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EVIDENCE OF UNITED STATES CITIZENSHIP OF CHILDREN  
BORN OUTSIDE THE UNITED STATES

My son was born abroad--is he a citizen? What evidence do I need to prove he is a citizen? How do I go about obtaining this proof? What persons born outside the United States are citizens at birth? What are the conditions? What are the limitations? In response to these questions and many similar ones, the Support Bulletin outlines herein the who, why, what, when, where and how to follow if your child or children were born while you were serving at an overseas station.

The Immigration and Nationality Act, Public Law 414, 27 June 1952, states that the following persons born outside the United States are United States Citizens at birth:

"A person born outside the United States and its outlying possessions of parents both of whom are citizens and one of whom has residence in the United States or one of its outlying possessions, prior to the birth of such person. (Section 301(a)(3))

"A person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States. (Section 301(a)(4))

"A person born in an outlying possession of the United States of parents one of whom is a citizen of the United States who had been physically present in the United States or one of its outlying possessions for a continuous period of one year at any time prior to the birth of such person. (Section 301(a)(5))

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"A person born outside the geographic limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States for a period or periods totaling not less than ten years, at least five of which were after attaining the age of fourteen years: Provided, that any periods of honorable service in the Armed Forces of the United States by such citizen parent may be included in computing the physical presence requirements of the paragraph. (Section 301 (a)(7))

"Any person who is a national and citizen at birth under paragraph (7) of Subsection (a), shall lose his nationality and citizenship unless he shall come to the United States prior to attaining the age of twenty-three years and shall immediately following any such coming be continuously physically present in the United States for at least five years: Provided that such physical presence follows the attainment of fourteen years and precedes the age of twenty-eight years. (Section 301 (a)(7)(b))"

Children born abroad and who are United States Citizens at birth under the above Sections of the Immigration and Nationality Act may encounter some difficulty in producing documentary evidence of their citizenship for school enrollment, employment, or other reasons unless certain steps are taken by their parents. Such evidence may be obtained as outlined below:

1. As soon as possible after birth of the child, obtain a certificate of Birth from the hospital or physician. (Have several copies made.)

2. Register the child at the nearest American Consulate on Department of State Form FS-240. This Form requires, in addition to certain information, a record of the child's birth and evidence of U. S. Citizenship of one or both parents. Proof of marriage of the parents will be required only if the child's mother is an alien.

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3. After registering the child, the parents should request the Consul to furnish them with a Certificate of Birth, Form FS-545. This Certificate shows that the child's birth has been recorded by the Foreign Service, Department of State. The Certificate, however, is not evidence that the child is a U. S. Citizen, and the Certificate does not so state. It will, however, serve for the purpose of obtaining a United States passport abroad for the child to enter the United States.

4. After entry of the child and its parents into the United States, and in order to procure evidence of Citizenship of the child through its parents, (or parent), who are United States Citizens (Section 341), the following is necessary:

The parents should obtain from the Immigration and Naturalization Service an Application for Citizenship, Form N-600. Return the completed Application to the Immigration and Naturalization Service Office, with three photographs of the child, 2X2 inches, and copies of the following documents: Form FS-545, Birth Certificates of the parents, and Marriage Certificate. The Immigration and Naturalization Service will notify the parents when they should personally appear with the child before a Naturalization Examiner. The originals of any documents, copies of which are submitted to the Naturalization Examiner with the Application (Proof of Citizenship, Marriage, and Form FS-545), should be taken to the Naturalization Examiner when they are notified to appear. Note: If proof of U. S. Citizenship of a parent is by a Naturalization Certificate, it is unlawful to make a copy of this Document, and the Certificate should be exhibited to the Naturalization Examiner at the time of the appointment.

Generally, a Certificate of Citizenship for the child is issued immediately after the Naturalization Examiner has

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approved the Application, Form N-600. If the parents wish, they may have the child's birth as a U. S. Citizen recorded in their County Court by showing the child's Certificate of U. S. Citizenship to the Court Clerk and requesting that the information thereon be recorded.

It is suggested that when Agency employees return to the United States with a child, or children, born abroad, they contact the Alien Affairs Staff, Office of Security, which Staff has liaison with Immigration and Naturalization Service, for advice or guidance in completing Form N-600, as well as for any other assistance in naturalization matters. The Alien Affairs Staff maintains a supply of Forms N-600 and other forms relating to immigration and naturalization matters.

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