



PREVENTIVE LAW SERIES

IMMIGRATION & NATURALIZATION BENEFITS FOR SERVICE MEMBERS



Prepared by:
Legal Assistance Department
Region Legal Service Office Southwest

For many Sailors in the Navy who are not U.S. citizens, military service means they can take advantage of recent changes in federal law that makes it easier to become a U.S. citizen.

NEW BENEFITS

In the past, members of the armed forces had to spend 36 months on active duty before they could apply for US citizenship. They would then have to wait another 18 to 24 months for their application to be processed. Since 11 September 2001, military members who are Lawful Permanent Residents or at the time of enlistment, reenlistment, or induction were physically present in the United States or qualifying territory are eligible to apply for citizenship after only one day of honorable service. This benefit will continue so long as the President continues to designate a "period of hostilities."

Service members are also exempted from residency and physical presence requirements, and will not be charged a filing fee. In addition, DoD Instruction 1327.6 allows the granting of emergency leave for members to meet with U.S. Citizenship and Immigration Services (USCIS) representatives to complete the naturalization process.

To be eligible for naturalization, you must have basic knowledge of U.S. history, government, and the English language. You must also be able to demonstrate good moral character. NJPs or military/civilian criminal convictions could result in the denial of a citizenship application, depending on the nature of the offense. In fact, a court-martial conviction can even establish the basis for removal from the United States.

Service members may also sponsor relatives desiring to immigrate to or naturalize in the United States. Because there are extremely stiff penalties for entering the U.S. illegally – a 10-year ban if fraud is used to enter the U.S. – be aware of the rules before seeking such entry for your foreign spouse or relative.

PROCEDURE

Service members seeking naturalization should first contact their Command Citizenship Representative. Assistance for Sailors and civilian dependents seeking to immigrate or naturalize is available at Legal Assistance.

USCIS has established a toll-free military help line, (877) CIS-4MIL, exclusively for service members and their families. USCIS customer service specialists are available to answer calls Monday through Friday from 0800 to 1630 (CST), excluding federal holidays.

RESOURCES

U.S. Citizenship and Immigration Services, www.uscis.gov

- Military Help Line: (877) CIS-4MIL
- Make an Appointment to Speak with an Immigration Officer: www.infopass.uscis.gov

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