

U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

HQ 70/34.2-P

*425 I Street NW
Washington, DC 20536*

June 23, 2003

MEMORANDUM FOR ALL REGIONAL DIRECTORS
ALL DISTRICT DIRECTORS
ALL OFFICERS-IN-CHARGE
ALL SERVICE CENTER DIRECTORS

FROM: William R. Yates /s/ *Janis Sposato*
Acting Associate Director
Bureau of Citizenship and Immigration Services

SUBJECT: Introducing revised Form N-600, Application for Certificate of Citizenship, and new Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322

The Bureau of Citizenship and Immigration Services (BCIS) has significantly revised Form N-600, Application for Certificate of Citizenship, and has created a new Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322. The revised Form N-600 and new Form N-600K reflect the recent Child Citizenship Act (CCA) and the 21st Century Department of Justice Appropriations Act amendments to the requirements for acquisition and derivation of U.S. citizenship by foreign-born children.¹

The revised Form N-600, Application for Certificate of Citizenship

The revised Form N-600 should be used by applicants seeking a certificate of citizenship to recognize U.S. citizenship already acquired at birth or by automatic operation of law after birth. Applicants should complete only those portions of the Form N-600 that relate to their specific claim for citizenship and provide the requested documentation to establish eligibility. The guidelines regarding required documents, found at 8 C.F.R. 320.3(b), are repeated in the Instructions for Form N-600 and apply to all Form N-600 applications. Note that BCIS will only request required documentation again if it is not already contained in the applicant's administrative file or if it is deemed necessary for the adjudication of the case.

¹Pub. L. 106-395 and Pub L. 107-273, section 11030B.

Subject: Introduction of the Revised Form N-600, Application for Certificate of Citizenship, and Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322

Officers adjudicating Form N-600s also should be familiar with the guidelines for waiver of the interview and oath, found at 8 CFR 341.2 and 341.7. If both the interview and oath are waived, the certificate of citizenship should be delivered by certified mail with instructions regarding the proper manner of signing the certificate. If the interview is waived and the taking of the oath is not waived, the office shall notify the person of the need to take the oath and the time and place at which the person may appear to take the oath.

No special oath ceremony or specifically designated BCIS employee is required for the taking of the oath in conjunction with the presentation of a certificate of citizenship.

Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322

As of February 27, 2001, children who reside permanently outside the United States, in the physical and legal custody of their U.S. citizen parent, may be granted citizenship under section 322 of the INA. Children approved for citizenship under section 322 become citizens as of the date of approval and taking of the oath required under section 337 of the INA (unless waived). Applications should be filed by the U.S. citizen parent (or U.S. citizen legal guardian or U.S. citizen grandparent, if the U.S. citizen parent died within the preceding five years) on new Form N-600K.² The valid portions of previous Form N-643, Application for Certificate of Citizenship on Behalf of an Adopted Child and Form N-600/N-643 Supplement A, Application for Transmission of Citizenship Through a Grandparent, have been incorporated into Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322.

All Form N-600K applications require an interview at a field office in the United States. Both the U.S. citizen parent (or U.S. citizen legal guardian or grandparent) and the child must appear before a BCIS officer. A child may only receive a certificate of citizenship under section 322 while under the age of eighteen. Officers are reminded that a certificate cannot be issued unless the interview, adjudication, and approval of the certificate are completed before the child reaches his or her 18th birthday.

Applicants should complete only those portions of the Form N-600K relevant to their particular qualifications for citizenship and provide the appropriate supporting documentation.

Retirement of obsolete Forms N-600, N-643, N-600/N-643 Supplement A and adjudication of pending cases

Effective immediately, any existing stocks of Form N-600 having an edition date earlier than the current 11/15/02 edition and all Form N-643 and Form 600/N-643 Supplement A must be destroyed.

²For further explanation, see Policy Memo 91, Addition of Citizen Grandparents and Citizen Legal Guardians as Eligible Applicants pursuant to INA 322, dated January 21, 2003.

Subject: Introduction of the Revised Form N-600, Application for Certificate of Citizenship, and Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322

BCIS is drafting a Federal Register notice that will include a cutoff date for acceptance of the old Forms N-600, N-643 and Supplement A. After such cutoff date, BCIS offices may not accept any Form N-600, Application for Certificate of Citizenship with an edition date earlier than the current 11/15/02 edition. Any prior edition of the Form N-600 submitted after the cutoff date should be returned, with fee, to the applicant with a current edition of the Form N-600 (or Form N-600K if filing under section 322), requesting that the correct form be completed and submitted with appropriate fee.

The same rule applies to Form N-643, Application for Certificate of Citizenship on Behalf of an Adopted Child, and Form N-600/N-643 Supplement A, Application for Transmission of Citizenship Through a Grandparent. Officers should include the following statement in the instructions to the applicant:

Form N-643, Application for Certificate of Citizenship on Behalf of an Adopted Child and Form N-600/N-643 Supplement A, Application for Transmission of Citizenship Through a Grandparent, have been discontinued. Under current law, children seeking citizenship based on the physical presence of a U.S. citizen parent or grandparent should file Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322.

The valid portions of previous Form N-600/N-643 Supplement A, Application for Transmission of Citizenship Through a Grandparent, have been incorporated into Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322.

For additional discussion of the processing of cases already pending, see Policy Memorandum 75A.

BCIS personnel having any questions regarding the information in this memorandum may forward their questions through appropriate channels.

Attachments: [N-600](#); Form [N-600K](#)