



## Fact Sheet

# U.S. CITIZENSHIP AFTER BIRTH FOR CHILDREN OF U.S. CITIZENS RESIDING OUTSIDE THE UNITED STATES

This fact sheet addresses questions about U.S. citizenship after birth for children who are residing outside the United States with at least one U.S. citizen parent.

\*If you are a U.S. armed forces member residing outside the United States, please see this [fact sheet](#).

## I Am a U.S. Citizen, And My Child Is Residing Outside the United States and Does Not Have Lawful Permanent Resident (LPR) Status. Is My Child Able to Gain Citizenship?

Yes. In general, children who have a U.S. citizen parent and are residing outside the United States may gain citizenship through naturalization using Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322.

Your child may be able to naturalize if they meet the following conditions and take the Oath of Allegiance (if applicable) **before their 18th birthday**:

- Must be unmarried;
- Have at least one U.S. citizen parent, whether by birth or naturalization;
- Reside outside the United States in the legal and physical custody of the U.S. citizen parent.
  - If the U.S. citizen parent is deceased, the child must reside in the legal and physical custody of a person who does not object to the application;
- The child's U.S. citizen parent (or U.S. citizen grandparent) must have been physically present in the United States or outlying possession (OLP) for 5 years (2 after the age of 14);
- At the time of adjudication of the application, the child must be temporarily present in the United States following a lawful admission and maintaining that lawful status (for example a B-2 visitor visa);
- Did not automatically acquire U.S. citizenship already under any other law (see fact sheets listed at the end); and
- Must meet the definition of a child.

## Who Is Considered to Be a Child?

For purposes of citizenship, a child is defined as:

- The genetic child of a U.S. citizen mother;
- The adopted (including an orphan or Hague Convention adoptee) child of a U.S. citizen mother or father ([See uscis.gov/adoption](https://www.uscis.gov/adoption));
- The genetic, legitimated child of a U.S. citizen father;

- The child of a non-genetic gestational U.S. citizen mother (person who carried and gave birth to the child) who is recognized as the child's legal parent; or
- The child of a U.S. citizen mother or father who is married to the child's genetic or gestational parent at the time of the child's birth (even if no genetic or gestational relationship exists with the U.S. citizen mother) if both parents are recognized as the child's legal parents.

**I am a U.S. citizen but have not been physically present in the United States for the required period of time. See question/response above. Can my Child Gain Citizenship?**

Your child can naturalize if your U.S. citizen parent (the child's U.S. citizen grandparent) was physically present in the United States or OLP for an aggregate of 5 years, 2 of which were after the U.S. citizen grandparent reached the age of 14.

**What Should I Do to Obtain a Certificate of Citizenship for my Child?**

To naturalize as a U.S. citizen, the child's U.S. citizen parent (or if deceased, the U.S. citizen grandparent/legal guardian within 5 years of the death) must file Form N-600K with USCIS, Application for Citizenship and Issuance of Certificate Under Section 322. See [www.uscis.gov/n-600k/](http://www.uscis.gov/n-600k/).

These children may not apply for a U.S. passport because the child is not yet a U.S. citizen and must apply through Form N-600K and take the Oath of Allegiance, if applicable. After a Certificate of Citizenship is issued, you may apply for a U.S. passport for your child with the Department of State.

**What Documents Should I Provide in Support of Form N-600K?**

Together with Form N-600K, you should submit the following required evidence:

- The child's birth certificate or record;
- Evidence of parent's United States citizenship (for example, copy of birth certificate, naturalization certificate or passport);
- Evidence that the child resides outside the United States in the U.S. citizen parent's legal and physical custody (including a copy of any divorce decree, legal separation, and/or custody determination if applicable);
- Marriage certificate of child's parents, and proof of termination of any previous marriage of each parent, if applicable;
- Evidence of legitimation of the child, if the child was born out of wedlock and their U.S. citizen parent is their father, if required. See USCIS Policy Manual, [www.uscis.gov/policy-manual/volume-12-part-h-chapter-2#S-B](http://www.uscis.gov/policy-manual/volume-12-part-h-chapter-2#S-B);
- Evidence of U.S. citizen parent's physical presence in the U.S. or OLP for 5 years (2 after the age of 14). If the child's USC parent does not meet this requirement, the child may rely on the physical presence of the child's U.S. citizen grandparent; and
- If the child was adopted, a copy of the full, final adoption decree and approval of Form I-600 or I-800. See Fact Sheet [Securing U.S. Citizenship for Your Child](#).

Additionally, at the time of interview, you should submit evidence that the child has been lawfully admitted and is physically present in the United States maintaining lawful status (for example, Form I-94 or passport stamp).

### **Does my Child Need to Be a Lawful Permanent Resident in Order to Naturalize While Residing Outside the United States?**

No. Your child does not need to be a LPR to file Form N-600K and naturalize under section 322 of the INA.

### **Can Form N-600K Be Processed Completely Outside the United States?**

Generally, no. All Form N-600K applications are processed in the United States. At the time of adjudication of the application, the child must be temporarily present in the United States following a lawful admission and maintaining that lawful status. The child may also need to be in the United States for an interview (if required), to take the Oath of Allegiance (unless waived), and to receive the certificate of citizenship.

However, if the child is authorized to accompany and reside outside the U.S. with a parent who is a member of the U.S. armed forces following the armed forces member's official orders, the child may complete all aspects of the naturalization proceedings outside the United States, including taking the Oath of Allegiance.

### **Does My Child Need to Take the Oath of Allegiance?**

In general, children over the age of 14 are required to take the Oath of Allegiance. Once the application is approved, the child would become a U.S. citizen on the date the Oath of Allegiance is administered (unless waived).

### **Resources**

- USCIS Policy Manual, Volume 12, Citizenship and Naturalization, Part H, Children of U.S. Citizens, Chapter 5, Child Residing Outside the United States (INA 322), [[12 USCIS-PM H.5](#)]
- [FACT SHEET](#) - Citizenship at Birth for Children of U.S. Citizens Born Outside the United States
- [FACT SHEET](#) - Citizenship for Children of U.S. Citizens Residing in the United States
- [FACT SHEET](#) - Citizenship for Children of U.S. Armed Forces Members Residing Outside the United States