

**PART 339—FUNCTIONS AND DUTIES
OF CLERKS OF COURT REGARD-
ING NATURALIZATION PRO-
CEEDINGS**

Sec.

- 339.1 Administration of oath of allegiance to applicants for naturalization.
339.2 Monthly reports.
339.3 Relinquishment of naturalization jurisdiction.
339.4 Binding of naturalization records.
339.5 Recordkeeping.

AUTHORITY: 8 U.S.C. 1103, 1443, 1448.

§ 339.1 Administration of oath of allegiance to applicants for naturalization.

It shall be the duty of a judge of a court that administers an oath of allegiance to ensure that such oath is administered to each applicant for naturalization who has chosen to appear before the court. The clerk of court shall issue to each person to whom such oath is administered the Certificate of Naturalization provided by the Service pursuant to § 338.1 of this chapter. The clerk of court shall provide to each person whose name was changed as part of the naturalization proceedings, pursuant to section 336(e) of the Act, certified evidence of such name change.

[58 FR 49916, Sept. 24, 1993]

§ 339.2 Monthly reports.

(a) *Oath administration ceremonies.* Clerks of court shall on the first day of each month submit to the Service office having administrative jurisdiction over the place in which the court is located a report on Form N-4, in duplicate, listing all oath administration ceremonies held and the total number of persons issued the oath at each ceremony, in accordance with the instructions contained in Form N-4. The report shall be accompanied by all duplicate lists of persons attending naturalization oath ceremonies during the month, certified copies of any court orders granting changes of name, an accounting of the certificates issued to them, and the original of all certificates of naturalization which were voided by the clerk of court. In lieu of forwarding duplicate lists of naturalized persons to the Service with the report on Form N-4, the clerk may de-

liver the lists to the Service representative immediately after the oath ceremony. In such a case, the N-4 shall reflect that the duplicate list was so delivered.

(b) *Petitions filed for de novo hearings.* The clerk of court shall submit to the district director having administrative jurisdiction over the place in which the court is located, a monthly report of all persons who have filed *de novo* review petitions before the court. The report shall include each petitioner's name, alien registration number, date of filing of the petition for a *de novo* review, and, once an order has been entered, the disposition.

(c) *Reports relating to petitions filed prior to October 1, 1991.* The clerks of court shall, on the first day of each month, submit to the district director or officer in charge having administrative jurisdiction over the place in which the court is located, a report on Form N-4, in duplicate, listing all certificates of naturalization issued or spoiled pursuant to § 338.11 of this chapter during the preceding month in accordance with the instructions contained in Form N-4. The report shall be accompanied by all duplicates of certificates of naturalization with stubs intact.

(d) *Other proceedings and orders.* The clerk of court shall forward to the Service office having administrative jurisdiction over the place in which the court is located certified copies of the records of such other proceedings and other orders instituted on or issued by the court affecting or relating to the naturalization of any person as may be required from time to time by the Service.

(e) *Use of reports for accounting purposes.* Form N-4 shall be used by state and federal courts as a monthly billing document, submitted to the Service for reimbursement in accordance with section 344(f)(1) of the Act. The Service shall use the information submitted on this form to calculate costs incurred by courts in performing their naturalization functions. State and federal courts will be reimbursed pursuant to terms set forth in annual agreements entered