



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

3 SEP 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Updated Requirements for the Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

1. References:

a. Title 8, U.S.C. § 1440, 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.

b. Memorandum, Under Secretary of Defense (Personnel and Readiness), 13 October 2017, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Components of the Military or Naval Forces for Purposes of Naturalization.

c. Memorandum, Under Secretary of Defense (Personnel and Readiness), 31 August 2020, subject: Compliance with Court Order in the Case of Ange Samma v. Department of Defense, et al., Case No. 20-01104.

d. Memorandum, Under Secretary of Defense (Personnel and Readiness), 24 April 2020, subject: Certification of Honorable Service for Purposes of Naturalization.

e. Memorandum, Secretary of the Army, 7 February 2020, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

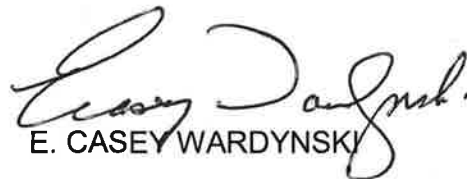
f. Memorandum, Assistant Secretary of the Army (Manpower and Reserve Affairs), 19 February 2020, subject: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

2. Pursuant to reference 1.c., the screening and suitability requirements and time in service requirements in reference 1.b. are suspended. Soldiers are authorized to request certification of honorable service for purposes of naturalization immediately upon entering active duty or attending drill with their Selected Reserve unit. The approval authority must certify or deny a Soldier's certification request, and return it to the Soldier, within 30 days of submission.

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3. Except for references to time in service requirements (e.g., paragraph 5 and Enclosures 1 and 2), the provisions of reference 1.f. remain in effect.
4. The point of contact for this memorandum is Mr. Lin H. St. Clair, 703-695-4423.



E. CASEY WARDYNSKI

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- Commander, Eighth Army
- Commander, U.S. Army Cyber Command
- Chief, United States Army Reserve
- General Counsel

Reference 1.f.



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SUBJECT: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

1. References:

a. Title 8, U.S.C. § 1440, 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.

b. Memorandum, Under Secretary of Defense (Personnel and Readiness), October 13, 2017, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Components of the Military or Naval Forces for Purposes of Naturalization.

c. Memorandum, Secretary of the Army, 7 February 2020, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

d. Memorandum, Assistant Secretary of the Army (Manpower & Reserve Affairs), 14 December 2017, subject: Injunction Compliance and Immigration Status Support for Members of the Delayed Training Program (DTP) Recruited through the Military Accessions Vital to National Interest (MAVNI) Program.

2. Pursuant to paragraph 3 of reference 1.c., I hereby delegate the authority to certify honorable service for purposes of naturalization, of members of the Selected Reserve of the Ready Reserve and members of the Active Component regardless of recruitment program, to any commanding Army officer serving in the grade of colonel or higher. These commanders may re-delegate certification authority to officers serving under their direct supervision in the grade of colonel or the civilian equivalent.

3. This delegation does not extend to certifications executed pursuant to reference 1.d.

4. Certifications executed pursuant to this delegation will comply with the requirements of reference 1.b and the enclosed implementing guidance. Any contrary guidance is rescinded. The Commanding General, Human Resources Command will update Soldier informational materials accordingly.

5. A certification must summarize all periods of service. Enclosure 1 describes the requirements for certification of honorable service that was rendered beginning on or

SAMR

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after 13 October 2017. Enclosure 2 describes the requirements for certification of honorable service in cases in which the service was rendered in part or completely prior to 13 October 2017.

6. A copy of the certification will be filed in the Soldier's Army Military Human Resource Record or component equivalent.

7. The Deputy Assistant Secretary of the Army (Military Personnel & Quality of Life), Office of the ASA (M&RA) is the point of contact for this delegation.

8. This delegation is effective immediately and remains in effect until rescinded or modified by me or my successor.

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WARDYNSKI.EUGENE CASEY.J
R.1028912320
Date: 2020.02.19 15:52:55 -05'00'

2 Encls

E. CASEY WARDYNSKI

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- U.S. Army Medical Command
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ENCLOSURE 1

CERTIFICATION OF HONORABLE SERVICE FOR SOLDIERS WHOSE ENLISTMENT OR ACCESSION WAS ON OR AFTER 13 OCTOBER 2017

1. Purpose: This enclosure describes the standards and procedures applicable to certifications of honorable service for purposes of naturalization made pursuant to this delegation for Soldiers whose service began on or after October 13th, 2017.

2. Instructions: Upon receipt of a Soldier's "request for certification of honorable service" (N-426), the designated official may certify such service as honorable only if all of the following criteria are met:

a. Legal and Disciplinary Matters: The Soldier is not the subject of a pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command investigation; and

b. Background Investigation and Suitability: The Soldier has completed applicable screening and suitability requirements as follows:

1) Persons enlisted or accessed under the Military Accessions Vital to the National Interest (MAVNI) Pilot Program are the subject of a completed National Intelligence Agency Check (NIAC); Tier 3 or Tier 5 Background Investigation, as applicable; counterintelligence-focused security review counterintelligence interview; and a Military Service Suitability Determination (MSSD), favorably adjudicated in accordance with Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) memorandum of September 30, 2016, *Military Accessions Vital to the National Interest Pilot Program Extension*, and OUSD(P&R) memorandum of October 13, 2017, *Military Accessions Vital to the National Interest Pilot Program*; or

2) Persons enlisted or accessed under Title 10, U.S.C. § 504(b)(1)(B) and 504(b)(1)(C) have met prescribed screening requirements set forth in Department of Defense Instruction 1304.26, "Qualification Standards for Enlistment, Appointment and Induction," and other applicable DoD or Army policy, and are subject of a favorable adjudicated MSSD; and

c. Military Training and Required Service: The Soldier honorably served as set forth below.

1) For Soldiers in the Regular Army:

- Successfully completed initial entry training; and
- Completed at least 180 consecutive days of active duty service, inclusive of the successful completion of initial entry training.

2) For Soldiers in the Army National Guard or United States Army Reserve (Selected Reserve of the Ready Reserve):

- Successfully completed initial entry training; and
- Completed at least one year of satisfactory service towards non-regular retirement in accordance with the Department of Defense 1215.07, "Service Credit for Non-Regular Retirement," as a member of the Selected Reserve, inclusive of the member's successful completion of basic training.

3) For Soldiers in any Component who have served in an active duty status in a hazardous duty area:

- Successfully completed initial entry training; and
- 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.

ENCLOSURE 2

CERTIFICATION OF HONORABLE SERVICE FOR SOLDIERS WHOSE ENLISTMENT OR ACCESSION WAS PRIOR TO 13 OCTOBER 2017

1. Purpose: This enclosure describes the standards and procedures applicable to certifications made pursuant to this delegation for Soldiers who performed any service prior to October 13th, 2017.

2. Instructions: Upon receipt of a Soldier's "request for certification of honorable service" (N-426), the designated official may certify such service as honorable only if all of the following criteria are met:

a. Legal and Disciplinary Matters: The Soldier is not the subject of a pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command investigation; and

b. Background Investigation and Suitability Vetting: The Soldier has completed applicable screening and suitability requirements as follows:

1) Persons enlisted or accessed under the Military Accessions Vital to the National Interest (MAVNI) Pilot Program are the subject of a completed National Intelligence Agency Check (NIAC); Tier 3 or Tier 5 Background Investigation, as applicable; counterintelligence-focused security review counterintelligence interview; and a Military Service Suitability Determination (MSSD), favorably adjudicated in accordance with Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) memorandum of September 30, 2016, *Military Accessions Vital to the National Interest Pilot Program Extension*, and OUSD(P&R) memorandum of October 13, 2017, *Military Accessions Vital to the National Interest Pilot Program*; or

2) Persons enlisted or accessed under Title 10, U.S.C. § 504(b)(1)(B)¹ and 504(b)(1)(C)² who have met prescribed screening requirements set forth in Department of Defense Instruction 1304.26, "Qualification Standards for Enlistment, Appointment and Induction," and other applicable DoD or Army policy, and are subject of a favorable adjudicated MSSD; and

c. Required Service: The Soldier honorably served in the Selected Reserve of the Ready Reserve or the Regular Army.

¹ An alien lawfully admitted for permanent residence

² Persons described in the Compact of Free Association between the Federated States of Micronesia and the U. S.; the Compact of Free Association between the Republic of the Marshall Islands and the U.S.; and the compact of Free Association between Palau and the U.S.