

Instructions for N-644, Application for Posthumous Citizenship

Department of Homeland Security
U.S. Citizenship and Immigration Services

Instructions

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

What Is the Purpose of This Form?

Public Law 101-249, as amended, provides that an alien or non-citizen national of the United States who dies as a result of injury or disease incurred by active duty with the U.S. Armed Forces during specified periods of military hostilities may be granted U.S. citizenship.

If the application is approved, a Certificate of Citizenship will be issued in the name of the deceased veteran.

The certificate establishes that the decedent is considered a citizen of the United States as of the date of his or her death. Posthumous citizenship is an honorary status commemorating the bravery and sacrifices of the veteran. The certificate allows certain qualifying family members to apply for benefits under section 319(d) of the INA or remain classified as immediate relatives for obtaining lawful permanent residence.

When Should I Use Form N-644?

The application must be filed no later than two years after the date of the decedent's death.

Who May File Form N-644?

1. You may file this form only if your relationship to the decedent was:
 - A. Spouse;
 - B. Father/Mother;
 - C. Son/Daughter; or
 - D. Brother/Sister.
2. You are the decedent's representative, defined as:
 - A. Executor or administrator of decedent's estate;
 - B. Guardian, conservator, or committee of decedent's next-of-kin;
 - C. Service organization recognized by the Department of Veterans Affairs; or

- D. The Secretary of Defense or the Secretary's designee with USCIS after request by the next-of-kin.

NOTE: After a Certificate of Citizenship has been issued for a veteran, U.S. Citizenship and Immigration Services (USCIS) will **not** approve any later application on his or her behalf, except in the case of an application to replace a certificate that was lost, mutilated, or destroyed.

General Instructions

Step 1. Fill Out Form N-644

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."
4. **Complete only Part I** of this application. **Do not write in Parts II, III, or IV**, which are reserved for the use of the executive departments.

Step 2. General Requirements

To qualify for posthumous citizenship, the decedent must have been an alien or non-citizen national of the United States who:

1. Served honorably in an active-duty status in the military, air, or naval forces of the United States during:
 - A. 04/06/1917 - 11/11/1918 (World War I);
 - B. 09/01/1939 - 12/31/1946 (World War II);
 - C. 06/25/1950 - 07/01/1955 (Korean Hostilities);
 - D. 02/28/1961 - 10/15/1978 (Vietnam Hostilities);
 - E. 08/02/1990 - 04/11/1991 (Persian Gulf Conflict);
 - F. From 09/11/2001 until terminated by Executive Order of the President (Iraq Hostilities);

- G. Any other period of military hostilities designated by Executive Order of the President for the purpose of naturalization benefits; or
 - H. A period of at least five years following enlistment or reenlistment in the U.S. Army under the Lodge Act of June 30, 1950, and who:
2. Died because of injury or disease incurred in or aggravated by that service; and
 3. Met one of the following enlistment requirements:
 - A. Was enlisted, reenlisted, or inducted in the United States, Panama Canal Zone, American Samoa, or Swain's Island;
 - B. Was admitted to the United States as a lawful permanent resident at any time; or
 - C. If a person described in (1)(F), entered the United States, Panama Canal Zone, American Samoa, or Swain's Island pursuant to military orders at some time during such service.

Evidence

Authorization documents

1. Unless you are the spouse of the decedent or the executor or administrator of the decedent's estate, you must obtain authorization from all living next-of-kin above you in the order of succession.
2. For example, if you are the decedent's brother, you would have to obtain authorization from all living relatives in classes (a), (b), and (c) in the **"Who May File Form N-644?"** section on **Page 1** of these instructions.

The authorization must be in the form of an affidavit stating the affiant's name, address, and relationship to the decedent and authorizing you to apply for posthumous U.S. Citizenship on behalf of the decedent. If the affidavit is in a language other than English, it must be accompanied by a certified English translator.
3. If you are in category (e) or (f) of the section **"Who May File Form N-644?"** you must submit a certified copy of your letter of appointment as the executor or administrator of the decedent's estate, or as the guardian, conservator, or committee of the decedent's next-of-kin.
4. If you are in group (g) of the section **"Who May File Form N-644?"** you must submit evidence of recognition of your organization by the Department of Veterans Affairs.

Documentation of the decedent's service and death

To facilitate certification of the decedent's military service and service-connected death by the executive departments, you should submit a legible copy of each of the following documents, if available:

1. Form DD214, Certificate of Release or Discharge from Active Duty;
2. Form DD 1300, Report of Casualty/Military Death Certificate; or
3. Any other military or state issued certificate of the decedent's death.

Failure to submit any of these documents may not automatically result in the denial of your application, but will delay the certification process.

Translations

Any document containing a foreign language submitted to USCIS shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

Copies

Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.

Where To File?

Submit your Form N-644 to the following address:

**USCIS California Service Center
P.O. Box 10360
Laguna Niguel, CA 92607**

What Is the Filing Fee?

No fee is collected for this application.

Address Changes

If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the National Customer Service Center at **1-800-375-528**.

NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the USCIS Lockbox facilities do not process change of address requests.

Processing Information

Any Form N-644 that is not signed will be rejected with a notice that your Form N-644 is deficient. You may correct the deficiency and resubmit Form N-644. An application or petition is not considered properly filed until accepted by USCIS.

Initial processing

Once Form N-644 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your Form N-644.

Will You Have to Appear for an Interview?

No. However, if the application is approved and you reside outside the United States, you will be required to appear at the nearest U.S. Embassy or consulate to sign for the Certificate of Citizenship.

Decision

The decision on Form N-644 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

USCIS Forms and Information

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet website at www.uscis.gov.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, **InfoPass**. To access the system, visit our website. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this Form N-644, we will deny your Form N-644 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form N-644.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 50 minutes per response, including the time for reviewing instructions, and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020. OMB No. 1615-0059. This form expires September 30, 2012. **Do not mail your application to this address.**