

MILPERSMAN 5352-010

NATURALIZATION AND DERIVED CITIZENSHIP OF MILITARY PERSONNEL

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References	(a) 8 U.S.C. §1431 (b) USD (P&R) memo of 13 Oct 17 (Certification of Honorable Service) (c) SECNAV memo of 18 Jan 18 (Honorable Service Certification Authority of Naturalization) (d) CNO WASHINGTON DC 191107Z Apr 18 (NAVADMIN 099/18)
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1. **Definitions.** United States Citizenship and Immigration Services (USCIS) oversees two paths to documented citizenship for military personnel:

a. **Naturalization** - Process by which a non-U.S. citizen becomes a U.S. citizen. Both foreign nationals and U.S. nationals (individuals who are born in a U.S. territory, but do not have full citizenship status) may be eligible to apply for naturalization.

b. **Derived Citizenship** - Automatic grant of citizenship subject to the requirements of reference (a). An individual who is eligible for derived citizenship is already a U.S. citizen and, therefore, cannot apply for naturalization. Individuals with derived citizenship are often unaware or unable to prove their citizenship status and should apply for N-560 Certificate of Citizenship using [N-600](#) Application for Certificate of Citizenship or a U.S. passport to document their U.S. citizen status.

2. Responsibilities

a. Navy Recruiting Command must ensure all non-U.S. citizen enlistees are advised of their eligibility for expedited naturalization processing.

b. The Office of the Judge Advocate General (OJAG), Code 16, Legal Assistance Division must:

(1) provide training materials regarding naturalization to region legal service offices (RLSO),

(2) publish immigration advisories,

(3) maintain an online forum for use by region citizenship program managers (RCPM) to exchange information between subject matter experts,

(4) maintain a distribution list of RCPMs and naturalization area coordinators (NAC), and

(5) serve as the primary Navy liaison with USCIS headquarters.

c. Commanding officers (CO) of RLSOs must:

(1) designate an RCPM in writing to oversee the naturalization program within their area of responsibility. For purposes of continuity (when practical) the RCPM should be a civilian employee,

(2) designate in writing at least one NAC to service the area of responsibility,

(3) notify OJAG (Code 16) of RCPM and NAC appointments,

(4) assign a subject matter expert staff attorney to supervise and train RCPMs and NACs,

(5) ensure RCPMs exercise proper management and oversight of the regional naturalization program, and

(6) include naturalization and citizenship training in command outreach briefs.

d. RCPMs must:

(1) train and assist NACs within their respective regions,

(2) maintain a database of NACs, command citizenship representatives (CCR), and legal officers (LO) in their respective regions, and

(3) ensure region public affairs officers are informed of naturalization ceremonies and outreach events.

e. NACs must:

(1) train and assist LOs in their area of responsibility,

(2) maintain a database of CCRs and LOs in their region,

(3) conduct quality control checks of applications,

(4) provide naturalization and citizenship outreach briefings, and

(5) serve as the Navy liaison in their area of responsibility with USCIS district offices and local field office directors.

f. CCRs and LOs must

(1) coordinate with NACs to arrange command naturalization and citizenship outreach briefs,

(2) consult with NACs to assess whether a Service member qualifies for derived U.S. citizenship pursuant to reference (a),

(3) review command member applications for naturalization to ensure completeness and accuracy,

(4) refer the Service member to an RCPM or NAC if the Service member requires guidance to complete the naturalization application,

(5) arrange for fingerprinting at authorized USCIS application support centers,

(6) assist Service members in obtaining a certification

of honorable service using [N-426](#) from the first commissioned officer serving in the pay grade O-6 or higher in the Service member's permanent or temporary chain of command. **Pursuant to references (b) through (d), [N-426](#) must be personally signed by the first commissioned officer serving in the pay grade O-6 or higher in the Service member's permanent or temporary chain of command. Importantly, delegated signature authority (i.e., signature of an individual authorized to sign "by direction" of the commander or commanding officer) on [N-426](#) is not valid and will be rejected by USCIS,**

(7) forward completed application packages to the central military processing unit after consulting [USCIS](#) for the current mailing address,

(8) advise Service members who apply for naturalization, derived citizenship, or a U.S. passport to provide USCIS and the U.S. Department of State with updated contact and residential information within 10 days of a move, and

(9) assist Service members in documenting their U.S. citizen status in their personnel records per [MILPERSMAN 1070-220](#), and confirm record update by verifying information contained in the Fleet Management and Planning System or enlisted distribution verification report.

g. Commanders, COs, and officers-in-charge must:

(1) provide the region RCPM with contact information for the command CCR or LO, and

(2) require all non-U.S. citizen command members be briefed on the naturalization application process and procedures.

3. **Application for Naturalization**

a. Service members desiring to obtain U.S. citizenship should contact their CCR or LO for assistance.

b. With the assistance of a CCR or LO, applicants will complete applications, and their commands will forward the completed applications to USCIS. Additional application information is available on the [Naturalization Through Military Service](#) Web page.

4. **Further Assistance**

a. Advice and assistance for RCPMs, NACs, CCRs, and LOs concerning naturalization may be obtained using the following address and phone numbers:

Legal Assistance Division
Office of Judge Advocate General (Code 16)
1322 Patterson Avenue, SE, Suite 3000
Washington Navy Yard, DC 20374-5066
Telephone: (202) 685-4639
DSN: (314) 325-4639

b. Copies of necessary forms may be accessed on the [USCIS](#) Web site.