



## Naturalized U.S. Citizens: Proving Your Child's Citizenship

If you got your U.S. citizenship and you are a parent, your non-citizen children also become citizens **in some cases**. This is called “derived” citizenship. BUT you still need to get documents like a certificate of citizenship or a passport, to PROVE that your child is a citizen. This fact sheet will tell you the ways to get these documents.

This fact sheet does not give information about the process of getting documents to prove citizenship for children born in the U.S., children born outside the U.S. to U.S. citizen parents, or children adopted by U.S. citizens.

This fact sheet talks about forms found on the internet. If you don't have a computer, you can use one at any public library. You can also call the agency mentioned and ask them to send you the form.

### When a parent becomes a citizen, are the children automatically citizens?

The child may be a U.S. citizen if ALL these things are, or *were*, true at the same time:

1. The child is under 18 years old.
2. The child is a legal permanent resident of the U.S. (has a green card)
3. At least one of the parents is a U.S. citizen by birth or naturalization. If that parent is the father but not married to the other parent, talk to an immigration lawyer.
4. The citizen parent is the biological parent of the child or has **legally** adopted the child. A step-parent relationship is not enough for derived citizenship. Talk to a lawyer if the citizenship is for an adopted child because there are special rules about this.
5. The citizen parent has shared or sole legal and physical custody of the child.



If these things are all true, your child automatically becomes a U.S. citizen in most cases. But you need to get **proof of citizenship** for the child. You can do this by getting a **certificate of citizenship** or a **passport book** or **passport card**.

**Note:** If the “child” was born before February 27, 1983, other rules may apply. Talk to an immigration lawyer.

### **My child is a citizen. What documents should I get?**

It is a good idea to get a passport **and** a certificate of citizenship for your child. This can help protect your child from problems later in life. But you don't have to get both.

A **certificate of citizenship** from the Department of Homeland Security never expires. It is good for your child's whole life. BUT it does *not* allow your child to travel outside of the U.S. The certificate costs much more than a passport.



If your income is low, you can apply for a fee waiver so you don't have to pay. It can be hard to get fee waivers approved. It takes at least 6 months, often more, to get the certificate of citizenship.

A **passport** from the U.S. Department of State expires after 5 years for children under 16, and after 10 years for all others. A passport needs to be renewed.

A passport is cheaper than a certificate of citizenship. You can't get a fee waiver for a passport. It takes 6 weeks or less to get a passport.

Your child can travel with a passport.

- A passport **card** lets you travel across the U.S. border by land or sea, *but you can't travel outside the U.S. by air.*
- A passport **book** has no limits on travel.

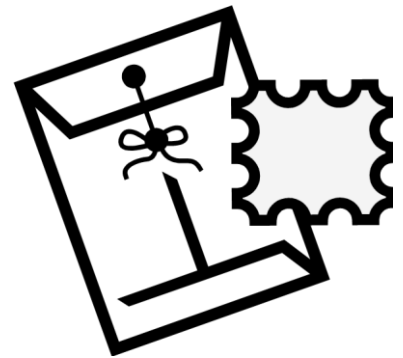
### **Applying for the Certificate of Citizenship (N-600)**

If you are the U.S. citizen parent of a minor child, you can help your child get a **certificate of citizenship**. You need to fill out and file Form N-600 Application for Certificate of Citizenship. If your child is over 18, they need to sign the form themselves.

If you are the child of a U.S. citizen, you can also file the N-600 for yourself.

## How do I file the N-600?

1. Get Form N-600 online at [www.uscis.gov/n-600](http://www.uscis.gov/n-600), OR call U.S. Citizenship and Immigration Services (USCIS) at 1(800) 375-5283. TDD for the hearing impaired is 1(800) 767-1833.
2. Fill out the form with personal information about your child such as place of birth, age, immigration status, and where they live, and information about the parents.
3. You need to send these things with your application:
  - The \$1,170 filing fee in check or money order made out to U.S. Department of Homeland Security. If you are low-income, fill out a fee waiver, Form I-912 Request for Fee Waiver. You can find it online at [www.uscis.gov/i-912](http://www.uscis.gov/i-912). If it is accepted, you don't have to pay anything.
  - 2 recent passport-style photos of your child. Passport-style photos have to meet certain requirements. Make sure the person taking them knows how. The USCIS website [www.uscis.gov](http://www.uscis.gov) has a section about passport photos.
  - A copy of your child's Permanent Resident Card
  - A copy of your child's birth certificate
  - Proof of your citizenship like your naturalization certificate or passport.
  - Proof that you are the child's parent and the child lives or lived with you.  
**Examples** of documents you can send:
    - custody orders
    - school records
    - leases
    - tax returns
    - welfare statements, etc.
  - Proof that you have or had legal custody of your child.  
**Examples** of documents you can send:
    - custody orders
    - divorce decrees
    - marriage certificate if you are or were married to the child's other biological parent
4. Send the form to:  
USCIS  
P.O. Box 20100  
Phoenix, AZ 85036



## What if I don't have some of these documents needed for the N-600?

◆ If you don't have a copy of your child's **permanent resident card**, check with any agency that might have made a copy, like a school, the welfare office, a lawyer, or an employer.

If you still can't get a copy, your child can ask for a copy of their immigration file. Do this by filling out a free FOIA request, Form G-639. You can find a FOIA request application online at [www.uscis.gov/g-639](http://www.uscis.gov/g-639). It may take several months to get a response, and it will come in the form of Compact Disc (CD).

You could also get a replacement card. You do this by filing Form I-90 Application to Replace Permanent Resident card. You need to pay \$540 or apply for a fee waiver. See our fact sheets [Replacing Your Permanent Resident Card.](#)

◆ If you can't get a copy of your child's **birth certificate**, you may ask 2 people who were present at the time of the child's birth to each write an Affidavit of Birth.

The Affidavit of Birth should give detailed information about the person writing it like name, address, immigration status etc. They should also write the names of the child and the parents, the child's birth date and how they know your child and about the birth. If you don't have a marriage certificate, the affidavits should also mention if the parents were married.

The affidavits need to be signed in front of a notary.

◆ If you can't get a copy of your **certificate of naturalization** because it has been misplaced, you might be able to get proof with a FOIA request for your immigration file (see above).

Or you can file Form N-565, Application for Replacement Naturalization/Citizenship Document. Find it at [www.uscis.gov/n-565](http://www.uscis.gov/n-565). You need to pay \$555, or apply for a fee waiver, to ask for a new copy of your certificate of naturalization.

**Note:** If you are over 18 and applying for yourself and your naturalized citizen parent is refusing to provide a copy of their certificate, call a lawyer. A lawyer can help you get a copy from court.

You might be able to file Form N-600 even if you can't get the permanent resident card of the child or your naturalization certificate. The Department of Homeland Security should have this information in their file. BUT they can deny your application if you do not include these documents, so make sure you send them if you can.



### Who do I call if I still need help?

Arrive Ministries	612-798-4332
Immigrant Law Center of MN	1-800-223-1368
International Institute	651-647-0191
Lutheran Social Services	612-879-5258
Minnesota Council of Churches	(612) 874-8605

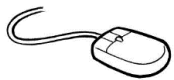
Park Avenue Walk-in Legal Clinic      3400 Park Avenue S, Minneapolis.  
Thursdays from 3-5. Get advice from a lawyer.

## Applying for a Passport for your Child

You don't have to be the U.S. citizen parent to apply for a passport for your child. But if you aren't, you still need documents showing U.S. citizenship of the other parent. The process for applying for a passport book and a passport card are the same. The cost is different. A passport for a child under 16 is valid for 5 years. If you are 16 or over the passport is valid for 10 years.

### How do I file for my child's passport?

1. Go to: <http://travel.state.gov/content/travel/en/passports.html>.



→ Click on "I need a passport" and choose age option

2. Get [Form DS-11: Application for a U.S. Passport](#). Choose if you want to fill it out online or print out a blank copy (PDF). Doing it online takes you through a step by step process.



Or you can get a form in person from an application center. Many U.S. post offices, local government centers, and state driver's license stations offer passport services. To find a location near you, go to <http://iafdb.travel.state.gov> or call 1 (877) 487-2778.

3. Fill out the form with personal information about your child like place of birth, age, parents' information, and address.
4. Take the following with you to the application center
  - **Proof of Derived Citizenship**, including ALL of the items needed for the N-600 application. These things can be proof:
    - A copy of your child's Permanent Resident Card
    - A copy of your child's birth certificate if you have one
    - Proof of your (or the other parent's) U.S. citizenship like a naturalization certificate or passport
    - Proof that the U.S. citizen parent is the child's parent, the child lives or lived with that parent and that parent has or had legal custody.

**Note:** If the child already has a certificate of citizenship from the N-600 process, you only need that document for this step.

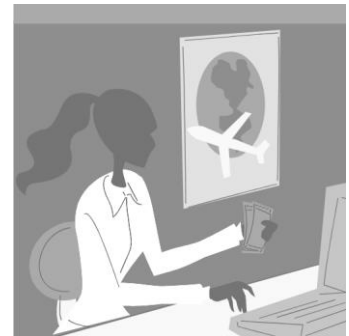
- **Current identification** for both parents and the child if necessary (see below under “How does my child’s age affect the passport application?”). I.D. can be things like a driver’s license, certificate of citizenship or other government issued I.D.
- **The application fee** (see below under “How does my child’s age affect the passport application?”)
- **1 passport-style photo** of your child. Passport-style photos have to meet certain requirements. Make sure the person taking them knows how. The USCIS website [www.uscis.gov](http://www.uscis.gov) has a section about passport photos.

### How does my child’s age affect the passport application?

Children **18 years or older** can apply on their own, following the steps above. They can apply if they got their citizenship through a parent *before* turning 18. The fee is \$145 for a passport book or \$65 for the passport card. It is valid for 10 years.

A child **16 or 17 years old** needs permission from parents or guardian to apply for a passport and must apply in person. They have to bring written permission from one parent or guardian, a copy of that parent’s I.D., and their own I.D. to the passport application center. OR a parent or guardian can go with the child and show I.D. A passport book costs \$145. A passport card costs \$65. It is valid for 10 years.

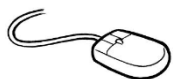
A child **under 16 years old** has to apply in person at the application center. You and **all other parents or guardians have to go too**. You and the other parent/guardian have to show I.D. A passport book costs \$115. A passport card costs \$50. This passport book or card is only valid for 5 years.



### What if one of the parents can’t go to the application center?

If you or the other parent physically can’t or won’t go with your child to apply for the passport, the parent who can’t go needs to fill out [Form DS-3053 Statement of Consent: Issuance of a Passport to a Minor Under Age 16](#).

Find Form DS-3053 online at <http://travel.state.gov/content/travel/en/passports.html>



- Scroll down to “I want a form”
- Click on “Download or Fill Out my Form”
- Scroll down to “Forms for Special Situations”
- Click on “Statement of Consent: Issuing a Passport to a Child (DS-3053)”

You can also get a DS-3053 at a passport application center. The completed form must be signed in front of a notary. You also need to make a copy of both sides of the missing parent’s identification. Take the completed form and the copy of the identification to the application center.

**NOTE:** If the other parent is deceased, bring the death certificate or affidavit of death.

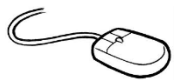
**If you have sole legal custody** of your child, bring the court order that shows you have sole legal custody. If you are the mother, and not married to the father, you can also show this by bringing a birth certificate which only lists the mother. If you don't have any of these things you can fill out Form DS-3053 to try to explain your situation.

**What if I don't have sole legal custody but there is a problem with the other parent, and I can't get a signature?**

If you do not have sole legal custody, and the other parent can't or won't sign Form DS-3053, you can give them a notarized statement of [Form DS-5525: Statement of Exigent/Special Family Circumstances – For Issuance of Passport to a Minor Under Age 16](#) that explains why the other parent is not available. Examples of reasons why the other parent is not around to sign might be things like: there is an order for protection or no contact order, or that you don't know where the other parent is.



Get form DS-5525 online at: <http://travel.state.gov/content/travel/en/passports.html>.



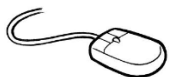
- Scroll down to "I want a form"
- Click on "Download or Fill Out my Form"
- Scroll down to "Forms for Special Situations"
- Click on "Statement of Special Family Circumstances (DS-5525)"

**BUT** the application agent who takes your form can decide whether to approve it or not. There is no guarantee that the explanation will be accepted. Different application centers may make different decisions on the same application. The surest way to avoid needing the other parent's signature is to try to get sole legal custody through a family court order.

**What if I don't have some of these documents needed for the passport?**

If you can't get a copy of your child's birth certificate, find someone who was present at the time of the child's birth to complete [Form DS-10 Affidavit of Birth](#).

Find Form DS-10 online at <https://eforms.state.gov/>



- Click on "DS-0010"

You should also bring as many other documents as you can that show the child's name, date of birth, and parents' names together on something. These can be things like:

- a baptismal certificate
- a hospital birth certificate
- a census record
- newspaper clippings
- insurances records
- early school records
- family bible record
- a doctor's record of post-natal care

You also need I.D. documents for the adults. These can be things like:

- a valid driver's license
- military identification
- government identification
- passport
- citizenship or naturalization certificate, or
- permanent resident card

If you don't have any of these I.D. documents, you must have some other form of identification AND a witness of your identity. That person must have known you for 2 years, be a US citizen or permanent resident, have valid identification and fill out "Form DS-71 Affidavit of Identifying Witness" in front of the passport agent. You can't get Form DS-71 online. Your witness has to go with you to the passport application center. The center has the forms there.

If you don't have your child's permanent resident card or the citizen parent's naturalization certificate see above (page 4) under "What if I don't have some of these documents needed for the N-600?"

### **What if I have other questions or problems with my child's passport?**



Call the Minneapolis Passport Agency if you run into problems or have been denied. Also call them if you think your case is complicated and you want to avoid problems at a local application center. They specialize in expedited (fast) cases. The message when you call will say you have to have urgent travel needs, but you don't. Make an appointment. They charge the regular passport fee plus \$60 extra.

Minneapolis Passport Agency: 1 (877) 487-2778  
212 Third Ave. S.  
Minneapolis, MN 55401

**Fact Sheets are legal information NOT legal advice. See a lawyer for advice.**

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

© 2020 Minnesota Legal Services Coalition. This document may be reproduced and used for non-commercial personal and educational purposes only. All other rights reserved. This notice must remain on all copies. Reproduction, distribution, and use for commercial purposes are strictly prohibited.