



Legal Service Support Section Pacific
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EXPEDITIOUS NATURALIZATION FOR SPOUSES OF US CITIZENS EMPLOYED ABROAD

If you are a spouse of a U.S. citizen employed overseas, you may be naturalized under expeditious naturalization process per Section 319(b) of Immigration Naturalization Act (INA). A spouse eligible for expeditious naturalization is not required to satisfy the normal three-year residency requirements generally applicable to spouses of U.S. citizens.

WHAT ARE THE CONDITIONS?

To be eligible for expeditious naturalization, the following conditions must be met:


- ☐ You are a **lawful permanent resident** (green card holder) or a conditional permanent resident (conditional green card holder). If you just became a resident and have not received your green card yet, an annotation on your passport indicating your status as a permanent resident is sufficient. See additional requirements for a conditional permanent residents on page 3.
- ☐ Your U.S. citizen spouse is **employed either by the following entities or within the following positions:**
 - (1) U.S. Government;
 - (2) American institution of research recognized as such by the Attorney General;
 - (3) American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the U.S. or a subsidiary thereof;
 - (4) public international organization in which the U.S. participates by treaty or statute;
 - (5) authorized to perform the ministerial or priestly functions of a religious denomination having a bona fide organization within the U.S.;
 - (6) engaged solely as a missionary by a religious denomination or by an interdenominational mission organization having a bona fide organization within the U.S.
- ☐ Your U.S. citizen spouse engages in qualifying employment abroad and has **at least one year remaining on the employment contract at the time of filing** of your naturalization application.
- ☐ You have a **good faith intent** to reside abroad with the U.S. citizen spouse upon naturalization and to reside in the United States immediately upon the citizen spouse's termination of employment abroad.
- ☐ You **travel to the U.S. for the naturalization interview** and the oath ceremony. You may request to be interviewed in any state, including Guam.
- ☐ You demonstrate **good moral character, knowledge of the English language, knowledge of the U.S government and history, and an attachment to the principles of the U.S Constitution.**

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SPECIFIC LEGAL ADVICE.

FOR ADVICE REGARDING A PARTICULAR SITUATION, ALWAYS CONSULT WITH AN ATTORNEY

WHERE CAN I FILE?

File online on <https://www.uscis.gov/n-400>. Before you start your application, you will be asked to select your basis for eligibility



What is your basis for eligibility?

- ☐ I am at least 18 years of age and have been a lawful permanent resident of the United States for at least 5 years.
- ☐ I am at least 18 years of age and have been a lawful permanent resident of the United States for at least 3 years. In addition, I have been married to and living with a U.S. citizen spouse for the last 3 years, and my spouse has been a U.S. citizen for the last 3 years at the time I filed my Form N-400.
- ☒ I am at least 18 years of age, I am a lawful permanent resident of the United States, and I am the spouse of a U.S. citizen and my U.S. citizen spouse is regularly engaged in specified employment abroad.
- ☐ I am applying on the basis of qualifying military service.
- ☐ Other

WHAT DOCUMENTS ARE NEEDED?

Be prepared to upload the following documents to support your application. Where it says original, upload scanned copies of originals and bring originals to your interview.

- ☐ A **copy of both sides of your Green Card** – If you have not received your green card, a copy of your passport indicating your status as a permanent resident is sufficient.
- ☐ A **copy of receipt for I-751 Form** (Petition to Remove Condition), if applicable. See page 3 for more information for conditional permanent residents.
- ☐ A **copy of your spouse's military orders or letter of employment**– the terms of contract must have at least one year remaining at the time of filing, which is the date USCIS accepts your application.
- ☐ **Form DD 1278**, Certificate of Overseas Assignment to Support Application to File Petition for Naturalization” – obtain signature of the Command Pay and Personnel Administrator (CPPA) or Human Resource Office (HRO).
- ☐ A copy of your **Marriage Certificate**
- ☐ If applicable, provide **Proof of Termination of all Prior Marriages**. For example, a copy of your and your spouse's divorce judgement.
- ☐ **Proof of your Spouse's U.S. Citizenship** – copies of valid U.S. passport, U.S. birth certificate, certificate of naturalization, certificate of citizenship, or consular report of birth abroad.
- ☐ **Evidence of Marital Relationship** –You must show your marital relationship to your U.S. citizen spouse. This includes, but not limited to, birth certificates for children born to you and your spouse, joint bank accounts, joint tax returns, etc.
- ☐ **Any other supporting documents required by the N-400 instruction and checklist.**
- ☐ **Fees** – A total of \$725 as of 1 April 2021 (\$640 application fee and \$85 biometric fee). Check www.uscis.gov/n-400 for the current fees. The biometric fee is required even when finger print cards are submitted.

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CAN THE FEES BE WAIVED?

Check <https://www.uscis.gov/feewaiver> for eligibility and other information about a fee waiver. Please note that requesting a fee waiver may affect your current immigration status.

I HAVE A CONDITIONAL RESIDENT CARD THAT WILL EXPIRE IN LESS THAN 90 DAYS AT THE TIME OF MY INTERVIEW

If your conditional resident card will expire in less than 90 days at the time of your naturalization interview, you must submit an I-751 petition to remove conditions. Visit www.uscis.gov/i-751 for the I-751 form and instruction, and see our Preventative Law Series, “Immigration – Petition to Remove Conditions on Residence (I-751).” If you have already submitted an I-751 petition, you should submit a copy of your receipt notice with your N-400 application.

WHAT HAPPENS AFTER I FILE?

A few weeks after you submit your application on-line, you will receive a letter from USCIS asking you to mail two properly completed **Form FD-258 fingerprint cards** and two **passport style photos**. You may obtain fingerprint cards at the base security office. The FD-258 and/or the cover sheet should clearly indicate where the prints were taken abroad.

The masthead of the form must be completed with:

1. All biographical data of the individual.
2. Address data of both the person being printed and the person taking the prints.
3. Applicant’s “A” number in the “OCA” and “Miscellaneous MNU” blocks.
4. Signatures of the applicant and the person taking the fingerprints.
5. “N-400 Overseas Natz” in the “Reason Printed” block.

You will receive a notice to appear for an **interview**. You must travel to the U.S. (including Guam) for the interview. You can study for the test using study materials published by the USCIS <https://www.uscis.gov/citizenship/learners/study-test/study-materials-civics-test>. If the interview is successful, the Oath Ceremony will follow. After taking the Oath of Allegiance, you will receive a certificate of naturalization to prove that you are now a U.S. citizen. Cameras are allowed and guests are welcome to attend the Oath Ceremony.

WHERE CAN I CHECK THE STATUS OF MY APPLICATION?

To check the status of your case, visit the USCIS website at <https://egov.uscis.gov/casestatus>.

IF YOU WOULD LIKE TO SCHEDULE AN APPOINTMENT

Please email LegalAssistMCB@usmc.mil stating your full name, your status (AD, dependent, etc) and the reason for your appointment

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