



Fact Sheet

U.S. CITIZENSHIP FOR CHILDREN OF U.S. CITIZEN MEMBERS OF U.S. ARMED FORCES RESIDING OUTSIDE THE UNITED STATES

This fact sheet addresses U.S. citizenship for children of U.S. citizen armed forces members stationed and residing outside the United States.

I Am a U.S. Citizen Member of the U.S. Armed Forces Residing Outside the United States, and My Child Was Born Outside the United States. Is My Child a U.S. Citizen?

There are four general provisions for a child to obtain U.S. citizenship and documentation of the citizenship. The table below provides a general description of the relevant laws.

Law	General Requirements	What to File
U.S. citizenship at Birth (INA 309/301)	<ul style="list-style-type: none"> • One or both parents are U.S. citizens when the child is born • Parent must meet residence or physical presence requirements for the parent (periods of honorable service in the U.S. armed forces may be included as physical presence in the United States) • Distinction between children born in and out of wedlock (see this fact sheet) • Child does not need to be a lawful permanent resident (LPR) 	<ul style="list-style-type: none"> • The child’s parents can register the birth at a U.S. Embassy or Consulate and obtain a Consular Report of Birth Abroad (CRBA) from the Department of State. See https://travel.state.gov/content/travel/en/international-travel/while-abroad/birth-abroad.html • U.S. military personnel and their dependents may request a CRBA through the Military Personnel Office • Request a passport from the Department State https://travel.state.gov/content/travel/en/passports.html or • Submit Form N-600, Application for Certificate of Citizenship, with USCIS (www.uscis.gov/n-600)

Law	General Requirements	What to File
Automatic Citizenship after Birth (INA 320)	<ul style="list-style-type: none"> • Child is an LPR • At least one U.S. citizen parent • Child under age 18 • Child is residing in the legal and physical custody of the U.S. citizen parent • The U.S. citizen parent is stationed and residing outside the United States as a member of the U.S. armed forces and the child is accompanying and residing with the member of the U.S. armed forces outside the United States following official orders, or • the U.S. citizen parent is residing outside the United States in marital union with a U.S. armed forces member following official orders; • To obtain a Certificate of Citizenship, child is required to come to the United States and complete the process in the United States. 	<ul style="list-style-type: none"> • Request a passport from the Department State https://travel.state.gov/content/travel/en/passports.html or • Submit Form N-600, Application for Certificate of Citizenship, with USCIS www.uscis.gov/n-600
Children Born and Residing Outside the United States (INA 322)	<ul style="list-style-type: none"> • Child did not automatically gain U.S. citizenship under other laws • Child does not need to be an LPR • At least one U.S. citizen parent • Child under 18 and also completes the process and take the Oath of Allegiance before the age of 18 • U.S. citizen parent (or U.S. citizen grandparent) meets physical presence requirements 	<ul style="list-style-type: none"> • Submit N-600K, Application for Citizenship and Issuance of Certificate Under Section 322, with USCIS www.uscis.gov/N-600k

Law	General Requirements	What to File
	<ul style="list-style-type: none"> • Child residing outside the U.S. in legal and physical custody of the parent (or if the parent is deceased, someone who does not object to the application) • Military children may complete this process outside the United States if the child is accompanying and residing outside the United States with the member of the U.S. armed forces outside the United States following official orders. 	

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);
- 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.

What Are the Physical Presence Requirements for the U.S. Citizen Parent for Purposes of INA 301, 309, and 322?

Generally, the U.S. citizen parent (or in the case of INA 322, the U.S. citizen grandparent as an alternative) must establish that they were physically present in the U.S. or outlying possessions for at least 5 years before the child’s birth, at least 2 of these 5 years were after the parent’s age of 14. Note that different rules apply to some children born out of wedlock to U.S. citizen mothers and to children born to two U.S. citizen parents.

For children gaining citizenship after their birth under INA 320 there is no requirement for their U.S. citizen parent(s) to demonstrate physical presence in the U.S.

Can Physical Presence of a U.S. Citizen Member of the U.S. Armed Forces Stationed and Residing Outside the United States Be Considered as Physical Presence in the U.S.?

Yes, periods of time when the member of the U.S. armed forces is residing outside the United States following official orders are treated as physical presence in the United States.

Resources

- USCIS Policy Manual, Volume 12, Citizenship and Naturalization, Part H, Children of U.S. Citizens [[12 USCIS-PM H](#)].
- [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. Citizens Residing Outside the United States