



FAQ Sheet for Spouse of a U.S. Citizen Regularly Stationed Abroad

SECTION 319(B) OF THE IMMIGRATION AND NATIONALITY ACT ALLOWS CERTAIN SPOUSES OF UNITED STATES CITIZENS REGULARLY STATIONED ABROAD TO NATURALIZE WITHOUT ANY REQUIRED PERIOD OF PERMANENT RESIDENCE, PROVIDED THAT THEY WILL BE RESIDING ABROAD WITH THEIR U.S. CITIZEN SPOUSE AFTER NATURALIZATION. AN APPLICANT MUST DECLARE IN GOOD FAITH AN INTENTION TO RESIDE PERMANENTLY IN THE UNITED STATES WHEN THE SPOUSE'S EMPLOYMENT TERMINATES.

WHAT REQUIREMENTS MUST I MEET FOR NATURALIZATION UNDER SECTION 319(B)?

1. You must be married to a U.S. citizen and living together in a valid marital union; and
2. The U.S. citizen must be “regularly stationed abroad” in the employment of:
 - The U.S. government; or
 - An American institution of research recognized as such by the Attorney General; or
 - An American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the U.S., or a subsidiary thereof; or
 - A Public International Organization in which the U.S. participates by treaty. Per Title 8 of the Code of Federal Regulations, Part 319.5, these organizations are: The North Atlantic Treaty Organization and The UN and all agencies and organizations which are a part thereof; or
 - Is authorized to perform the ministerial or priestly functions of a religious denomination having a bona fide organization within the U.S. or is engaged solely as a missionary by a religious denomination or by an interdenominational mission organization having a bona fide organization within the U.S.; and
3. You must be a lawful permanent resident at the time of your interview; and
4. You comply with all applicable naturalization requirements (<http://uscis.gov/graphics/services/natz/require.htm>) of Sections 316 & 319 of the Immigration and Nationality Act (<http://uscis.gov/graphics/lawsregs/ins.htm>) and Parts 316 and 319.2 of Title 8 of the Code of Federal Regulations (<http://uscis.gov/graphics/lawsregs/8cfr.htm>) except that no particular period of lawful permanent residence is required..
5. **YOUR USC SPOUSE MUST HAVE AT LEAST 1 YEAR REMAINING ON HIS OR HER OVERSEAS DUTY AT THE TIME OF YOUR NATURALIZATION; AND**
6. **You must show evidence that you will join your spouse overseas within 45 days of your naturalization.**
7. You must be physically present in the United States at time of naturalization.
8. You must declare in good faith an intention to reside permanently in the United States when your spouse's employment abroad terminates.

WHERE CAN THE INTERVIEW AND NATURALIZATION TAKE PLACE?

As an applicant for naturalization under Section 319(b) you may be interviewed and naturalized at the USCIS office of your choice in the United States, including Guam, Puerto Rico, and the Virgin Islands of the United States. Note, though, that you are required to have a U.S. Passport issued to you prior to departing the United

States and some offices may not be able to accommodate you if you wish to change your name as part of the naturalization process. For more information, please visit [Guidelines for Expeditious Naturalization](#).

HOW DO I OBTAIN AN IMMIGRANT VISA?

Immigrant Visa issuance is under the exclusive jurisdiction of the Department of State's Bureau of Consular Affairs. You must contact them for application and procedural questions. Please visit http://travel.state.gov/visa_services.html to obtain more information. For links to specific U.S. Embassies or U.S. Consulates please visit: <http://travel.state.gov/links.html>

WHAT DOCUMENTS SHOULD I SUBMIT WITH THE FORM N-400?

PLEASE NOTE: THE SUBMISSION OF THE FOLLOWING DOCUMENTATION WITH THE APPLICATION WILL REDUCE THE PROCESSING TIME. THEREFORE, COMPLETION OR ADJUDICATION OF THE APPLICATION WILL BE FASTER.

1. A cover letter directed to the appropriate INS Service Center advising them that you are currently residing overseas and that you are applying under Section 319(b) of the Immigration Act. If you are not already an immigrant and will enter with an immigrant visa, then you should also indicate that in your letter.
2. Your cover letter should also indicate where you wish to be interviewed and naturalized.
3. 2 sets of form FD-258 Fingerprint Card completed by a U.S. Embassy, U.S. Consulate, or U.S. Installation; and
4. You must pay the appropriate filing fee for the application. If you are residing outside the United States you are not required to pay the fingerprint fee. Please visit <http://uscis.gov/graphics/formsfee/forms/index.htm> for a current list of forms and fees.
5. A statement from your U.S. citizen spouse's employer indicating your spouse is expected to remain employed overseas for a minimum of 20 months from the date of your application.
6. Documentation to establish that the US Citizen spouse's employer is a qualifying employer. Instructions for military dependents are provided below. All others should submit the following:
 - An official letter from a U.S. government agency, public international organization, or firm incorporated in the U.S. or a foreign subsidiary with at least 51% American ownership that includes the following:
 - The title of the official making the affidavit, the name of the firm or corporation, and whether he or she has access to the records of the firm or corporation; and
 - Whether the employing organization is an American firm or corporation engaged in the development of foreign trade and commerce of the U.S. or is a subsidiary thereof. An American firm is defined as being at least 51% owned by U.S. citizens; and
 - The nature of the business which is conducted by the employing organization; and
 - The name of the State under the laws of which it was organized, the date of incorporation, and that it is existent.
 - The facts of the U.S. citizen spouse's employment and the basis of hire (contract, regular employee, etc.) and the prospective length of time he is committed to remain in overseas employment.
7. If you have already been admitted to the U.S. as an immigrant, you should submit copies of the following documents with your application:
 - Proof of your spouse's U.S. citizenship (birth certificate if U.S. born or copy of U.S. passport, or certificate of citizenship or naturalization); and *
 - Your birth certificate; and *
 - Your marriage certificate; and *
 - Proof of termination of all prior marriages and for you and your USC spouse; and *

SPECIAL INSTRUCTIONS FOR MILITARY DEPENDENTS.

- Military dependents authorized concurrent travel must submit Form DD-1278 issued no earlier than 90 days prior to the scheduled date of overseas travel.
 - All applicants, in addition to the above, must submit a letter from your spouse's Commanding Officer on official letterhead certifying that he or she is your spouse's Commanding Officer and the official date of rotation (DEROS) of your spouse from overseas assignment.
 - If you cannot submit Form DD-1278, the letter specified in item 2) above must also include permission for you to reside abroad with your spouse after naturalization.
8. You may also refer to the N-400 Application instructions (<http://uscis.gov/graphics/forms/files/n-400ins.pdf>)

* Originals of documents already contained in your permanent INS file need not be submitted again. However, we do request that photocopies be submitted to avoid potential delays. In the event that your permanent file does not contain the original documents, you may be asked to provide the originals at the time of your interview.

HOW LONG WILL THE PROCESS TAKE?

USCIS gives a high priority to your application and will provide special handling to your case, but because there are required security checks that must be completed before you can be naturalized we cannot give an exact estimate how long the process will take. It might take several months, therefore you should file your application as far in advance of your planned departure as possible.

HOW DO I OBTAIN A U.S. PASSPORT?

U.S. passport issuance is under the exclusive jurisdiction of the Department of State's Bureau of Consular Affairs. Please visit their site to obtain passport information, forms, agency location and hours of operation. http://travel.state.gov/passport_services.html

WHERE CAN I GET MORE INFORMATION?

You may visit the USCIS website at <http://uscis.gov> or contact our National Customer Service Center at 1-800-375-5283. You can obtain your copy of A Guide to Naturalization from this site: <http://uscis.gov/graphics/services/natz/insfnl.pdf>. The guide provides detailed information on the entire naturalization process from application through the oath ceremony.