



# INTERCOUNTRY ADOPTION

Office of Children's Issues

## Child Citizenship Act of 2000

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### **Overview**

The Child Citizenship Act of 2000 allows certain foreign-born, biological and adopted children of American citizens to acquire American citizenship automatically. These children did not acquire American citizenship at birth, but they are granted citizenship when they enter the United States as lawful permanent residents (LPRs).

### ***What Are the Requirements of the Child Citizenship Act of 2000?***

The child must meet the following requirements:

- Have at least one American citizen parent by birth or naturalization;
- Be under 18 years of age;
- Live in the legal and physical custody of the American citizen parent; **and**
- Be admitted as an immigrant for lawful permanent residence.

In addition, if the child is adopted, the adoption must be full and final.





### ***What Is the Effective Date of the Child Citizenship Act?***

The effective date of the Child Citizenship Act is February 27, 2001. Children who met these requirements on that date automatically became American citizens. Children who were 18 years of age or older on that date did not acquire American citizenship from the Child Citizenship Act of 2000.

### ***What Happens When the Child is Adopted in the United States?***

A child who enters the United States on an IR4 visa (to be adopted in the United States) will acquire American citizenship when the adoption is full and final in the United States.

### ***How Does a Child Show Lawful Permanent Residence?***

A child who has lawful permanent residence (LPR status) will have a permanent resident card (green card). Another way to show LPR status is the I-551 stamp in the child's passport. This stamp shows the child has entered the United States on an immigrant visa and/or has been admitted as a lawful permanent resident.

### ***Must the Child Get a Certificate of Citizenship?***

You do not have to apply for a certificate of citizenship for your child. If you want to apply for a certificate, please go to [How to Get a Certificate of Citizenship for your Child](#) for instructions.

### ***How Does the Child Get a Passport Under the Child Citizenship Act?***

You will need the following when the child applies for a passport:

- Proof of the child's relationship to the American citizen parent. For the biological child of the American citizen this will be a certified copy of the foreign birth certificate (and translation if not in English). For an adopted child, it is a certified copy of the final adoption decree (and translation if not in English);



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- The child's foreign passport showing the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) I-551 stamp in the passport, or the child's permanent resident card (green card);
- Proof of identity of the American citizen parent(s)
- Passport application, passport photographs and fees. Go to UPassport ServicesU for forms and full instructions.

## ***Can My Child Get a Birth Certificate (Consular Report of Birth Abroad or CROBA) from the Embassy or Consulate?***

No. Only a child who acquired citizenship at birth can get a birth certificate from an embassy or consulate.

## ***What Are the Other Provisions of the Child Citizenship Act?***

Another section of the Child Citizenship Act provides that children (biological or adopted) of American citizens who are born and reside abroad, and who do not become American citizens at birth can apply to the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) for a certificate of citizenship if the following conditions are met.

- At least one parent of the child is an American citizen by birth or naturalization.
- The American citizen parent has been physically present in the United States for a total of at least five years, at least two of which are after the age of 14. If the child's American citizen parent cannot meet the physical presence requirement, it is enough if one of the child's American citizen grandparents can meet it.
- The child is under the age of eighteen.
- The child lives abroad in the legal and physical custody of the American citizen parent and has been lawfully admitted into the United States as a nonimmigrant.

Children who acquire citizenship under this new provision do not acquire citizenship automatically. They must apply to the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) and go through the naturalization process.

