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Naturalization - 2

## Preventative Law Series

## Overseas Naturalization by Spouses of Military Members

If you are a U.S. green card holder and spouse of a military member for a certain period, you may be naturalized in Japan under section 316(a) or 319(a) of the Immigration and Naturalization Act (INA). Interview will take place in Japan.

### Qualifications

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 must also 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.

### Study Material for Civics Test

<https://www.uscis.gov/citizenship/learners/study-test/study-materials-civics-test>

### File Online Form N-400

<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	<input type="radio"/> I am at least 18 years of age and have been a lawful permanent resident of the United States for at least 5 years.
	<input type="radio"/> 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.
	<input type="radio"/> 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.
	<input type="radio"/> I am applying on the basis of qualifying military service.
	<input type="radio"/> Other

### Supporting Documents

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 February 2022 (\$640 application fee and \$85 biometric fee). Check [www.uscis.gov/n-400](http://www.uscis.gov/n-400) for the current fees. The biometric fee is required even when finger print cards are submitted.

### Fee Waiver Request

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.

### **Fingerprint Cards**

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.

### **Base Security Office Locations and Contacts for Form FD-258 Fingerprint Cards**

CFA Yokosuka: DSN 243-2300, Bldg J196 (the same building as the VRO)

CFA Sasebo: DSN 252-3446, Bldg 326 (Security Building)

Kadena AFB: DSN 634-1434, Bldg 705, Air Force Security Forces Squadron

NAF Atsugi – DSN 264-4727, Bldg 1342 (behind the O-club)

### **The Rest of the Process**

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.

### **Check 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](mailto:militaryinfo@uscis.dhs.gov).

**USCIS homepage** <https://www.uscis.gov/>