

NATURALIZATION THROUGH MILITARY SERVICE



**Office of the Staff Judge
Advocate
Eielson AFB, Alaska**

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Legal Assistance & Preventive
Law
Pamphlet Series

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ELIGIBILITY

If you are serving or have served in the U.S. Armed Forces and are interested in becoming a U.S. citizen, you may be eligible to apply for naturalization under special provisions of the Immigration and Nationality Act (INA).

If you meet all the requirements of either section 328 or 329 of the INA, you may apply for naturalization by filing Form N-400, Application for Naturalization, under the section that applies to you. You will not have to pay any fees for applying for naturalization under INA 328 or 329. As a current or former member of the U.S. military, certain other naturalization requirements may not apply to you; for example, if you served honorably during a designated period of hostilities, you may not have to reside in or be physically present in the U.S. for any length of time before you apply for naturalization.

ONE YEAR OF MILITARY SERVICE

If you served honorably in the U.S. Armed Forces for at least one year at any time, you may be eligible to apply for naturalization. While some general naturalization requirements apply under INA 328, other requirements may not apply or are reduced. To establish eligibility under INA 328, you must:

- Be 18-years-old or older;
- Have served honorably at any time in the U.S. Armed Forces for a period or periods totaling at least one year;
- Demonstrate that, if separated from service, you were separated under honorable conditions;
- Be a lawful permanent resident at the time of your naturalization interview;

- Meet certain residence and physical presence requirements;
- Demonstrate the ability to read, write and speak English, unless qualified for a waiver or exception;
- Demonstrate knowledge of U.S. history and government, unless excepted;
- Demonstrate good moral character for at least five years before filing your N-400 through the day you naturalize; and
- Demonstrate an attachment to the principles of the U.S. Constitution and be well disposed to the good order and happiness of the United States during all relevant periods under the law, unless waived.

SERVICE DURING PERIODS OF HOSTILITY

If you are currently serving or previously served honorably in the U.S. Armed Forces during a designated period of hostilities, you may be eligible to apply for naturalization. While some general naturalization requirements apply under INA 329, other requirements may not apply or are reduced.

The designated periods of hostilities are listed below:

- Apr. 6, 1917 – Nov. 11, 1918
- Sept. 1, 1939 – Dec. 31, 1946
- June 25, 1950 – July 1, 1955
- Feb. 28, 1961 – Oct. 15, 1978
- Aug. 2, 1990 – April 11, 1991
- Sept. 11, 2001 – present

You must have served honorably in the U.S. Armed Forces during a designated period of hostility, and if separated, have been separated under honorable conditions from your qualifying period of service.

United States Citizenship and Immigration Service (USCIS) will inform the petitioner of any problems in the petition and allow 60 days for correction. If USCIS denies a petition, they will inform the petitioner how to file an appeal. Even after a petition is approved, the process is just beginning. USCIS will forward another form that the alien will have to complete, as well as support with several documents.

WHAT DO YOU NEED TO START

You need to complete Form N-426, Request for Certification of Military or Naval Service (PDF, 288.38 KB), and Form N-400, if you are currently serving, or a photocopy of your DD Form 214, Certificate of Release or Discharge from Active Duty, NGB Form 22, National Guard Report of Separation and Record of Service, or other official discharge document for all periods of service if you are not currently serving.

APPLYING FOR NATURALIZATION

Many military installations have a designated USCIS liaison to help you with the naturalization application process. These liaisons are typically assigned to a specific office (for example, your installation's community service center, DOS family liaison office or Judge Advocate General). If you are currently serving, ask your chain of command to certify your honorable military service on Form N-426, Request for Certification of Military or Naval Service. If you have already separated from the U.S. Armed Forces, you must submit a photocopy of your DD Form 214, Certificate of Release or Discharge from Active Duty, NGB Form 22, National Guard Report of Separation and Record of Service, or other official

discharge document for all periods of service. Mail your completed application and all required materials to:

USCIS
P.O. Box 4446
Chicago, IL 60680-4446

You may also complete your application by creating an online account and filing your Form N-400 online at www.uscis.gov/n-400.

USCIS will review your application and conduct required security checks, which include obtaining your fingerprints.

The USCIS field office will schedule you for an interview. You can request an interview at a specific office in a cover letter attached to your application or leave the choice of location to us.

The field office will schedule your interview to review your eligibility for naturalization and test your knowledge of English and civics. If USCIS finds that you are eligible for naturalization, they will inform you of the date you can take the Oath of Allegiance and become a U.S. citizen.

MILITARY HELP LINE

You can call a toll-free military help line, 877-CIS-4MIL (877-247-4645) exclusively for current members of the military and their families, as well as veterans. If you are deaf, hard of hearing, or have a speech disability, please dial 711 to access telecommunications relay services. Our representatives are available to answer calls Monday through Friday from 8 a.m. to 6 p.m. Eastern, excluding federal holidays.

The help line is available to assist with immigration-related information, such as:

- Checking the status of your Form N-400, Application for Naturalization;
- Notifying us of a new mailing address or duty station;
- Obtaining posthumous citizenship for a deceased member of the U.S. armed forces; and
- Submitting an application for expedited processing of military N-400 and N-600 applications.

If you are a service member or an eligible family member stationed in the U.S. or overseas, you may also access the help line using the toll-free number through their base telephone operator or using the Defense Switched Network (DSN).

For more information, you can visit the U.S. Citizenship and Immigration web site at: www.uscis.gov/military/naturalization-through-military-service

This pamphlet is for basic information of immigration and naturalization. It is not to be used as a substitute for legal advice from a Judge Advocate. Please contact the 354th Fighter Wing Legal Office for questions and further information.



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