



Legal Service Support Section Pacific
 Camp Butler Legal Assistance Office
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NATURALIZATION Of SPOUSES AND CHILDREN

1. NATURALIZATION OF SPOUSES

WHAT ARE THE CONDITIONS?

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

- Your military member spouse is stationed overseas on military orders
- You are command sponsored
- You live in marital union with your military member spouse
- You have been a lawful permanent resident for three years as the current spouse of a U.S. citizen and continue to be married that U.S. citizen spouse (Section 319(a) of INA), or you have been a lawful permanent resident for five years (Section 316(a) of INA)
- You demonstrate good moral character; knowledge of the English language; knowledge of U.S. government and history, and an attachment to the principles of the U.S. Constitution.

WHERE CAN I FILE?

File the Online Form N-400 on <https://www.uscis.gov/n-400>. Before you start your application, you will be asked to select your basis for eligibility. Please select first or second choice depending on your qualification.

What is your basis for eligibility?

OR

- 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

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

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 your spouse's military orders
- A copy of both sides of your Green Card - a copy of expired card is acceptable.
- A copy of receipt for I-751 Form (Petition to Remove Condition), if your green card is still conditional and your petition is pending.
- 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).
- 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 – if you are applying under INA Section 319(a), you must show proof that the military spouse is a U.S. citizen. Acceptable forms of evidence include 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 – if you are applying under INA Section 319(a), you must show your marital relationship to your military spouse. This includes, but is 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 instructions 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.

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 could affect your current immigration status.

WHAT HAPPENS AFTER I FILE ONLINE?

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. Please see below for a list of fingerprinting agents on base.

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.

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WHAT ABOUT THE INTERVIEW?

Your application will be forwarded to the USCIS Guam Field Office, who will contact you to schedule an interview. Due to COVID-19, interviews and oath ceremonies outside of the U.S. are being held remotely via video conferencing. Once your package is interview ready, USCIS will contact you to schedule an interview appointment.

Study Material for Civics Test: <https://www.uscis.gov/citizenship/find-study-materials-and-resources/study-for-the-test>

HOW CAN I CHECK MY APPLICATION STATUS?

To check the status of your case, visit the USCIS at <https://egov.uscis.gov/casestatus> or contact military helpline at 1-877-247-4645 or militaryinfo@uscis.dhs.gov.

2. NATURALIZATION OF CHILDREN

WHAT ARE THE CONDITIONS?

Under Section 322 of Immigration and Naturalization Act (INA), certain eligible children of military members may become naturalized U.S. citizens without having to travel to the U.S. for any part of the naturalization process. For a child to be eligible for naturalization abroad, the following conditions must be met:

- The child's U.S. citizen parent is an active duty member stationed overseas on military orders.
- The child's U.S. citizen parent has been physically present in the U.S. for more than 5 years to include the time spent overseas on military orders.
- The child is younger than age 18.
- The child is command sponsored and resides abroad in the physical and legal custody of the U.S. citizen service member parent.

Section 322(d) benefits are available only to biological and adopted children of U.S. citizen service members; they are not available to step-children of the U.S. citizen parent.

If your child is a green card holder, they may already be a U.S. citizen, under Child Citizenship Act of 2000. <https://www.uscis.gov/policy-manual/volume-12-part-h-chapter-4>

WHERE CAN I FILE?

File online form N-600K <https://www.uscis.gov/n-600k>

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 your military orders
- Letter of Dependency that certifies that your child is your command sponsored dependent and lives with you in Japan. Obtain this letter from your command or Command Pay and Personnel Administrator (CPPA).

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- Child's Birth Certificate, showing your relationship to your child. For an adopted child, see N-600K instruction (<https://www.uscis.gov/n-600k>) for required supporting documents.
- Proof of legitimation if your child was born out of wedlock and you are a U.S. citizen father of the child.
- Your Birth Certificate
- Passport-style Photo of the Child
- Proof of your U.S. Citizenship – Acceptable forms of evidence include copies of valid unexpired U.S. passport, U.S. birth certificate, Certificate of Naturalization, Certificate of Citizenship, or Consular Report of Birth Abroad.
- A copy of your Marriage Certificate – provide proof of your current marriage
- Documents Showing the Marriage Termination of the U.S. Citizen Parent or Child (if applicable). Certified divorce decree, death certificate, or annulment document.
- Proof of Required Physical Presence in the U.S. (e.g., Page 5 of your military record, school record, etc.)
- Any other supporting documents required by the N-600K instruction.
- Fees – \$1,170 as of 1 April 2021. Check <https://www.uscis.gov/n-600k> for the current fees.

CAN THE FEES BE WAIVED?

Check <https://www.uscis.gov/feewaiver> or eligibility and other information about a fee waiver. If you request a fee waiver, you cannot file your N-600K application on-line.

WHAT HAPPENS NEXT?

After an application is processed in the USCIS domestic office, it will be forwarded to the USCIS Guam Field Office. The office will contact you to schedule an interview. Both you (U.S. citizen parent) and your child must appear in person for the interview.

HOW CAN I CHECK MY APPLICATION STATUS?

To check the status of your case, visit the USCIS at <https://egov.uscis.gov/casestatus>, check your USCIS account, or contact military helpline at 1-877-247-4645 or militaryinfo@uscis.dhs.gov.

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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