

## United States Citizenship and Immigration Status

If you host, escort, or otherwise interact with foreign nationals in the course of your work, not only must you be aware of export control issues, you must also understand the basic terminology pertaining to immigration and citizenship. Awareness of the distinction between a permanent resident and a U.S. citizen will help you determine your escorting responsibilities, for example, which in turn could help you avoid a security incident.

### U.S. Citizen vs. Permanent Resident

The two terms are not interchangeable. A U.S. citizen is a person born in the United States or naturalized as a citizen. A U.S. citizen owes loyalty to the U.S. and is entitled to its protection.

A permanent resident is a person not a citizen of the United States who may reside in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Permanent residence enables a person to live and work anywhere in the U.S. The permanent resident pays taxes and may serve in the military, but may not vote in elections. A U.S. permanent resident is subject to the approval process by the Office of Counterintelligence/Foreign Visits and Assignments (OCI/FVA) to work at the Lab.

Most ways to obtain permanent residence are:

Family-based	A U.S. citizen or permanent resident petitions for the individual.
Employment-based	An employer petitions for an individual based on need for a special skill. An individual may also self-petition to obtain permanent residence.
Political Asylum/Refugee	Granted based on the existence of a well-founded fear of persecution if the individual returns to his or her home country.
Diversity Lottery	55,000 immigrant visas are available through a lottery to people who come from nations of low immigration rate to the U.S.

The Laboratory can and does petition for permanent residence on behalf of people that the Laboratory wants to employ. If the Laboratory wants to hire a person into a permanent position, the Division Director must attest that the person will be converted to a regular staff member position after receipt of permanent residence. Again, U.S. permanent residents are subject to the OCI/FVA approval process.

### Dual Citizenship

A person with dual citizenship is a citizen of two countries at the same time. Depending on the country, a child born in that country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth, or a U.S. citizen may become a dual citizen by marriage.

A person who is automatically granted another citizenship does not risk losing U.S. citizenship. Although the U.S. government recognizes that dual citizenship exists, the U.S. does not encourage it because of problems it may cause. (See Reference 1 for more information.)



### References

1. Dual Citizenship-Security Clearance Implications: <http://www.careers.state.gov/specialist/join/dualcitizen.html>
2. Foreign Visits and Assignments Website: <http://int.lanl.gov/security/isec/fva/>
3. U.S. Department of State Travel Website: [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1753.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1753.html)

## Security Help Desk: Frequently Asked Questions

- Q.** I am filling out the escort logging form for a visitor with dual citizenship, one of which is U.S. How do I handle this? What other forms do I need to fill out?
- A.** The visitor is treated just like any other uncleared U.S. citizen visitor. No additional paperwork is required.
- Q.** How else can I find out a person's citizenship besides asking? Can I use his driver's license?
- A.** If the person is not carrying his or her passport, asking is the only way. The driver's license does not indicate the country of citizenship.
- Q.** If I am escorting a visitor into a Security Area, I must ask the visitor to state his or her citizenship. How do I verify the visitor is a U.S. citizen? What if the visitor lies?
- A.** You have done your job by asking the visitor to state his or her citizenship. If the visitor lies, you cannot verify it and there is nothing more you can do.
- Q.** I am escorting a visitor with dual U.S.-Ireland citizenship. What are the rules for escorting the visitor into a Security Area?
- A.** If the visitor states he is a U.S. citizen, it is OK to escort; if the visitor states he is an Irish citizen, do not proceed with escorting.
- Q.** Can a person with dual citizenship, one of which is U.S., be hired without doing the 982 paperwork?
- A.** The 982 is not required for U.S. citizens.

### Glossary of Terms

Citizenship	The country in which a person is born (and has not renounced or lost citizenship) or naturalized, to which that person owes allegiance, and by which he or she is entitled to be protected.
Foreign National	Any person who is not a U.S. citizen or is a stateless person. Permanent Residents are considered foreign nationals.
Permanent Resident	Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "Permanent Resident Alien," "Resident Alien Permit Holder," "Immigrant Alien," and "Green Card Holder."
Nationality	The country of a person's citizenship or country in which the person is deemed a national.

### Resources

Help Desk, [security@lanl.gov](mailto:security@lanl.gov), 665-2002

Foreign Visits and Assignments, [foreignvisit@lanl.gov](mailto:foreignvisit@lanl.gov), 665-1572