

R 211330Z SEP 20

MARADMIN 538/20

MSGID/GENADMIN/CMC WASHINGTON DC DMCS//

SUBJ/COMPLIANCE WITH FEDERAL COURT ORDER VACATING THE  
DEPARTMENT OF DEFENSE MINIMUM TIME IN SERVICE REQUIREMENTS FOR  
CERTIFICATION OF HONORABLE SERVICE FOR PURPOSES OF  
NATURALIZATION//

REF/A/DOC/US DISTRICT COURT FOR THE DISTRICT OF  
COLUMBIA/25AUG20//

REF/B/DOC/OUSD/13OCT17//

REF/C/DOC/OUSD/31AUG20//

REF/D/DOC/OASN/03SEP20//

REF/E/GENADMIN/USMC/041802ZJUN20//

REF/F/DOC/US CODE/TITLE 8 U.S.CODE SECTION 1440//

NARR/REF A IS THE FEDERAL COURT ORDER AND JUDGMENT IN THE CASE  
OF ANGE SAMMA V. DEPARTMENT OF DEFENSE, ET AL., CASE NO. 20-  
01104. REF B IS OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR  
PERSONNEL AND READINESS MEMO DATED 13 OCT 17, SUBJECT:  
CERTIFICATION OF HONORABLE SERVICE FOR MEMBERS OF THE SELECTED  
RESERVE OF THE READY RESERVE AND MEMBERS OF THE ACTIVE  
COMPONENTS OF THE MILITARY OR NAVAL FORCES FOR PURPOSES OF  
NATURALIZATION. REF C IS OFFICE OF THE UNDER SECRETARY OF  
DEFENSE FOR PERSONNEL AND READINESS MEMO DATED 31 AUG 20,  
SUBJECT: COMPLIANCE WITH COURT ORDER IN THE CASE OF ANGE SAMMA  
V. DEPARTMENT OF DEFENSE, ET AL., CASE NO. 20-01104. REF D IS  
ASSISTANT SECRETARY OF THE NAVY MEMO DATED 3 SEP 20, SUBJECT:  
COMPLIANCE WITH COURT ORDER IN THE CASE OF ANGE SAMMA V.  
DEPARTMENT OF DEFENSE, ET AL., CASE NO. 20-01104. REF E IS  
MARADMIN 329/20, PROCESSING TIME FOR CERTIFICATION OF HONORABLE  
SERVICE FOR PURPOSES OF NATURALIZATION. REF F IS SECTION 1440

OF TITLE 8, U.S. CODE, NATURALIZATION THROUGH ACTIVE-DUTY SERVICE IN THE ARMED FORCES DURING WORLD WAR I, WORLD WAR II, KOREAN HOSTILITIES, VIETNAM HOSTILITIES, OR OTHER PERIODS OF MILITARY HOSTILITIES.

POC/M. HOSTETTER/CIV/JUDGE ADVOCATE LEGAL ASSISTANCE (JAL)/TEL: 703-692-7442/EMAIL: MARY.HOSTETTER@USMC.MIL//

GENTEXT/REMARKS/1. This MARADMIN announces that a Federal court, in reference (a), vacated the minimum time in service requirements for service members seeking 0-6 or higher certification of honorable service through submission of United States Citizenship and Naturalization Services (USCIS) Form-N-426 (Request for Certification of Military or Naval Service) as part of the naturalization process. Accordingly, the minimum time in service requirements in reference (b), requiring completion of 180 days of continuous Active Duty service or 1 year for members of the Selected Reserves prior to submitting USCIS Form N-426, are suspended in accordance with references (c) and (d). Certifying officials shall certify or deny requests for certification of honorable service on USCIS Form N-426 expeditiously but no longer than 30 days from receipt, as directed by references (d) and (e).

2. As provided in reference (f), active duty and reserve members who have served honorably for any period of time are eligible for expedited naturalization processing by submitting USCIS N-426 for certification by their respective military service. Certification of honorable service requires only an honest assessment of the actual character of service of the member as being honorable, without regard to whether security vetting is complete at the time of certification.

3. Commands shall ensure members who are not U.S. citizens are aware of the new policy with regards to obtaining USCIS Form N-426 honorable service certification.

4. Command questions should be directed to the cognizant command Staff Judge Advocate.

5. Release authorized by Gregg P. Olson, Major General, Staff Director of the Marine Corps.//