



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
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ARLINGTON, VA 22202-3231

NBG-ARH

15 JUL 2004

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, GUAM, THE VIRGIN ISLANDS AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: Naturalization Information for Military Personnel (ARH-S Memo 04-020)

1. Reference: Executive Order 13269, dated July 3, 2002, SUBJECT: Expedited Naturalization of Aliens and Noncitizen Nationals Service in An Active-Duty Status During the War on Terrorism.
2. Purpose: Provide information to members of the Army National Guard (ARNG) regarding the above referenced executive order.
3. The Executive Order:
 - a. Provides for streamlined process of applying for citizenship for Active service in the U.S. Armed forces, which means one of the following branches.
 - (1) Army
 - (2) Navy
 - (3) Marine Corps
 - (4) Air Force
 - (5) Coast Guard
 - (6) Certain Reserve Components of the National Guard
 - (7) Selected Reserve of the Ready Reserve
 - b. Identified September 11, 2001 and after as an authorized period of conflict under Section 329A of the Immigration and Naturalization Act.
 - c. Active service is currently defined as one or more days under Title 10 United States Code (USC) during an authorized period of conflict.
4. Soldiers must have been lawfully admitted as a permanent resident of the United States after enlistment, or at the time of enlistment, reenlistment, or induction were physically present in the United States or qualifying territory.

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5. Office of the Army Judge Advocate General and the U.S. Citizenship and Immigration Service (USCIS) are still working to determine if the Expedited Naturalization Process should also be applicable to ARNG (Title 32) Soldiers, not just Soldiers who have served one day or more on Title 10 U.S. Code. ARH will distribute the implementation guidance if decided that Title 32 service (since 11 Sept 2001) is applicable and the website has been updated.
6. Recent legislation has called for additional benefits for eligible members of the military. Effective October 1, 2004 no fees will be charged when they file for naturalization.
7. The U.S. Citizenship and Immigration Service (USCIS) has developed a brochure titled, Naturalization Information for Military Personnel (M-599) which has been enclosed as an information tool to share with interested and eligible Soldiers.
8. Point of contact is Mr. Tim Rootes, DSN 327-5351 or 703-607-5351.

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TAMMY L. MIRACLE
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CF:
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Posthumous Benefits

The INA allows for the awarding of posthumous citizenship to active-duty military personnel who die while serving in the armed forces. In addition, surviving family members seeking immigration benefits are given special consideration. To learn more, contact your military point-of-contact or the local district USCIS office.

Military Contact Information

If You Qualify...

Every military installation should have a designated point-of-contact to handle your application and certify your Request for Certification of Military or Naval Service (N-426). You should inquire through your chain of command to find out who this person is, so they can help you with your application packet.

Your point-of-contact will send your N-400, G325B, and certified N-426 to:
The Nebraska Service Center
PO Box 87426
Lincoln, NE 68501-7426

The Service Center will review your application and perform the necessary security checks. Then, they will send it to the district office closest to your location. If you have a preference as to where you would like to be interviewed, you can provide that information in a cover letter attached to your naturalization packet. The district office will set a date to interview you and test your knowledge of English and Civics. If granted, USCIS will inform you of the date you can take your oath of allegiance.

Forms you will need to complete and submit:

- ▶ **N-400**, Application for Naturalization
- ▶ **N-426**, Request for Certification of Military or Naval Service (This form requires certification by the military prior to submission to USCIS)
- ▶ **G-325B**, Biographic Information

Forms and Handbooks

To get these forms, you can call the USCIS Form Line at: 1-800-870-3676 to request the "Military Packet" and obtain a copy of the handbook, "Guide to Naturalization" or visit the website www.uscis.gov



Naturalization Information for Military Personnel

Office of Citizenship



U.S. Citizenship
and Immigration
Services

Eligibility and the Process

If you are a member of the U.S. Armed Forces and are interested in becoming a U.S. citizen, you may be eligible to apply for citizenship under special provisions provided for in the Immigration and Nationality Act (INA). Generally, service in the U.S. Armed Forces means service in one of the following branches:

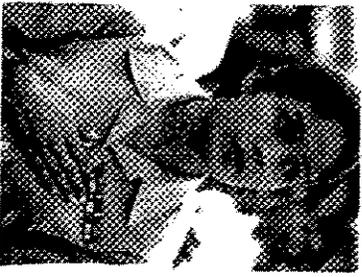
- ▶ Army
- ▶ Navy
- ▶ Marine Corps
- ▶ Air Force
- ▶ Coast Guard
- ▶ Certain Reserve components of the National Guard
- ▶ Selected Reserve of the Ready Reserve

Recent changes in the relevant sections of the INA (Sections 328 and 329) make it easier for qualified

military personnel to become U.S. citizens if they choose to file a naturalization application.

In addition, the U.S. Citizenship and Immigration Services (USCIS) has created a streamlined process specifically for military personnel serving in active-duty status or recently discharged.

This brochure provides you with some basic information about the laws that govern citizenship for military personnel and the process that you should follow to begin your journey to citizenship.



Do You Qualify?

There are general requirements and qualifications that must be met in order for you to become a U.S. citizen. These include:

- ▶ Demonstrating that you have good moral character
- ▶ Demonstrating knowledge of the English language
- ▶ Demonstrating knowledge of U.S. government and history ("civics")
- ▶ Demonstrating attachment to the U.S. by taking an oath of allegiance to the U.S. Constitution.

As a member of the military there are other naturalization requirements that you may be exempt from, including the required residency and physical presence in the United States. These exceptions are outlined in Sections 328 and 329 of the INA.

If you meet all of the check marks in either section, you may apply for citizenship under that section.

Section 328, INA

This section applies to all members currently serving in the U.S. Armed Forces or those who have already been discharged from service. You may qualify if:

- ✓ Have you served honorably for a total of one or more years?
- ✓ Are you a lawful permanent resident?
- ✓ Will you be filing your application for naturalization while still in service or within six months of being discharged?

Section 329, INA

This section applies to members of the U.S. Armed Forces who serve in active-duty status during authorized periods of conflict as outlined in the INA or any additional period designated by the President in an Executive Order.*

You may qualify if:

- ✓ You served honorably in the U.S. Armed Forces during an authorized period of conflict?
- ✓ After enlistment, were you lawfully admitted as a permanent resident of the United States, OR at the time of enlistment, recruitment, or induction, were you physically present in the United States or a qualifying territory?
- ✓ Recently, the President signed an Executive Order identifying September 11, 2001 and after as an authorized period of conflict.

Changes on October 1, 2004

Recent legislation has called for additional benefits to members of the military. These benefits will go into effect on October 1, 2004.

No fees will be charged when you file for naturalization.

The naturalization process will be made available overseas to members of the Armed Forces at U.S. embassies, consulates, and where practical, military installations abroad.