

Eligibility for U.S. citizenship for biological or adopted children

Certain biological children born abroad or adopted children of US citizen who regularly reside outside the United States may be eligible for citizenship under Section 322 of the INA.

In general, to be eligible for citizenship under section 322 of the INA, a child must meet the following requirements:

- At least one parent is a U.S. citizen or, if deceased, the parent was a U.S. citizen at the time of death.
- The U.S. citizen parent or his or her U.S. citizen parent (the child's grandparent) has (or at the time of death had) been physically present in the United States or its outlying possessions for at least 5 years, at least two of which were after attaining the age of 14.
- The child is under the age of 18 years.
- The child is residing outside of the United States in the legal and physical custody of the U.S. citizen parent (or, if the citizen parent is deceased, an individual who does not object to the application).
- The child is temporarily present in the United States after having entered lawfully and is maintaining lawful status in the United States.

An application on behalf of an eligible child must be filed on Form N-600K, *Application for Citizenship and Issuance of Certificate under section 322 of the INA*. The Form N-600K must be filed on behalf of the child by the U.S. citizen parent. If the U.S. citizen parent of the child has died, a U.S. citizen grandparent or U.S. citizen legal guardian may apply on behalf of the child within 5 years of the parent's death. The N-600K application must be filed with the USCIS lockbox facility mentioned on the form. The fee for Form N-600K is \$600 (\$550 if filing for an adopted child).

Most of this information and the forms also are available on the embassy's website at: <http://athens.usembassy.gov>, or on the USCIS website at: www.uscis.gov