



June 10, 2013

PA-12-002

## Policy Alert

**SUBJECT:** Time Abroad as Residence and Physical Presence in the United States for Certain Interpreters, Translators, and Security-Related Personnel

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to address amendments to section 1059(e) of the National Defense Authorization Act of 2006 by Public Law 112-227.<sup>1</sup>

### Background

Previously, section 1059(e) permitted persons employed abroad as interpreters or translators in Iraq or Afghanistan by, or under contract with, the Chief of Mission (Department of State) or the U.S. armed forces to treat time abroad as residence in the United States for purposes of naturalization.<sup>2</sup>

On December 28, 2012, section 1059(e) was amended by adding certain security-related positions as types of qualifying employment. In addition, the physical presence requirement is now covered and employment is no longer required to have taken place in Iraq or Afghanistan.<sup>3</sup>

### Policy Highlights

- Security-related position in an executive or managerial capacity is now included as a type of qualifying employment for the section 1059(e) benefits.
- Period under qualifying employment abroad may be treated as continuous residence and physical presence in the United States. Previously, only residence was covered.
- Qualifying employment abroad is no longer required to have taken place in specified geographical locations. Previously, it was limited to employment in Iraq or Afghanistan.

### Citation

[Volume 12: Citizenship and Naturalization, Part D, General Naturalization Requirements, Chapter 5, Modifications and Exceptions to Continuous Residence and Physical Presence](#)

<sup>1</sup> On December 28, 2012, Public Law 112-227 amended Public Law 109-163 (January 6, 2006).

<sup>2</sup> On June 15, 2007, Public Law 110-36 added subsection “(e)” to section 1059 of Public Law 109-163.

<sup>3</sup> See Public Law 112-227 (December 28, 2012).