

# Citizenship and Naturalization of Children



## **Introduction**

There are three ways to become a citizen of the United States: birth in the U.S. or U.S. territories; birth outside of the U.S. to parents who are U.S. citizens; and naturalization.

## **Citizenship by Birth**

Any child born in the United States or its territories is automatically a U.S. citizen. If the child's parents are not U.S. citizens, they do not get citizenship through their child, and must still go through the naturalization process.

## **Birth Outside the U.S. to U.S. Parents**

A child born overseas may also be a U.S. citizen if one or both of its parents are citizens. Children born overseas have to meet certain requirements to gain citizenship, and the child's parents have to register the birth at a U.S. embassy or consulate as a consular report of birth abroad. For U.S. military personnel and their dependents, this report is filed through the Military Personnel Office, DSN 263-3008.

### *Children Born to Parents in Wedlock:*

If a child is born overseas and both of its parents are U.S. citizens, the child becomes a U.S. citizen at birth. One of the parents must have lived in the U.S. before the child was born, but the law doesn't require a specific amount of time. The child does not have to live in the U.S. to keep its citizenship, and does not necessarily become a citizen of the country it is born in.

If a child is born overseas and only one of its parents is a U.S. citizen, the child is also a U.S. citizen at birth. The parent who is a citizen must have spent a total of at least five years in the U.S. by the time the child is born. (For birth on or after 14 November 1986, a period of five years physical presence, two after the age of fourteen is required.) Time spent overseas in the U.S. military or as a military dependent counts as time spent in the U.S. The child does not have to live in the U.S. to keep its citizenship.

### *Children Born Out of Wedlock:*

A child born to a U.S. citizen mother can become a U.S. citizen at birth if:

- The mother was a U.S. citizen at the time of the child's birth; **and**
- The mother was physically present in the U.S. or one of its possessions for a continuous period of one year before the child was born.

A child born to a U.S. citizen father can also be granted citizenship as of birth if:

- The child is legitimated in accordance with the laws of the state the child is a resident of;
- The father acknowledges paternity in writing under oath; **or**
- A competent court establishes paternity.

Additional requirements are:

- The blood relationship must be established by clear and convincing evidence;
- The father must agree in writing that he will provide financial support until the child is 18; **and**
- Citizenship must be applied for before the child reaches the age of 18.

### **Naturalization**

Naturalization is the process by which a person becomes a U.S. citizen after birth. In order to be naturalized, a person must appear before a proper official while in the U.S.

Children can be naturalized as a result of parent's naturalization if:

- The child is lawfully present in the U.S. at the time of naturalization;
- The child is under the age of 18 at the time of naturalization; **and**
- Both parents, or the parent with custody, are naturalized.

Children can be naturalized upon petition of a citizen parent if:

- The child is under 18 at the time;
- The child is present in the U.S. at the time of naturalization; **and**
- The child resides in the United States with the citizen parent; **or**
- The child resides overseas with the adoptive citizen parent who is employed by the U.S. government.

An adopted child may receive a certificate of citizenship if:

- The child was born outside the U.S.;
- The child was adopted by a parent who is a citizen of the U.S. before the child's 16<sup>th</sup> birthday;
- The child is a qualified orphan or has been under the legal and physical custody of the U.S. parent for at least two years;
- Application for the certificate is made by the citizen parent (and citizen spouse of married) before the child reaches 18; **and**
- The child is legally residing in the U.S. in the custody of the adoptive parent.



### Dual Citizenship

Dual citizenship is being a citizen of two different countries at the same time. Someone with dual citizenship may have and exercise rights of nationality in two countries and be subject to the responsibilities of both. Claiming the right of citizenship of a foreign country does not mean that the person renounces U.S. citizenship.

If a child is born in Japan to a Japanese citizen and a U.S. citizen, the child is entitled to dual citizenship. A child born in the U.S. to a Japanese citizen and a U.S. citizen is entitled to dual citizenship if the birth is registered at the Japanese Consulate within 90 days of birth.

### Information Source

For information about the necessary documents to file for citizenship, contact the Military Personnel or Legal Assistance Offices, or go to <https://jp.usembassy.gov/> The INS office is located in Tokyo: The U.S Immigration and Naturalization Service c/o American Embassy Unit 45004, Box 205, APO AP 96337-5004 Tel: 224-5155 (military) (03) 3224-5155 (commercial)

Scan the QR codes below with your smartphone to go directly to our websites.

Facebook Page



USARJ LAO Website



Ice Comment



***Citizenship and Naturalization of Children*** is distributed by the Camp Zama Legal Assistance Office, located in Building 101, Room CE209. Our office hours are 0830 to 1630 Monday, Tuesday, Thursday and Friday. On Wednesday, our hours are 0830 to 1200. You may call for an appointment at DSN 262-4698/ commercial 046-407-4698.