

## APPENDIX B NATURALIZATION CHARTS

### AUTOMATIC ACQUISITION OF CITIZENSHIP UNDER THE CHILD CITIZENSHIP ACT OF 2000

Effective Date of Act*	Eligibility Requirements**	Age Limit	Date of Automatic Acquisition	Law Applicable
2/27/01	At least one parent is U.S. citizen by birth or naturalization. Child residing in U.S. in the legal and physical custody of citizen parent pursuant to a lawful admission for permanent residence.	Under 18	Date last condition fulfilled	INA §320, as amended by P.L. 106-395

\* Law is not retroactive, *i.e.*, acquisition can only occur on or after 2/27/01 and only for children under 18 after 2/27/01.  
 \*\*Applies to adopted child if child has met requirements applicable to adopted children under INA §101(b)(1)(E) or (F).

### EXPEDITED NATURALIZATION OF CHILDREN

Effective Date of Act*	Eligibility Requirements	Age Limit	Date of Acquisition	Law Applicable
2/27/01	<p>At least one parent is U.S. citizen by birth or naturalization at time of filing N-600K. If citizen parent deceased during preceding 5 years, citizen grandparent or citizen legal guardian may file N-600K.</p> <p>Prior to filing, citizen parent has been physically present in U.S. for at least 5 years, at least 2 after age 14, or citizen parent has a citizen parent who has been physically present in U.S. for 5 years, at least 2 after age 14.</p> <p>Child is currently residing outside U.S. in legal and physical custody of citizen parent, or if citizen parent deceased, an individual who does not object to the application.</p> <p>Child is temporarily present in U.S. pursuant to a lawful admission and maintaining lawful status.</p>	Under 18	Date of Issuance of Certificate	INA §322, as amended by P.L. 106-395 & by P. L. 107-273

\*Applies to adopted children under 18 if child has met requirements applicable to adopted children under INA §101(b) (1)(E) or (F)

*Charts courtesy of Mr. Carmen DiPlacido, of Arlington, Virginia*

**AUTOMATIC ACQUISITION OF CITIZENSHIP  
THROUGH NATURALIZATION OF PARENT(S)**

Date Parent(s) Naturalized	Who Naturalized	*Age Limit	Date of Automatic Acquisition		Law Applicable
			If Residing in U.S.	If Residing Abroad	
Prior to 3/2/07	Either parent	Under 21	Date of naturalization of parent	Date child lawfully admitted U.S. for permanent residence	§2172, R.S. (Act 4/14/1802)
3/2/07 to noon EST, 5/24/34	Either parent	Under 21	Date of naturalization of parent	Date child lawfully admitted U.S. for permanent residence	§2172, R.S. Sec. 5, Act 3/2/07
noon EST, 5/24/34, to 1/13/41	One parent, other remaining alien	Under 21 when admitted U.S.	Upon completion 5 yrs. residence in U.S. including residence completed after age 21 and after 1/13/41		§5, Act 3/2/07, as amended by Sec. 2 Act 5/24/34
	Alien parent (other being citizen); surviving parent; <i>or</i> parent having custody in divorce	Under 21	Date of naturalization of parent	Date child lawfully admitted U.S. for permanent residence	§2172, R.S.
1/13/41 to 12/24/52	Alien parent other being citizen from child's birth	Under 18	Date of naturalization of parent	Date child lawfully admitted U.S. for permanent residence	§313, 1940 Act
	Both parents; surviving parent; <i>or</i> parent having custody in legal separation	Under 18	Date of naturalization of parent	Date child lawfully admitted U.S. for permanent residence	§314, 1940 Act
Subsequent to 12/24/52 but before 2/27/01	**Alien parent, other being citizen from child's birth	Under 18	Date last condition fulfilled	Date child lawfully admitted U.S. for permanent residence	INA §320, as amended by P.L. 95-417. Repealed by P.L. 106-395
	**Both parents; surviving parent; parent having custody in legal separation; <i>or</i> mother of child out of wedlock	Under 18	Date last condition fulfilled	Date child lawfully admitted U.S. for permanent residence	INA §321, as amended by P.L. 95-417. Repealed by P.L. 106-395

\*The date of the parent(s) naturalization and the date of the lawful admittance of the child must occur before the age shown in the age limit column.

\*\*Applies to an adopted child if the child is residing in the U.S. at the time of naturalization of such adopted parent or parents, in the custody of his adoptive parent or parents, pursuant to a lawful admission for permanent residence.

**ADJUDICATING CITIZENSHIP BASED ON  
BIRTH OUT OF WEDLOCK TO A U.S. FATHER**

**Determining Whether to Use "New" or "Old" INA §309(a)**

<b>Date of Birth</b>	<b>Applicable Statute</b>	<b>Age Before Which "Legitimation" Must Occur*</b>	<b>Date Before Which "Legitimation" Must Occur *</b>	<b>Statement of Support Required?</b>
Before 11/14/68	Old Section 309(a)	21	11/14/89	No
On or After 11/14/68 and Before 11/14/71	Old Section 309(a)	21	11/14/92	No
	New Section 309(a)	18	11/14/89	Yes
On or After 11/14/71 and Before 11/14/86	Old Section 309(a)	15	11/14/86	No
	New Section 309(a)	18	11/14/04	Yes
On or After 11/14/86	New Section 309(a)	18	None	Yes

\* Note that under **New Section 309(a)**, the citizen father can, in lieu of legitimation, acknowledge paternity in writing and under oath, or paternity of the child can be established by adjudication of a competent court. Any one of the three methods of establishing paternity must occur before the child's 18th birthday.

**Tables of Transmission Requirements Over Time For Citizenship For Certain Individuals Born Abroad\***  
**Birth Abroad to U.S. Citizen Parent and Alien Parent**

Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
Before noon EST 5/24/34	Either U.S. citizen father or mother could transmit. U.S. citizen parent resided in U.S. before child's birth.	§1993, Revised Statutes (RS); 7 FAM 1135; §301(h) INA; P.L. 103-416.	None	
Noon EST 5/24/34 and prior to 1/31/41	Either U.S. citizen father or mother could transmit. U.S. citizen parent resided in U.S. before child's birth.	§1993, RS as Amended in 1934; 7 FAM 1135.1, 11.35.2.	Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance.  (1) 5 years residence between the ages 13-21 if begun before 12/24/52; or  (2) 2 years continuous physical presence between ages 14-28 <sup>1</sup> , or  (3) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72. <sup>2</sup>  (4) None if parent employed certain occupation. <sup>3</sup>  (5) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.	§324(d)(1) Immigration and Nationality Act of 1952 (INA), §101 P.L. 103-416; 7 FAM 1133.5-15.  (1) §201(g) and (h) Nationality Act of 1940 (NA), 54 Stat. 1137; 7 FAM 1134.6-3  (2) Former §301(b), (c) INA; 7 FAM 1133.5-7, 5-8  (3) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9  (4) §201(g) INA; 7 FAM 1134.6-2  (5) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11

\* Source: Bureau of Consular Affairs, Department of State; as of March 20, 1995. Note: These tables are intended for use only as a useful generalized reference guide, and not to make determinations or to be cited in any case.

<sup>1</sup> Absences of less than 60 days in aggregate during 2 year period do not break continuity.

<sup>2</sup> Absences of less than one year in aggregate during 5 year period do not break continuity.

<sup>3</sup> U.S. Government, American education, scientific, philanthropic, religious, commercial, or financial organization or an International Agency in which the U.S. takes part. Note: residence or physical presence of parent must take place *before* child's birth.

Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
1/13/41 and prior to 12/24/52	Citizen parent resided in U.S. or possession 10 years prior to child's birth, five of which after the age of 16.	201(g) NA; 7 FAM 1134.2, 1134.3	Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance: (1) 2 years continuous physical presence between ages 14-28; <sup>1</sup> or (2) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72; <sup>2</sup> (3) None if parent employed in certain occupation; <sup>3</sup> (4) None if child born on or after 10/10/52; (5) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.	Sec. 324(d)(1) INA, §101 P.L. 103-416; 7 FAM 1133.5-15 (1) Former §301(b), (c) INA; 7 FAM 1133.5-7, 5-8 (2) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9 (3) 201(g) NA; 7 FAM 1134.6-2 (4) P.L. 95-432; 7 FAM 1133.5-13 (5) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11
	Citizen parent in U.S. military 12/7/41-12/31/46 and resided in U.S. or possession 10 years prior to child's birth, five of which after age 12.	201(g) NA; 7 FAM 1134.2, 1134.4	Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance: (1) 2 years continuous physical presence between ages 14-28; <sup>1</sup> or (2) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72; <sup>2</sup> (3) None if child born on or after 10/10/52. (4) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.	§324(d)(1) INA, §101 P.L. 103-416; 7 FAM 1133.5-15 (1) Former §301(b) INA; 7 FAM 1134.4e, 1133.5 (2) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9 (3) P.L. 95-432; 7 FAM 1133.5-15 (4) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11

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<sup>2</sup> Absences of less than one year in aggregate during 5 year period do not break continuity.

<sup>3</sup> U.S. Government, American education, scientific, philanthropic, religious, commercial, or financial organization or an International Agency in which the U.S. takes part. Note: residence or physical presence of parent must take place *before* child's birth.

Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
1/13/41 and prior to 12/24/52 (cont')	Citizen parent in U.S. military 1/1/47-12/24/52 and physically present in U.S. or possession 10 years prior to child's birth, five of which after age 14, and who did not qualify under either provision above.	§301(a)(7), now 301(g) INA; 7 FAM 1134.4f	Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance: (1) 2 years continuous physical presence between ages 14-28; <sup>1</sup> or (2) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72; <sup>2</sup> (3) None if child born on or after 10/10/52. (4) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.	§324(d)(1) INA; P.L. 103-416; 7 FAM 1133.5-15 (1) Former §301(b) INA; 7 FAM 1133.5-7, 5-8 (2) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9 (3) P.L. 95-432; 7 FAM 1133.5-13 (4) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11
12/24/52 and prior to 11/14/86	Citizen parent physically present in U.S. or possession 10 years prior to child's birth, five of which after age 14. Honorable U.S. military service, employment with U.S. Government or inter-governmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included.	§301(a)(7), now 301(g) INA; 7 FAM 1133.2-2, 1133.3-3	None	
On or after 11/14/86	Citizen parent physically present in U.S. or possession 5 years prior to child's birth, two of which after age 14. Honorable U.S. military service, employment with U.S. Government or inter-governmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included.	301(g) INA; P.L. 99-653, P.L. 100-525; 7 FAM 1133.2-1	None	

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<sup>2</sup> Absences of less than one year in aggregate during 5 year period do not break continuity.  
<sup>3</sup> U.S. Government, American education, scientific, philanthropic, religious, commercial, or financial organization or an International Agency in which the U.S. takes part. Note: residence or physical presence of parent must take place *before* child's birth.

**Birth Abroad to Two U.S. Citizen Parents**

Date of Birth	Transmission Requirements (Parents' Residence)	Applicable Laws	Reference
Before noon (EST) 5/24/34	One parent resided in the U.S.	§1993, Revised Statutes (RS), §301(h) INA; §101 P.L. 103-416	7 FAM 1135.1
Noon (EST) 5/24/34 and prior to 1/13/41	One parent resided in the U.S.	§1993, RS as amended by Act of 5/24/34	7 FAM 1135.6-1
1/13/41 and prior to 12/24/52	One parent resided in the U.S. or possession.	§201(c) NA	7 FAM 1134.2, 1134.3-1, 1134.3-2
On or after 12/24/52	One parent resided in the U.S. or possession.	§301(a)(3), now 301(c) INA	7 FAM 1133.2-1a, 1133.3-1a

Notes: (1) In all cases, residence must take place prior to the child's birth; (2) the law does not define how long residence must be; and (3) children born to two U.S. citizen parents never had retention requirements.

**Child Born Out Of Wedlock to U.S. Citizen Mother**

Date of Birth	Transmission Requirements (Parents' Residence)	Applicable Laws	Reference
Before noon (EST) 5/24/34	Mother resided in the U.S. or possession prior to child's birth; child not legitimated by alien father before 1/13/41.	§205, paragraph 2, NA	7 FAM 1135.3-2
Noon (EST) 5/24/34 and prior to 1/13/41	Mother resided in U.S. or possession prior to child's birth.	§1993, RS as amended by Act of 5/24/34; §205, paragraph 2, NA	7 FAM 1135.7-2
1/13/41 and prior to 12/24/52	Mother resided in U.S. or possession prior to child's birth.	§205, paragraph 2, NA	7 FAM 1134.5-4
On or after 12/24/52	Mother physically present in U.S. or possession continuously 12 months prior to child's birth.	§309(c), INA	7 FAM 1133.4-3

Note: Children born out of wedlock to a U.S. citizen mother never had retention requirements.

**Child Born Out Of Wedlock to U.S. Citizen Father And Alien Mother**

Date of Birth	Transmission and Legal Relationship Requirements	Reference	Retention Requirements	Reference
Before noon (EST) 5/24/34	Legitimated under law of father's U.S. or foreign domicile. Father resided in U.S. before child's birth.	§1993, RS; 7 FAM 1135.3-1	None	§324(d)(1) INA; §101 P.L. 103-416 1133.5-15
Noon (EST) 5/24/34 and prior to 1/13/41	Legitimated under law of father's U.S. or foreign domicile. Father resided in U.S. before child's birth.	§1993, RS as amended in 1934; 7 FAM 1135.7-1	<p>Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance.</p> <p>(1) 5 years residence between ages 13-21 if begun before 12/24/52; or</p> <p>(2) 2 years continuous physical presence between ages 14-28;<sup>1</sup> or</p> <p>(3) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72;<sup>2</sup></p> <p>(4) None if parent employed certain occupation;<sup>3</sup></p> <p>(5) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.</p>	<p>(1) §201(g) and (h) NA; 7 FAM 1133.6-3</p> <p>(2) Former §301(b), (c) INA; 7 FAM 1133.5-7, 1133.5-8</p> <p>(3) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9</p> <p>(4) §201(g) NA; 7 FAM 1134.6-2</p> <p>(5) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11</p>

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<sup>3</sup> U.S. Government, American educational, scientific, philanthropic, religious, commercial, or financial organization or an international agency in which the U.S. takes part. Note: residence or physical presences of parent must take place before child's birth. Section 301(h) of INA took effect Oct. 25, 1994 and is retroactive to 1/790. Section 324(d) of INA took effect March 1, 1995 and is applicable to anyone who failed to retain citizenship regardless of date citizenship ceased.



Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
1/13/41 and prior to 12/24/52	<p>(1a) Father physically present in U.S. or possession 10 years prior to child's birth, 5 of which after the age of 14. Honor-able U.S. military service, employment with U.S. Government or intergovernmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment may be included; and</p> <p>(1b) Paternity established fore age 21 by the legitimation law of father's or child's residence/domicile; <i>or</i></p> <p>(2a) Father resided in U.S. or possession 10 years prior to child's birth, five of which after the age of 16 years; and</p> <p>(2b) Paternity established during minority by legitimation or court adjudication before 12/24/52.</p>	<p>§301(a)(7) INA; 7 FAM 1133.3-3</p> <p>§309(b) INA</p> <p>§201(g) NA</p> <p>§205 NA; 7 FAM 1134.5-2</p>	<p>Persons failing to fulfill below requirements may have citizenship restored upon taking oath of allegiance:</p> <p>(1) 2 years continuous physical presence between ages 14-18;<sup>1</sup></p> <p>(2) 5 years continuous physical presence between ages 14-28 if begun before 10/27/72;<sup>2</sup></p> <p>(3) None if parent employed in certain occupation.<sup>3</sup></p> <p>(4) None if child born on or after 10/10/52.</p> <p>(5) None if alien parent naturalized and child began to reside permanently in U.S. while under age 18.</p>	<p>§324(d)(1) INA; §101 P.L. 103-416; 7 FAM 1133.5-15</p> <p>(1) Former §301(b), (c) INA; 7 FAM 1133.5-7, 5-8</p> <p>(2) Former §301(b), (d) INA; 7 FAM 1133.5-2, 1133.5-9</p> <p>(3) 201(g) NA; 7 Fam 1134.6-2</p> <p>(4) P.L. 95-432; 7 FAM 1133.5-13</p> <p>(5) Former §301(b) INA; 7 FAM 1133.5-7, 1133.5-11</p>
12/24/52 through 11/14/68	<p>(1) Father physically present in U.S. or possession 10 years prior to child's birth, five of which after age 14. Honorable U.S. military service, employment with U.S. Government or intergovernmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included; and</p> <p>(2) Paternity established under age 21 by legitimation law of father's or child's residence/domicile.</p>	<p>§301(a)(7) INA</p> <p>§309(a) INA as originally enacted</p>	<p>None</p>	

Note: INA §301(h) took effect 10/25/94 and is retroactive to 1790. INA §324(d) took effect 3/1/95 and is applicable to anyone who failed to retain citizenship regardless of date citizenship ceased.

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<sup>2</sup> Absences of less than one year in aggregate during 5 year period do not break continuity.

<sup>3</sup> U.S. Government, American educational, scientific, philanthropic, religious, commercial, or financial organization or an international agency in which the U.S. takes part. Note: residence or physical presences of parent must take place before child's birth. Section 301(h) of INA took effect Oct. 25, 1994 and is retroactive to 1790. Section 324(d) of INA took effect March 1, 1995 and is applicable to anyone who failed to retain citizenship regardless of date citizenship ceased.

Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
After 11/14/68 through 11/14/71	<p>(1) Father physically present in U.S. or possession 10 years prior to child's birth, five of which after age 14. Honorable U.S. military service, employment with U.S. Government or intergovernmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included; and</p> <p>(2a) Blood relationship established between father and child, father a U.S. citizen at time of child's birth, father (unless deceased) agrees in writing to support child until 18 years, and while child is under 18 years: (i) child is legitimated, (ii) father acknowledges paternity, or (iii) paternity established by court adjudication, or</p> <p>(2b) Paternity is established under age 21 by the legitimation law of father's or child's residence/domicile.</p>	<p>§301(a)(7) INA</p> <p>§309(a) INA as amended 11/14/86, 102 Stat. 2619; 7 FAM 1133.4-2</p> <p>§309(a) INA, as originally enacted</p>	None	

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Date of Birth	Transmission Requirements	Reference	Retention Requirements	Reference
<p><b>After 11/14/71 and prior to 11/14/86</b></p>	<p>(1) Father physically present in U.S. or possession 10 years prior to child's birth, five of which after age 14. Honorable U.S. military service, employment with U.S. Government or intergovernmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included; and</p> <p>(2) Blood relationship established between father and child, father a U.S. citizen at time of child's birth, father (unless deceased) agrees in writing to support child until 18 years, and while child is under 18 years (i) child is legitimated, (ii) father acknowledges paternity, or (iii) paternity established by court adjudication.</p>	<p>§301(a)(7) INA</p> <p>§309(a) INA, as amended 11/14/86; 102 Stat. 2619; 7 FAM 1133.4-2</p>	<p>None</p>	
<p><b>On or after 11/14/86</b></p>	<p>(1) Father physically present in U.S. or possession five years prior to child's birth, two of which after age 14. Honorable U.S. military service, employment with U.S. Government or intergovernmental international organization, or as dependent unmarried son or daughter and member of the household of a parent in such service or employment, may be included; and</p> <p>(2) Blood relationship established between father and child, father a U.S. citizen at time of child's birth, father (unless deceased) agrees in writing to support child until 18 years, and while child is under 18 years: (i) child is legitimated, (ii) father acknowledges paternity, or (iii) paternity established by court adjudication.</p>	<p>§301(g) INA; 7 FAM 1133.3-3</p> <p>§309(a) INA as amended 11/14/86; 102 Stat. 2619; 7 FAM 1133.4-2</p>		

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<sup>3</sup> U.S. Government, American educational, scientific, philanthropic, religious, commercial, or financial organization or an international agency in which the U.S. takes part. Note: residence or physical presences of parent must take place before child's birth. Section 301(h) of INA took effect Oct. 25, 1994 and is retroactive to 1/790. Section 324(d) of INA took effect March 1, 1995 and is applicable to anyone who failed to retain citizenship regardless of date citizenship ceased.