

### Categories of Citizenship Eligibility

A child born to **two American citizen parents** is entitled to American citizenship if at least one parent resided in the United States or one of its territories at some time before birth of the child.

A child born to an **American citizen parent married to a non-American citizen parent** is entitled to American citizenship if the American citizen parent has been physically present in the United States or one of its outlying territories for a total of five years some time before birth of the child. The five years need not be consecutive and at least two of the five years must have been after the parent reached the age of fourteen. Periods spent abroad while employed by the United States military or as a dependent of a U.S. military member count as physical presence.

A child born to an **unmarried American citizen mother and a non-American citizen father** is entitled to American citizenship if the mother has been physically present in the United States or one of its outlying possessions for a continuous period of at least one year some time before birth of the child.

A child born to an **unmarried American citizen father and a non-American citizen mother** is entitled to American citizenship if the father meets three conditions. First, the father must have been physically present in the United States or one of its outlying possessions for a total of five years some time before birth of the child. The five years need not be consecutive and at least two of the five years must have been after the father reached the age of fourteen. Periods spent abroad while employed by the United States military or as a dependent of a U.S. military member count as physical presence. Second, paternity must be established by (1) a signed acknowledgment by the father, (2) legitimization under local law, or (3) court

order before the child reaches the age of eighteen. A blood test may be required in some circumstances. Third, the father must sign an affidavit in which he agrees to provide financial support for the child until the child reaches the age of eighteen.

### Documents Required to Establish Citizenship

Parents should contact the local British Registrar of Live Births to obtain a **long form birth certificate** for the child that shows the names of both parents. Please note that the short form birth certificate is not acceptable to establish U.S. citizenship. Parents should provide a certified copy of their **marriage certificate** as well as certified copies of any divorce decrees or death certificates to show lawful termination of prior marriages and name changes.

A parent must provide **evidence of U.S. citizenship**. Any of the following documents are acceptable: (1) U.S. passport, (2) U.S. certified birth certificate with raised seal and a filing date within one year of birth, (3) Consular Report of Birth Abroad if a parent was born outside of the U.S., or (4) Certificate of Naturalization. Neither Bureau of Census nor hospital birth certificates are acceptable as evidence of U.S. citizenship. If a parent has both a U.S. passport and a U.S. certified birth certificate, both should be presented. Original documents will be returned.

### Adoption

Foreign children adopted by American citizen parents do not automatically acquire U.S. citizenship. Adoptive parents must first obtain an immigrant visa for the child. After being lawfully admitted as a permanent resident the child may become a naturalized American citizen.

### Immigration and Naturalization of Foreign Spouses

Foreign spouses of U.S. citizens may lawfully enter the United States as residents on a U.S. immigrant visa. The immigrant visa process takes about six months. After admission to the United States as a permanent resident, the foreign spouse may apply for U.S. citizenship through naturalization. Active duty military members should contact their Military Personnel Flight for detailed instructions and assistance in completing the required forms.

American citizens overseas usually want their foreign born children and spouses to become American citizens. For children born outside of the United States to an American citizen parent, the U.S. Department of State, through its embassies and consulates, determines the entitlement to American citizenship based on the citizenship, marital status, and residence of the parents. A foreign spouse of an American citizen may become a naturalized citizen after being admitted to the United States as a permanent resident.

Active duty military members should contact their Military Personnel Flight for detailed instructions and assistance in completing the required forms. Please note that a child must be registered before age eighteen or before the child's first trip to the United States, whichever is sooner.

### **For more information**

United States Citizenship and Immigration Services at <http://www.uscis.gov/portal/site/uscis> and click on Citizenship or the London Field Office's website at <http://london.usembassy.gov/service.html>  
American Citizens Services  
<https://london.usembassy.gov>

This handout is for basic information on topic covered as it relates to military personnel stationed in the United Kingdom. It is not intended to take the place of legal advice from a Judge Advocate. There may be important exceptions in some states to the information presented here. Please contact the Legal Office for questions and further information. You may view more information on various legal topics at the Air Force Legal Assistance website found at <https://aflegalassistance.law.af.mil>. Additionally, complete legal worksheets for Wills, Living Wills, Powers of Attorney (General, Special, and for Health Care), and access to the Online Survey are found on the Air Force Legal Assistance website.

Scan Below to Access the:

RAF Mildenhall Legal Office Website  
[www.mildenhall.af.mil/Info/Legal-Office](http://www.mildenhall.af.mil/Info/Legal-Office)



Legal Assistance Website  
<https://aflegalassistance.law.af.mil>



## Legal Assistance Information Series CITIZEN AND NATURALIZATION OF CHILDREN AND SPOUSES



**Hours of Operation** (Walk-ins)  
Notary Public & Powers of Attorney  
Monday – Friday: 800-1630 hrs

**Legal Assistance**  
By Appointment Only

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