

PROCESSING TIME FOR CERTIFICATION OF HONORABLE SERVICE FOR PURPOSES OF NATURALIZATION

Date Signed: 6/4/2020 | MARADMINS Number: 329/20

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SUBJ/PROCESSING TIME FOR CERTIFICATION OF HONORABLE SERVICE FOR PURPOSES OF NATURALIZATION//

REF/A/DOC/OUUSD/13OCT17//

REF/B/MSG/GENADMIN/CMC WASHINGTON DC MP/111430ZJUL18//

REF/C/DOC/USC/03JAN19//

REF/D/DOC/OUUSD/24APR20//

NARR/REF A, OFFICE OF THE UNDER SECRETARY FOR PERSONNEL AND READINESS MEMO DATED 13 OCT 17, SUBJECT: CERTIFICATION OF HONORABLE SERVICE FOR MEMBERS OF THE ACTIVE COMPONENTS OF THE MILITARY OR NAVAL FORCES FOR PURPOSES OF NATURALIZATION. REF B, MARADMIN 385/18 IS CMC DELEGATION OF AUTHORITY TO CERTIFY HONORABLE SERVICE FOR PURPOSES OF NATURALIZATION. REF C IS NATIONAL DEFENSE AUTHORIZATION ACT (NDAA) FOR FY20, SECTION 526. REF D IS OFFICE OF THE UNDER SECRETARY FOR PERSONNEL AND READINESS MEMO DATED 24 APR 20, SUBJECT: CERTIFICATION OF HONORABLE SERVICE FOR PURPOSES OF NATURALIZATION.//
POC/M. HOSTETTER/CIV/UNIT: JUDGE ADVOCATE LEGAL ASSISTANCE (JAL)/-/TEL: (703) 692-7442, EMAIL: MARY.HOSTETTER@USMC.MIL//
GENTEXT/REMARKS/1. Ref (a) established standards and procedures applicable to certifying honorable service for non-U.S. citizen military members for purposes of naturalization. Ref (b) details those requirements and delegates authority to certify honorable service on United States Citizenship and Immigration Services (USCIS) Form N-426 to commanding officers serving in paygrade O-6 or higher in a service member's chain of command. Ref (c), section 526 of the National Defense Authorization Act 2020, directed the Department of Defense to establish processing time requirements for the review and return of requests by service members for a certification of honorable service in support of applications for naturalization under 8 U.S.C. section 1440.

2. Ref (d) requires that upon receipt from a qualified applicant of USCIS Form N-426, Request for Certification of Military or Naval Service, the certifying official will process it with priority and return it to the service member concerned within 30-days of submission. Certifying officials should document reasons for delays in processing and direct questions to the cognizant Staff Judge Advocate.

3. Certification of honorable service may only be made after

the requirements in refs (a) and (b) are met.

a. For service members whose date of enlistment or accession was on or after 13 October 2017:

(1) the service member is not the subject of pending disciplinary action or pending adverse administrative action or proceeding and is not the subject of a law enforcement or command investigation; and,

(2) the service member has met prescribed screening requirements and is the subject of a favorably adjudicated Military Service Suitability Determination (MSSD); and;

(a) for active component members: those who have successfully completed basic training; completed at least 180 consecutive days of active duty service, inclusive of basic training; and, the characterization of the member's service is honorable.

(b) for members in the Selected Reserve of the Ready Reserve: those who have successfully completed basic training; completed at least one year (inclusive of basic training) of satisfactory service towards non-regular retirement IAW Department of Defense Instruction 1215.07, "Service Credit for Non-Regular Retirement", as a member of the Selected Reserve; and, the characterization of the member's service is honorable.

(c) for members in an active component or in the Selected Reserve of the Ready Reserve, who have served in an active duty status in a hazardous duty area; those who have successfully completed basic training; satisfactorily served at least one day of active duty service in a location designated as a combat zone, a qualified hazardous duty area, or an area where service in the area has been designated to be in direct support of a combat zone, and which also qualifies the member for hostile fire or imminent danger pay under sections 310 or 351(a)(1) or (3) of Title 37, U.S. Code; and, the characterization of the member's service is honorable.

b. For service members whose date of enlistment or accession in either the active or reserve component was prior to 13 October 2017:

(1) the service member is not the subject of pending disciplinary action or pending adverse administrative action or proceeding and is not the subject of a law enforcement or command investigation; and,

(2) the service member has met prescribed screening requirements and is the subject of a favorably adjudicated MSSD; and,

(3) the service member has served in a capacity for a period of time and in a manner that permits an informed determination that the member has served honorably as a member

of the active component or Selected Reserve of the Ready Reserve. Per ref (a) 45 days of basic military training shall be considered as the minimum time frame for honorable service determination for members whose date of enlistment or accession is prior to October 13, 2017.

4. Release authorized by John J. Broadmeadow, Lieutenant General, Director, Marine Corps Staff.//