

USCIS OVERSEAS OFFICE CLOSINGS AND CHANGE TO THE USCIS  
POLICY MANUAL REGARDING CHILDREN BORN ABROAD/ REF/A/USD  
P&R MEMO OF 16 AUG 2019

MARADMIN : 535/19

R 301455Z SEP 19

MARADMIN 535/19

MSGID/GENADMIN/CMC WASHINGTON DC JA//

SUBJ/USCIS OVERSEAS OFFICE CLOSINGS AND CHANGE TO THE  
USCIS POLICY MANUAL REGARDING CHILDREN BORN ABROAD/  
REF/A/USD P&R MEMO OF 16 AUG 2019//

REF/B/USCIS POLICY MANUAL UPDATE OF 28 AUG 2019 NARR/REF (A)  
IS THE USD P&R MEMO ANNOUNCING USCIS INTERNATIONAL  
OFFICE CLOSURES. REF (B) IS THE USCIS ANNOUNCEMENT OF  
POLICY MANUAL CHANGES REGARDING BIRTHS ABROAD AND  
ELIGIBILITY FOR CITIZENSHIP.//

POC/MS. M. L. HOSTETTER/JAD/TEL: 703-692-7442/EMAIL:  
MARY.HOSTETTER@USMC.MIL//

GENTEXT/RMARKS/1. General. This MARADMIN announces United States  
Citizenship and Immigration Services (USCIS) overseas office closings and  
identifies impact on non-citizen Marines and overseas non-citizen  
dependents. It also announces a change to the USCIS Policy Manual  
regarding citizenship of children born abroad to non-citizen parents and  
children born abroad to non-citizen parents and later adopted by U.S. citizens.

2. Coordinating Instructions.

A. Office Closings.

(1) The USCIS overseas offices have historically provided immigration and  
naturalization services for military members and their dependents stationed  
overseas. Reference (a) announced that the USCIS will be closing seventeen  
overseas offices between August 2019 and August 2020. Immigration  
services will shift to Department of State (DOS) embassies and  
consulates. The USCIS will continue to support military naturalization  
services through quarterly visits to regional overseas hubs. USCIS personnel

from Guam will visit Japan and Korea, and USCIS personnel from Washington D.C. will visit Germany, Italy, and England.

(2) Recommended Action. While the USCIS and the DOS do not anticipate delays in processing cases due to the shift in services, non-citizen Marines are encouraged to start the naturalization process as soon as they are eligible before they receive orders overseas. Marines stationed overseas who have non-citizen dependents should begin the immigration process for the dependents well before receipt of return orders to the U.S. Non-citizen dependents must obtain authorization for lawful entry into the U.S. in order to accompany their military sponsor back to the U.S.

#### B. Children Born Abroad.

(1) Citizenship can be acquired automatically through place of birth (i.e., born in the U.S.) and through the citizenship of a child's parents. Until recently, USCIS policy treated births abroad to a U.S. service member or U.S. government employee the same as being born in the U.S. In other words, when a U.S. service member or spouse gave birth abroad, the child could obtain citizenship through place of birth, even though the birth did not actually occur in the U.S. Reference (b) announced a USCIS policy change, effective 29 October 2019, that will no longer treat a birth abroad to a service member or U.S. government employee as a birth occurring in the U.S. Consequently, a child born abroad will be eligible to acquire citizenship only through the citizenship of the parent(s). The policy change primarily affects children born abroad to non-citizen parents and children born abroad to non-citizen parents and later adopted by U.S. citizens.

(2) Scenarios most likely to apply to service members include the following:

(a) When both parents are U.S. citizens, at least one of whom has had residence in the U.S., a child born abroad automatically acquires citizenship through their parents. The USCIS policy change does not affect them. The parents can apply for a Consular Report of Birth Abroad with the Department of State or Certificate of Citizenship from the USCIS.

(b) When only one parent is a U.S. citizen and the other is a lawful permanent resident (LPR), a child born abroad in wedlock is eligible for citizenship if the

U.S. citizen parent has been physically present in the U.S. for periods totaling not less than five years, two of which were after attaining the age of fourteen. The U.S. citizen parent may count honorable military service as physical presence in the U.S.

(c) When the parents are both LPRs, at least one parent must naturalize before the child born abroad is eligible to acquire citizenship. The naturalized parent must establish five years of physical residence in the U.S. (at least two of which were after they turned fourteen years old) and apply for lawful admission of the child to the U.S. If the child is residing abroad on their parent's official military orders, that time may be counted as the parent's physical presence in the U.S.

(d) When at least one parent is a U.S. citizen, whether by birth or naturalization, the child born abroad is eligible for U.S. citizenship if the child is under the age of eighteen and the child is residing in the U.S. in the legal and physical custody of the citizen parent pursuant to lawful admission for permanent residency.

(e) When a child is born overseas to non-citizen parents and is later adopted by U.S. citizens, the child must go through the immigration process and then acquire citizenship by residing with the adoptive parents in the U.S.

3. Marine Corps Legal Assistance Offices will provide legal support to those seeking naturalization and/or immigration services.

4. Release authorized by MajGen D. J. Lecce, Staff Judge Advocate to the Commandant of the Marine Corps.//