

DEPARTMENT OF THE ARMY  
HEADQUARTERS CARLISLE BARRACKS  
CARLISLE, PENNSYLVANIA 17013

October 4, 2002

REPLY TO THE ATTENTION OF  
Legal Assistance Office

SUBJECT: Naturalization procedures for Legal Permanent Residents (LPRs) wishing to obtain U.S. Citizen status.

1. Purpose. To help LPRs wishing to become U.S. Citizens learn how to apply for citizenship.  
**\*\*Note:** This information is intended to help LPRs **begin** to work towards citizenship. It is **not** intended to be complete instructions on how to attain U.S. Citizenship as each situation presents varying considerations for LPRs. Further, this information is presented with the assumption that the applicant has already attained Legal Permanent Resident Status (as this is necessary before becoming a citizen).
2. References.
  - a. Immigration and Nationality Act (I.N.A.) §§ 312-314, 316, 328, 329, 334
3. **Civilian** application for citizenship.
  - a. Applicant must be at least 18 years of age.
  - b. Applicant must have been admitted to the U.S. as a Legal Permanent Resident or subsequently regulated as such for at least five years. Spouses of U.S. Citizens, however, need only have been an LPR for three years before applying.  
**\*\*Absences from the U.S. for more than six months, immediately preceding the file date, or between the file date and the hearing date, breaks the continuity of the residency and must be deemed by the Attorney General not to have been an abandonment of the U.S. For absences of more than on year, the applicant must have been physically present in the U.S. for at least one year and be employed by the U.S. government or a U.S. research facility upon return to the U.S.**

- c. Applicant must have been physically present in the U.S. for at least half of the legal residency requirement. At least the last three months should have been in the state in which you are filing your petition.
- d. Applicant may not be naturalized upon his/her own application unless:
  - i. applicant possesses the ability to read write and speak ordinary usage of the English language;
  - ii. applicant can demonstrate a basic knowledge of U.S. history and government.  
\*\*This condition does not apply to applicants who are mentally handicapped, over 50 years of age and have been an LPR for at least 20 years, over 55 years of age and have been an LPR for at least 15 years, or over 65 years of age with at least 20 years as an LPR.
- e. Applicant must be able to show that he/she has been of good moral character for the duration of the legal residency requirement and until the judge grant's citizenship.
- f. Applicants may be barred from becoming citizens if they have been shown to be habitual drunks, prostitutes, persons who have lied under oath to gain citizenship, or refused to serve in the U.S. Armed Forces.
- g. Applicants who have been deported for breaking any immigration or naturalization laws cannot become U.S. citizens.

4. **Military** application for citizenship.

- a. Lawful permanent residents who are or have served on active duty in the U.S. Armed Forces may be granted exemptions from certain naturalization requirements if:
  - i. applicant has served for 3 years during peace time,
  - ii. applicant has served for 3 years of continuous service and is still in the military,
  - iii. or applicant has applied for citizenship within 6 months of his/her ETS date, applicant may be exempt from the 5 year permanent residency

requirement. \*\*If, however, applicant does not apply before his/her completion of military service, the 5-year LPR requirement must still be met. (military time served will count towards residency requirement)

- b. Time served in the military counts towards residency requirements. Additionally, Service members honorably discharged from overseas service need not meet state residency requirements.
- c. Soldiers having served as active duty during hostilities, including those sworn into the military in the U.S. Canal Zone or Soma, or who have served in WWII, or the Korean or Vietnam Conflicts, **may be** admitted without meeting the application requirements. Additionally, there is no 30 day waiting period between the filing and hearing dates.
- d. If U.S. citizenship is attained based upon an applicant's military record, and then revoked for any reason, the applicant may not apply for citizenship again using the same military record.

\*\*The INS will review each applicant's military service records to ensure that he/she has served honorably in all cases.

### Immigration and Naturalization Service (INS)

Web Site: <http://www.ins.gov>  
Customer Service Call Center: 1-800-375-5283  
Forms: 1-800-870-3676  
Visas: 1-202-663-1225  
Passports: 1-202-647-0518

### U.S. Citizenship Application Forms

1. N-400 - Application to file for citizenship
2. G-325 - Biographic information sheet
3. FD-258 - Fingerprint card
4. N-426 - Request for military service certification
5. Three photographs