for naturalization under this provision if he or she has:

- Served honorably in the military for at least one year;
- Obtained lawful permanent resident status;
- Filed an application while still in the service or within six months of separation.

SERVICE IN WARTIME

Section 329 of the INA applies to members of the U.S. armed forces who serve during specifically designated periods of hostilities. This section is sometimes referred to as wartime naturalization. An individual may qualify for naturalization under this provision if he or she has:

- Served honorably in active-duty status for any period of time;
- Such active-duty service was during a specifically designated period of hostility;

Unlike all other provisions for naturalization, a qualifying service member is not required to be a lawful permanent resident to naturalize under this provision if the service was enlisted or inducted within the United States or other qualifying geographical area.

The *Expedited Naturalization Executive Order of 2002* provides for expedited naturalization under this provision to qualified aliens and non-citizen nationals serving honorably in an active-duty status in the U.S. armed forces beginning on Sept. 11, 2001 to the present. This section also covers veterans of designated past wars and conflicts.

ASSISTANCE TO THE MILITARY COMMUNITY

- Specially trained USCIS customer service specialists at the Nebraska Service Center staff the toll-free Military Help Line (1-877-CIS-4MIL). They assist service members, their families, attorneys and others representing them with military-specific naturalization and immigration issues.
- Specialists across USCIS have been selected to handle military naturalization packets, and each consider this responsibility a privilege and an honor, and do all that they can to ensure that applications are processed and completed as expeditiously as possible.
- In addition, every military installation has a designated point-of-contact to assist service members in preparing the naturalization application packet. This contact is generally in the military legal office or in the personnel division. Service members should use this contact to help prepare and file a complete naturalization application packet.

APPLICATION PACKET

The service member's naturalization packet will include:

- Application for Naturalization, (USCIS Form N-400)
- Biographic Information, (USCIS Form G-325B)
- Request for Certification of Military or Naval Service, (USCIS Form N-426);
- If applicable, a copy of the USCIS Form I-551, Permanent Resident Card; and
- Two passport-style photographs.

Members of the military applying under sections 328 or 329 of the INA are not required to pay a fee for their naturalization application.

FINGERPRINT REQUIREMENTS

Five fingerprinting methods are available to service members:

1. Have their fingerprints taken at any domestic USCIS Application Support Center (ASC) without an appointment even if their application is not yet pending with USCIS.
2. Have their fingerprints taken at select military installations in the United States by USCIS personnel using mobile fingerprinting equipment.
3. If USCIS fingerprinted the service member in the past for immigration purposes and USCIS is able to use these fingerprints, USCIS will re-submit these fingerprints to the FBI.
4. Authorize USCIS to acquire and use the fingerprints taken at the time of enlistment by completing and submitting the Fingerprint Authorization.
5. Have their fingerprints taken at U.S. military installations overseas or at U.S. Embassies and Consulates using the FD-258 fingerprint card.

POSTHUMOUS BENEFITS

- Section 329A of the Immigration and Nationality Act provides for posthumous citizenship to certain members of the U.S. armed forces. A member of the U.S. armed forces who served honorably during a designated period of hostilities and dies as a result of injury or disease incurred in, or aggravated by, that service (including death in combat) may receive posthumous citizenship.
- The service member's next of kin, the Secretary of Defense, or the Secretary's designee in USCIS must submit the application for posthumous citizenship within two years of the service member's death by filing an *Application for Posthumous Citizenship*, (USCIS Form N-644).
- Posthumous citizenship establishes that the deceased veteran is considered a citizen of the United States as of the date of his or her death.
- A surviving spouse (even if he or she remarries), child, or parent of a member of the U.S. citizen member of the armed forces, (including a service member granted posthumous citizenship), is eligible to apply for naturalization benefits under section 319(d) of the INA if the family member meets naturalization requirements other than residence and physical presence.
- For other immigration purposes, a surviving spouse (unless he or she remarries), child, or parent of a member of the U.S. armed forces who served honorably on active duty and died as a result of combat, and was a citizen at the time of death (including a posthumous grant of citizenship) is considered an immediate relative for two years after the service members dies and may file a petition for classification as an immediate relative during such period. A surviving parent may file a petition even if the deceased service member had not reached age 21.

MILITARY NATURALIZATION STATISTICS (Through Dec. 31, 2008)

- USCIS has naturalized 45,019 service men and women since September 2001. This includes 38,852 service members naturalized in the United States and 6,196 service members naturalized in ceremonies overseas and onboard Navy flag ships at sea. (See charts below).
- In May 2008, USCIS conducted the first overseas naturalization ceremony to include a military spouse. Since that time, USCIS has naturalized 46 military spouses in overseas ceremonies in Germany (31), Iraq (2), Italy (2), South Korea (7), Spain (3) and the United Kingdom (1).
- Since August 2002, USCIS has granted posthumous citizenship to 118 members of the U.S. armed forces.
- Historically, the United States has conducted overseas military naturalization ceremonies during times of war. During World War II, 20,011 service members were naturalized overseas. During the Korean War, 7,756 service members were naturalized overseas. Although authorized, no overseas military naturalization ceremonies were held during the Vietnam War.

MILITARY NATURALIZATIONS IN THE UNITED STATES

Sept. 2001	FY-02	FY-03	FY-04	FY-05	FY-06	FY-07	FY-08	FY-09
138	2,434	4,659	6,327	6,106	6,643	4,541	6,356	1,648

MILITARY NATURALIZATIONS OVERSEAS

COUNTRY	FY-05	FY-06	FY-07	FY-08	FY-09	Total
Afghanistan	40	87	80	105	77	**389**
Djibouti	0	19	6	0	2	**27**
Germany	311	320	148	135	41	**955**
Greece	0	2	0	0	0	**2**
Iceland	0	2	0	3	0	**5**
Iraq	184	705	684	644	188	**2,405**
Italy	75	57	56	13	9	**210**
Japan	174	419	183	349	0	**1,125**
Kenya	0	1	0	0	0	**1**
Kosovo	0	0	7	0	0	**7**
Kuwait	42	110	60	110	16	**338**
South Korea	164	160	121	149	44	**638**
Spain	39	7	6	0	1	**53**
United Kingdom	1	6	3	1	1	**12**
Total	**1,030**	**1,895**	**1,354**	**1,509**	**379**	**6,167**

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