

Nationality Chart 1

Children Born Outside U.S. in Wedlock

| PERIOD IN WHICH CHILD WAS BORN | CITIZENSHIP OF PARENTS AT TIME OF CHILD'S BIRTH | PARENTS' RESIDENCE & PHYSICAL PRESENCE PRIOR TO CHILD'S BIRTH | CHILD'S RETENTION REQUIREMENT |
|---|--|---|--|
| <i>STEP 1: Determine period in which child was born</i> | <i>STEP 2: Determine parents' citizenship at time of child's birth</i> | <i>STEP 3: Did USC parent meet residence or physical presence requirement prior to birth? (If Yes, child was a USC at birth)</i> | <i>STEP 4: Did child meet retention requirement (if any)? (Child lost citizenship on date it became impossible to meet requirement)</i> |
| Prior To May 24, 1934 | Either parent a USC* | USC parent resided in U.S. | Not Applicable |
| On or After May 24, 1934 and Prior To Jan. 13, 1941 | Both parents USCs | At least one USC parent resided in U.S. | Not Applicable |
| | One USC parent and one alien parent | USC parent resided in U.S. | <p>** 5 years residence in U.S. or OLP between ages 13 and 21 (must start before age 16)</p> <p style="text-align: center;">OR</p> <p>** 5 years continuous physical presence in U.S. between ages of 14 and 28 (must start before age 23)</p> <p style="text-align: center;">OR</p> <p>** 2 years continuous physical presence in U.S. between ages of 14 and 28 (must start before age 26)</p> <p style="text-align: center;">OR</p> <p>Exempt, if at time of child's birth, USC parent was employed by U.S. Government or specified organization (Exemption does not apply if parent used a special provision). See Notes 1, 2, 4</p> |
| On or After Jan. 13, 1941 and Prior To Dec. 24, 1952 | One USC parent and one alien parent | USC parent resided in U.S. or OLP for 10 years, at least 5 after age 16 | <p>5 years residence in U.S. or OLP between ages 13 and 21 (must start before age 16)</p> <p style="text-align: center;">OR</p> <p>5 years continuous physical presence in U.S. between ages of 14 and 28 (must start before age 23)</p> <p style="text-align: center;">OR</p> <p>2 years continuous physical presence in U.S. between ages of 14 and 28 (must start before age 26)</p> <p style="text-align: center;">OR</p> <p>Exempt, if at time of child's birth, USC parent was employed by U.S. Government or specified organization (Exemption does not apply if parent used a special provision). See Notes 1, 2, 4</p> |
| | | <p>Special provisions for parents with honorable service in U.S. armed forces:</p> <p>(1) Between 12/7/41 & 12/31/46, 10 years of residence, at least 5 after age 12</p> <p>(2) Between 1/1/47 & 12/24/52, 10 years of physical presence, at least 5 after age 14.</p> <p>See Note 3</p> | |

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| | Both parents USCs | At least one USC parent resided in U.S. or OLP See Note 3 | Not Applicable |
| On or After Dec. 24, 1952 and Prior To Nov. 11, 1986 | Both parents USCs | At least one USC parent resided in U.S. or OLP See Note 3 | Not Applicable |
| | One USC parent and one alien parent | USC parent physically present in U.S. or OLP 10 years, at least 5 after age 14. See Note 3 | Not Applicable |
| On or After Nov. 11, 1986 | Both parents USCs | At least one USC parent resided in U.S. or OLP See Note 3 | Not Applicable |
| | One USC parent and one alien parent | USC parent physically present in U.S. or OLP 5 years, at least 2 after age 14. See Note 3 | Not Applicable |

Notes

* USC mother added by Immigration and Nationality Technical Corrections Act of 1994 (INTCA 94).

Note 1: Absence of less than 12 months in the aggregate during the 5-year period will not break continuity of residence or physical presence; absence of less than 60 days in the 2-year period in the aggregate will not break continuity of physical presence. Honorable service in the U.S. armed forces counts as residence or physical presence.

Note 2: A child is relieved from the retention requirements if, prior to his 18th birthday, the child begins to reside permanently in the United States and the alien parent naturalizes.

Note 3: Includes periods spent abroad while employed by the U.S. government or an international organization OR as the dependent unmarried son or daughter member of the household of such employee.

Note 4: Public Law 95-432 of October 10, 1978 repealed retention requirements prospectively only. Anyone born on or after 10/11/52 (i.e., not age 26 on 10/10/78) no longer had retention requirements. The amending legislation was prospective only and did not restore citizenship to anyone who, prior to its enactment, had lost citizenship for failing to meet the retention requirements.