



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

In Re: 20680574

Date: APR. 1, 2022

Appeal of Nebraska Service Center Decision

Form N-565, Application to Replace a Certificate of Citizenship or Naturalization

The Applicant, who was born in Sri Lanka, seeks a new Certificate of Naturalization under section 343(a) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1454(a), indicating that her original certificate was lost, stolen, or destroyed.

The Director of the Nebraska Service Center denied the Form I-565, Application for Replacement Naturalization/Citizenship Document (Form N-565), concluding that the Applicant was ineligible for a new Certificate of Naturalization because a search of U.S. Citizenship and Immigration Services (USCIS) and former U.S. Immigration and Naturalization Services (INS) records did not reveal that she was a naturalized U.S. citizen, or that she acquired or derived U.S. citizenship.

In these proceedings, it is the Applicant's burden to establish eligibility for the requested benefit by a preponderance of the evidence. Section 291 of the Act, 8 U.S.C. § 1361; 8 C.F.R. § 103.2(b)(1); *Matter of Chawathe*, 29 I&N Dec. 369, 375 (AAO 2010). The Administrative Appeals Office reviews the questions in this matter *de novo*. *Matter of Christo's Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon *de novo* review, we will dismiss the appeal because the Applicant has not met this burden.

Applicants may submit a Form N-565 to USCIS to request, in pertinent part, a replacement of their original Certificate of Naturalization. Section 343(a) of the Act, 8 U.S.C. § 1454(a) ("If any certificate of naturalization . . . issued to any citizen . . . is lost, mutilated, or destroyed, the citizen or declarant may make application . . . for a new certificate"); 8 C.F.R. § 343a.1(a) ("A person whose . . . certificate of naturalization . . . has been lost, mutilated, or destroyed, must apply on the form designated by USCIS . . . and in accordance with the form instructions").

On the Form N-565, the Applicant indicated that she was issued a Certificate of Citizenship by INS New York City Office on January 1, 1974, but lost it. In support of her application, the Applicant provided photocopies of her parents' Certificates of Naturalization, and her U.S. passport. The Director issued a request for evidence (RFE) requesting the Applicant to submit a copy of the original certificate or, if that was not possible, other evidence to show that she was previously issued such a certificate including: a statement about the date, location, and circumstances she became a U.S. citizen; her alien registration number; a clear photocopy of her U.S. passport; her birth certificate; and all names and aliases she had used from the time she immigrated to the United States. In her response to

the RFE, the Applicant provided copies of the documents previously submitted with her application, along with a copy of her Arkansas driver's license. The Applicant did not, however, submit any evidence that she was issued an initial Certificate of Citizenship. The Director denied the application, concluding that this evidence was insufficient to meet her burden and highlighting that a search of USCIS and INS records did not reveal that she was a naturalized U.S. citizen, or that she acquired or derived U.S. citizenship.

On appeal, the Applicant asserts that she became a U.S. citizen at the same time as her sister and provides a photocopy of her sister's Certificate of Citizenship, which shows that she acquired U.S. citizenship on February 17, 1984. The Applicant further asserts that she has sent everything that she has to show that she has previously been issued an original Certificate of Citizenship. We acknowledge the Applicant's claims that she is a U.S. citizen and that she lost her original Certificate of Citizenship. We further acknowledge her submission of her parents' Certificates of Naturalization, her U.S. passport, and her sister's Certificate of Citizenship. However, to be eligible for a new Certificate of Citizenship in these proceedings, the Applicant must establish that either INS or USCIS issued her such a certificate in the past. The Applicant does not submit such evidence and, as the Director explained in the denial of the instant Form N-565, a search of INS and USCIS records based on the information the Applicant provided does not show a record indicating that the Applicant naturalized as a U.S. citizen, or that she was previously issued a Certificate of Citizenship as evidence that she acquired or derived U.S. citizenship. Consequently, the Applicant has not established eligibility for a new certificate, and her Form N-565 remains denied.

**ORDER:** The appeal is dismissed.