



# Fact Sheet

Nov. 6, 2008

## **NATURALIZATION PROCESS FOR THE MILITARY**

Service members and certain veterans of the United States armed forces may apply for citizenship through special provisions of the Immigration and Nationality Act (INA). Qualifying military service is generally in one of the following branches: Army, Navy, Air Force, Marine Corps, Coast Guard, and certain components of the National Guard and the Selected Reserve of the Ready Reserve. In addition, U.S. Citizenship and Immigration Services (USCIS) employs an expedited application and naturalization process for qualifying members of the military and their surviving dependents.

### **Qualifications**

- A member of the U.S. armed forces must meet the requirements and qualifications to become a citizen of the United States. This includes demonstrating:
  - Good moral character;
  - Knowledge of the English language;
  - Knowledge of U.S. government and history (civics); and
  - Attachment to the United States by taking an Oath of Allegiance to the U.S. Constitution.
- Qualified members of the U.S. armed forces are exempt from other naturalization requirements, including residency and physical presence in the United States. These exceptions are listed in Sections 328 and 329 of the Immigration and Nationality Act.
- A person who obtains U.S. citizenship through his or her military service and separates from the military under “other than honorable conditions” before completing five years of honorable service may have his or her citizenship revoked.
- The National Defense Authorization Act for Fiscal Year 2004 extended all aspects of the naturalization process, including citizenship applications, interviews, oaths and ceremonies to members of the U.S. armed forces serving overseas. Before October 1, 2004, military service members could only naturalize while physically within the United States.
- The National Defense Authorization Act for Fiscal Year 2008 added Section 319(e) to the Immigration and Nationality Act, allowing certain eligible spouses 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 Immigration and Nationality Act applies to all members of the U.S. armed forces or those already discharged from service. An individual may qualify for naturalization 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**

On July 3, 2002, President Bush signed the “Expedited Naturalization Executive Order” calling for the expedited naturalization of aliens and non-citizens serving on active duty in the U.S. armed forces during the War on Terrorism. The Executive Order allows qualified military personnel who have served honorably on active duty in the U.S. armed forces or as a member of the Selected Ready Reserve on or after Sept. 11, 2001 to immediately file for citizenship. Normally, a military service member would have to complete one-year of honorable service before qualifying to file for citizenship. Section 329 of the Immigration and Nationality Act authorizes the President to waive this requirement during periods of military hostilities. This section also covers veterans of designated past wars and conflicts.

## **How to Apply**

Every military installation has a designated point-of-contact to assist the service member in preparing the naturalization application packet. This contact is generally in the Judge Advocate General office (legal) or in the personnel division. Military service members should use this contact to help file a complete naturalization application packet. Once signed and complete, the package is sent to the USCIS Nebraska Service Center for expedited processing. That package 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.  
\* USCIS does not require service members to pay an application filing fee or a biometrics fee.

## **Fingerprint Requirements**

- Service members may 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.
- Service members may also have their fingerprints taken at select military installations in the United States by USCIS personnel using mobile fingerprinting equipment.
- Service members stationed overseas may have their fingerprints taken manually at U.S. military installations or U.S. Embassies and Consulates using the FD-258 fingerprint card.
- Service members stationed overseas may also authorize USCIS to acquire and use the fingerprints taken at the time of enlistment by completing and submitting the Fingerprint Authorization Form.

## **Posthumous Benefits**

- Section 329A of the Immigration and Nationality Act provides for grants of posthumous citizenship to certain members of the U.S. armed forces. Other provisions of law extend benefits to surviving spouses, children, and parents. 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. The deceased veteran’s Certificate of Citizenship allows certain qualifying family members to apply for naturalization benefits under section 319(d) of the INA if the family member meets naturalization requirements other than residency and physical presence. The family member may also remain classified as an immediate relative for obtaining lawful permanent residence.

- 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.

**Statistics through Fiscal Year 2008 (September 2008)**

- USCIS has naturalized 42,981 members of the U.S. armed forces since the beginning of the War on Terrorism (September 2001) – 37,193 in the United States and 5,788 in ceremonies overseas.
- In fiscal year 2008, USCIS naturalized 7,854 members of the military, 6,345 of those were naturalized in the United States and 1,509 of those were naturalized overseas. (see chart below)
- In May 2008, USCIS conducted the first overseas naturalization ceremony that included a military spouse. During that time and since, 18 military spouses have become naturalized citizens during ceremonies in Germany, Italy, South Korea, and Japan.
- USCIS has granted posthumous citizenship to 118 members of the U.S. armed forces stemming from the War on Terrorism.
- Historically, the U.S. government 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.

<b>DOMESTIC MILITARY NATURALIZATIONS BY FISCAL YEAR</b>							
<b>Sep 01-FY-02</b>	<b>FY-03</b>	<b>FY-04</b>	<b>FY-05</b>	<b>FY-06</b>	<b>FY-07</b>	<b>FY-08</b>	<b>Total</b>
<b>2,572</b>	<b>4,659</b>	<b>6,327</b>	<b>6,106</b>	<b>6,643</b>	<b>4,541</b>	<b>6,345</b>	<b>37,193</b>

<b>OVERSEAS MILITARY NATURALIZATIONS BY COUNTRY &amp; YEAR</b>					
<b>COUNTRY</b>	<b>FY-05</b>	<b>FY-06</b>	<b>FY-07</b>	<b>FY-08</b>	<b>TOTAL</b>
Afghanistan	40	87	80	105	312
Djibouti	0	19	6	0	25
Germany	311	320	148	135	914
Greece	0	2	0	3	5
Iceland	0	2	0	0	2
Iraq	184	705	684	644	2,217
Italy	75	57	56	13	201
Japan	174	419	183	349	1,125
Kenya	0	1	0	0	1
Kosovo	0	0	7	0	7
Kuwait	42	110	60	110	322
South Korea	164	160	121	149	594
Spain	39	7	6	0	52
United Kingdom	1	6	3	1	11
<b>TOTAL</b>	<b>1,030</b>	<b>1,895</b>	<b>1,354</b>	<b>1,509</b>	<b>5,788</b>
Statistics through September 2008					