

RELOCATING AND RESIDENCY IN THE DOMINICAN REPUBLIC:

While the Dominican Republic does not have a formal economic citizenship program, it does have a very inexpensive and simple process for both permanent residency and citizenship. For the cost involved, and the waiting period for a passport in comparison to other countries, we think it is one of the most economical ways to obtain a very legal and official second passport.

In the past, the Dominican Republic has taken a somewhat "laissez-faire" attitude towards tourists that overstayed their tourist visa. We know of many Americans and Canadians that have lived in the Dominican Republic without official residency for many years. Under current guidelines, if a tourist overstays by one day or ten years, the fine has been very lenient. The logic is or was that if you are a tourist spending money and are not taking away employment from a Dominican, then live and let live.

While this may sound like an argument against residency, it is not. The Dominican government has also recently cracked down on foreigners that started small tourist oriented businesses without residency. Many have been deported, leaving a thriving business behind. Remember that a tourist visa gives you the right to be a tourist, it does not give you the right to work or own a business. The entire residency and related passport process is easy, inexpensive, and a must if you wish to establish a business or work. The Dominican government also permits dual citizenship, so you will not have to renounce your current passport in the process.

This is one of the best and easiest ways to obtain a legal and legitimate Residency plus an Eventual Second Passport

About PETS: Prior to your departure, and assuming you will be traveling with your pets, you should obtain a certificate of good health from a local vet where you currently live and have that document certified by the nearest Dominican Consulate in your home country. While customs always has the option of imposing quarantine, chances are, with all your documents in order as indicated above, you should be able to leave the airport or dock with your pet right beside you.

Some of the Requirements

Clients are advised to obtain 3 certified or official copies of their birth certificate prior to their arrival in Santo Domingo. You will not need all three copies, but it is a good idea. Depending upon where you live and your local government office or health department, this may cost anywhere from \$5 to \$15 per official copy.

It is also highly suggested that a letter of good conduct from your local police department be obtained. While we have assisted clients that did not possess such a reference letter, it is a good idea to have a document indicating up-front that you do not have a criminal record in your home country. This helps with your own credibility. A to "whom it may concern" letter stating your lack of a criminal record is sufficient.

Clients will also be required to take a general physical, chest x-ray and aids test, which is quick and inexpensive.

Upon completion of all paperwork, and approval, the client will receive a temporary residence card and a Cedula Card. This process can take anywhere from 60 to 90 days. This card is normally valid for 12 months. Regardless of the expiration date on your temporary resident card, you will have the right to live and work in the Dominican Republic. You will also have the right to leave the country whenever you wish and re-enter with your temporary residence document (you will not need a tourist card or tourist visa to re-enter).

Upon expiration of the first temporary residency card, you will renew and change your status to Permanent Residency. The next Permanent Residency card will be valid for Two Years and the next Cedula Card, for six years. Also, upon completion of this second year period, you can apply for and become formally nationalized (and obtain your Dominican Passport as a naturalized citizen). All told, you would have obtained the immediate right to live and work in the Dominican Republic (or own a business), with a legitimate and official government issued passport after about 2 1/2 years from the date you started.

NOTE: A Client does not have any requirement that they apply for or become a citizen of the country. Which is to say, they may remain inside the country with Permanent Residency Status, should they wish. In some cases, there are citizens of other countries whereby their country of origin prohibits dual citizenship (the US **permits and recognizes** dual citizenship - [see information here](#)) and in such cases, such clients may wish to go so far as the permanent residency process and stop there.

EXPLANATION OF EXPATRIATE:

The term expatriate could refer to someone that simply has decided to live in another country or it could refer to someone that has decided to renounce previous citizenship as well. Both definitions apply. So, for example, you are an expatriate if you are an American that decided to retire to say Ecuador, or where ever else for that matter, but of course maintain your existing citizenship as well. Simply moving to another country does not mean you loose your existing citizenship, just as obtaining legal residency status in your new country does not jeopardize your existing nationality or citizenship either (more on this in a moment). So, becoming an expatriate does not mean you are a criminal or some

kind of anti-patriotic malcontent - nor does it mean that you have necessarily renounced or relinquished your previous citizenship either (although this is something you could do as well). It simply could be that you decided to live in Thailand or the Dominican Republic, for example, because in such places you can live very well on your US\$1,500 per month pension (whereas this is near impossible in many parts of the US or Europe). Some people do of course take it a step further, and seek to become a citizen of their new country as well. But again, dual citizenship is recognized and perfectly **LEGAL** in most countries, including the US. However, choosing a country because of residency and or citizenship requirements can be just as important of a factor as climate, real estate prices, and so on. Important because perhaps the requirements are too restrictive for you, too costly in terms of real estate purchase or other kinds of investment - or perhaps not - as the case may be.

So, let us discuss residency first and then move on to dual citizenship as the next progression thereafter. It is important to note that in your new country, one should obey the local laws and adhere to whatever legal requirements might exist. In terms of immigration or residency matters, each country of course has their own set of rules and requirements. In fact, this alone may be an important point to decide where you wish to live as well. For example, in places such as the Turks and Caicos Islands, in order to qualify for residency status, one must demonstrate a fairly expensive home purchase and or investment. This is true also for the Bahamas, and a number of other destinations as well. So, as an illustration, if you are not prepared to spend say US\$250,000 for a second home - then that may eliminate such jurisdictions from the list of consideration. Also, keep in mind that it can be almost impossible to obtain naturalization (ability to become a citizen) in the Turks and Caicos, so you must remain with residency status alone (and are subject to the whims of local government if they want to renew your residency status or not, and if not - you have a problem, especially after spending a considerable amount of money on a home purchase). This was the very recent case in the Turks and Caicos, whereby many foreigners were forced to leave simply because the local political tide turned against them (and renewal of residency status refused).

In contrast, countries such as the Dominican Republic have a fairly simple and straight-forward process for obtaining residency, and the requirement is that an applicant demonstrate assets or investments equal to RD\$500,000 Pesos, which is about US\$16,000 under current exchange rates. So, doing something as simple as establishing a US Dollar Bank Certificate of Deposit (with a local bank) for a very affordable monetary amount will allow you to qualify. In addition, one can become a naturalized citizen within a fairly short period of time (in comparison to other countries) after having achieved Permanent Resident status. Panama allows for a fairly simple process if one establishes a bank deposit for US\$200,000 and so it goes in many other jurisdictions as well (although the naturalization process is much quicker in the Dominican Republic than it is Panama, if this is an end goal).

Naturalization in your new country, whether you decide to maintain dual citizenship (have two citizenships and thus two passports) or relinquish your previous one is often a natural progression for some people, but certainly not all. However, in today's climate both in Europe and in the US, many people decide to obtain another citizenship out of investment necessity. To explain further, any American that has attempted to open a banking or investment account in Switzerland and a host of other jurisdictions, will find the door closed to them simply because they are American. Is it somehow illegal for an American to open a bank or investment account abroad? Not at all, and neither is there any law or regulation prohibiting a bank in say Ireland, Switzerland, Liechtenstein, etc. to accept an American client either. They simply will not do so, because they feel it is more hassle than worthwhile (hassle and aggravation from the American IRS to name just one). It is interesting to note that for Americans, as just stated, a foreign account is perfectly legal - IF you can find a bank or broker to take you on as a customer.

Europeans also have a problem in countries such as Switzerland now that the European Union has gone into full force, and has recently started pressuring tax reporting (and tax collection) when a citizen from one EU nation has an account in another. Switzerland is not a member of the EU, but they have certainly been feeling the heat. So, many Europeans as well are interested to become a citizen of Brazil, Costa Rica, where ever - simply for banking purposes also. But banking or investing is not the only reason one might consider a dual nationality. Travel is another concern, all depending upon what former country you come from. To be sure, I know of many people that would prefer to travel as a Dominican, or a Costa Rican, etc. rather than their previous nation of citizenship (always better to be from some peaceful country not involved in politics or war elsewhere). Of course the reasons for seeking dual nationality or dual citizenship do not stop there. Some countries for example have more favorable tax legislation when it comes to inheritance matters. Many others do NOT tax its citizens on interest or earnings from outside the country as well, so there are indeed many reasons on a personal level for someone to have an interest in this topic.

One of the most troublesome things about the topic of dual citizenship (and residency also) is the lack of knowledge most people have. Which is to say they often rely upon rumor, innuendo or simply bad information to formulate an opinion. Many Americans especially are ill informed. For example, if you visit the following US State Department Web Site, you will find the information reprinted below:

http://travel.state.gov/law/citizenship/citizenship_778.html

http://travel.state.gov/travel/cis_pa_tw/cis/cis_1753.html

A person who: (1) is naturalized in a foreign country; (2) takes a routine oath of allegiance or (3) accepts non-policy level employment with a foreign government

and in so doing wishes to retain U.S. citizenship need not submit prior to the commission of a potentially expatriating act a statement or evidence of his or her intent to retain U.S. citizenship since such an intent will be presumed. When, as the result of an individual's inquiry or an individual's application for registration or a passport it comes to the attention of a U.S. consular officer that a U.S. citizen has performed an act made potentially expatriating by Sections 349(a)(1), 349(a)(2), 349(a)(3) or 349(a)(4), the consular officer will simply ask the applicant if there was intent to relinquish U.S. citizenship when performing the act. If the answer is no, the consular officer will certify that it was not the person's intent to relinquish U.S. citizenship and, consequently, find that the person has retained U.S. citizenship.

DUAL NATIONALITY (From US State Department Web Site):

Dual nationality can occur as the result of a variety of circumstances. The automatic acquisition or retention of a foreign nationality, acquired, for example, by birth in a foreign country or through an alien parent, does not affect U.S. citizenship. It is prudent, however, to check with authorities of the other country to see if dual nationality is permissible under local law. Dual nationality can also occur when a person is naturalized in a foreign state without intending to relinquish U.S. nationality and is thereafter found not to have lost U.S. citizenship the individual consequently may possess dual nationality. While recognizing the existence of dual nationality and permitting Americans to have other nationalities, the U.S. Government does not endorse dual nationality as a matter of policy because of the problems, which it may cause. Claims of other countries upon dual-national U.S. citizens often place them in situations whereby their obligation to one country are in conflict with the laws of the other. In addition, their dual nationality may hamper efforts to provide U.S. diplomatic and consular protection to them when they are abroad.

In summary, dual citizenship is perfectly legal if you are a US Citizen - Now You Know. In addition, it is perfectly legal and accepted if you are a citizen of a large list of other countries as well.

Do you become a legal resident of your new country or do you eventually become a citizen? That is entirely up to you, and certainly a very personal decision for each individual. But, the important point is, investigate the TRUTH and know the facts regardless of what you decide.

Dual Nationality

The concept of dual nationality means that a person is a citizen of two countries at the same time. Each country has its own citizenship laws based on its own policy. Persons may have dual nationality by automatic operation of different laws rather than by choice. For example, a child born in a foreign country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth.

A U.S. citizen may acquire foreign citizenship by marriage, or a person naturalized as a U.S. citizen may not lose the citizenship of the country of birth. U.S. law does not mention dual nationality or require a person to choose one citizenship or another. Also, a person who is automatically granted another citizenship does not risk losing U.S. citizenship. However, a person who acquires a foreign citizenship by applying for it may lose U.S. citizenship. In order to lose U.S. citizenship, the law requires that the person must apply for the foreign citizenship voluntarily, by free choice, and with the intention to give up U.S. citizenship.

Intent can be shown by the person's statements or conduct. The U.S. Government recognizes that dual nationality exists but does not encourage it as a matter of policy because of the problems it may cause. Claims of other countries on dual national U.S. citizens may conflict with U.S. law, and dual nationality may limit U.S. Government efforts to assist citizens abroad. The country where a dual national is located generally has a stronger claim to that person's allegiance.

However, dual nationals owe allegiance to both the United States and the foreign country. They are required to obey the laws of both countries. Either country has the right to enforce its laws, particularly if the person later travels there, most U.S. citizens, including dual nationals, must use a U.S. passport to enter and leave the United States. Dual nationals may also be required by the foreign country to use its passport to enter and leave that country. Use of the foreign passport does not endanger U.S. citizenship, most countries permit a person to renounce or otherwise lose citizenship.

Information on losing foreign citizenship can be obtained from the foreign country's embassy and consulates in the United States. Americans can renounce U.S. citizenship in the proper form at U.S. embassies and consulates abroad.

Advice about Possible Loss of U.S. Citizenship and Dual Nationality

The Department of State is responsible for determining the citizenship status of a person located outside the United States or in connection with the application for a U.S. passport while in the United States.

POTENTIALLY EXPATRIATING ACTS

Section 349 of the Immigration and Nationality Act ([8 U.S.C. 1481](#)), as amended, states that U.S. citizens are subject to loss of citizenship if they perform certain *specified acts voluntarily and with the intention to relinquish* U.S. citizenship. Briefly stated, these acts include:

1. obtaining naturalization in a foreign state (Sec. 349 (a) (1) INA);
2. taking an oath, affirmation or other formal declaration to a foreign state or its political subdivisions (Sec. 349 (a) (2) INA);

3. entering or serving in the armed forces of a foreign state engaged in hostilities against the U.S. or serving as a commissioned or non-commissioned officer in the armed forces of a foreign state (Sec. 349 (a) (3) INA);
4. accepting employment with a foreign government if (a) one has the nationality of that foreign state or (b) an oath or declaration of allegiance is required in accepting the position (Sec. 349 (a) (4) INA);
5. formally renouncing U.S. citizenship before a U.S. diplomatic or consular officer outside the United States (sec. 349 (a) (5) INA);
6. formally renouncing U.S. citizenship within the U.S. (but only under strict, narrow statutory conditions) (Sec. 349 (a) (6) INA);
7. conviction for an act of treason (Sec. 349 (a) (7) INA).

ADMINISTRATIVE STANDARD OF EVIDENCE

As already noted, the actions listed above can cause loss of U.S. citizenship only if performed voluntarily and with the intention of relinquishing U.S. citizenship. **The Department has a uniform administrative standard of evidence based on the premise that U.S. citizens intend to retain United States citizenship when they obtain naturalization in a foreign state, subscribe to a declaration of allegiance to a foreign state, serve in the armed forces of a foreign state not engaged in hostilities with the United States, or accept non-policy level employment with a foreign government.**

DISPOSITION OF CASES WHEN ADMINISTRATIVE PREMISE IS APPLICABLE

In light of the administrative premise discussed above, a person who:

1. is naturalized in a foreign country;
2. takes a routine oath of allegiance to a foreign state;
3. serves in the armed forces of a foreign state not engaged in hostilities with the United States, or
4. accepts non-policy level employment with a foreign government,

and in so doing wishes to retain U.S. citizenship need not submit prior to the commission of a potentially expatriating act a statement or evidence of his or her intent to retain U.S. citizenship since such an intent will be presumed.

When, as the result of an individual's inquiry or an individual's application for registration or a passport it comes to the attention of a U.S. consular officer that a U.S. citizen has performed an act made potentially expatriating by Sections 349(a)(1), 349(a)(2), 349(a)(3) or 349(a)(4) as described above, the consular officer will simply ask the applicant if there was intent to relinquish U.S. citizenship when performing the act. If the answer is no, the consular officer will certify that it was

not the person's intent to relinquish U.S. citizenship and, consequently, find that the person has retained U.S. citizenship.

PERSONS WHO WISH TO RELINQUISH U.S. CITIZENSHIP

If the answer to the question regarding intent to relinquish citizenship is **yes**, the person concerned will be asked to complete a questionnaire to ascertain his or her intent toward U.S. citizenship. When the questionnaire is completed and the voluntary relinquishment statement is signed by the expatriate, the consular officer will proceed to prepare a certificate of loss of nationality. The certificate will be forwarded to the Department of State for consideration and, if appropriate, approval.

An individual who has performed **any** of the acts made potentially expatriating by statute who wishes to lose U.S. citizenship may do so by affirming in writing to a U.S. consular officer that the act was performed with an intent to relinquish U.S. citizenship. Of course, a person always has the option of seeking to formally renounce U.S. citizenship abroad in accordance with Section 349 (a) (5) INA.

DISPOSITION OF CASES WHEN ADMINISTRATIVE PREMISE IS INAPPLICABLE

The premise that a person intends to retain U.S. citizenship is not applicable when the individual:

1. formally renounces U.S. citizenship before a consular officer;
2. serves in the armed forces of a foreign state engaged in hostilities with the United States;
3. takes a policy level position in a foreign state;
4. is convicted of treason; or
5. performs an act made potentially expatriating by statute accompanied by conduct which is so inconsistent with retention of U.S. citizenship that it compels a conclusion that the individual intended to relinquish U.S. citizenship. (Such cases are very rare.)

Cases in categories 2, 3, 4 and 5 will be developed carefully by U.S. consular officers to ascertain the individual's intent toward U.S. citizenship.

APPLICABILITY OF ADMINISTRATIVE PREMISE TO PAST CASES

The premise established by the administrative standard of evidence is applicable to cases adjudicated previously. Persons who previously lost U.S. citizenship may wish to have their cases reconsidered in light of this policy.

A person may initiate such a reconsideration by submitting a request to the nearest U.S. consular office or by writing directly to:

Express Mail:

Director
Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI)
Overseas Citizens Services
Bureau of Consular Affairs
U.S. Department of State
4th Floor
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037
Phone: 202-736-9110
Fax: 202-736-9111
Email: ASKPRI@state.gov

Regular Mail

Director
Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI)
Overseas Citizens Services
Bureau of Consular Affairs
U.S. Department of State
SA-29, 4th Floor
Washington, D.C. 20520

Each case will be reviewed on its own merits taking into consideration, for example, statements made by the person at the time of the potentially expatriating act.

LOSS OF NATIONALITY AND TAXATION

P.L. 104-191 contains changes in the taxation of U.S. citizens who renounce or otherwise lose U.S. citizenship. In general, any person who lost U.S. citizenship within 10 years immediately preceding the close of the taxable year, whose principle purpose in losing citizenship was to avoid taxation, will be subject to continued taxation.

See ...

- [Internal Revenue Service Instructions for Completion of Form 8854](#)
- [Internal Revenue Service Guidance on Expatriation Reporting Requirements](#)
- [Internal Revenue Service Expatriation Tax](#)

Copies of approved Certificates of Loss of Nationality are provided by the Department of State to the Internal Revenue Service pursuant to P.L. 104-191. Questions regarding United States taxation consequences upon loss of U.S. nationality should be addressed to the U.S. Internal Revenue Service.

ADDITIONAL INFORMATION

See also information flyers on related subject available via the Department of State, Bureau of Consular Affairs home page on the internet at <http://travel.state.gov>.

These flyers include:

- [Dual Nationality](#)
- [Advice About Possible Loss of U.S. Citizenship and Seeking Public Office in a Foreign State](#)
- [Advice About Possible Loss of U.S. Citizenship and Foreign Military Service](#)
- [Renunciation of United States Citizenship](#)
- [Renunciation of U.S. Citizenship by Persons Claiming a Right of Residence in the United States](#)

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