

Nationality Chart 3

Derivative Citizenship of Children

A child may derive U.S. citizenship during the below listed historical periods if such child was under the statutory age, AND the child was lawfully admitted for permanent residence, AND the parent(s) naturalized. It does not matter in which order the actions occurred.

PERIOD IN WHICH LAST ACTION TOOK PLACE	CHILD BECAME AN LPR BEFORE STATUTORY AGE OF:	NATURALIZATION OF PARENT(S) PRIOR TO CHILD'S STATUTORY AGE	ADDITIONAL REMARKS
<i>Prior To May 24, 1934</i>	Age 21	At least one parent naturalized	None
<i>On or After May 24, 1934 and Prior To Jan. 13, 1941</i>	Age 21	At least one parent naturalized	U.S. citizenship effective 5 years from date child becomes an LPR **
	Age 21	Both parents* naturalized	None
<i>On or After Jan. 13, 1941 and Prior To Dec. 24, 1952</i>	Age 18	Both parents* naturalized	Child born out of wedlock derived on 12/14/52 if under age 16 and had remained an LPR
<i>On or After Dec. 24, 1952 and Prior To Oct. 5, 1978</i>	Age 18	Both parents* naturalized	Child unmarried
<i>On or After Oct. 5, 1978 and Prior To Feb. 27, 2001</i>	Age 18	Both parents* naturalized	Child unmarried (includes child adopted before age 16 who is residing with adoptive parent(s) at time of their naturalization
<i>On or After Feb. 27, 2001</i>	Age 18	At least one parent is a USC by birth or naturalization	Child resides in U.S. in legal and physical custody of USC parent (includes adopted child of USC ; must meet INA 101(b)(1) requirements for adopted children)

Notes

* The definition of “both parents” includes the:

- Surviving parent should one die; or
- Parent having legal custody where there has been a legal separation or divorce; or
- Alien parent who naturalizes when the other parent is already a USC; or
- Mother of a child born out of wedlock (as long as the child has not been legitimated).

Exceptions: child born on or after 1/13/41 and prior to 12/24/52; and child born on or after 2/27/01.

** Child relieved of the remainder of the 5-year wait if the naturalized parent comes to meet definition of “both parents.”