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DEPARTMENT OF LABOR
Washington

File No. *END*
20/71

General Order No. C-16.

November 15, 1939.

TITLE 8 - ALIENS AND CITIZENSHIP
Immigration and Naturalization Service

AMENDED INTERPRETATION OF THE CITIZENSHIP ACT OF MAY 24, 1934

Pursuant to the authority contained in Revised Statutes, section 161 (U.S.C., title 5, sec. 22), and other provisions of law, Section 2 (b) of General Order No. 211, dated August 2, 1934, entitled "Administrative Interpretation of the Citizenship Act of May 24, 1934" (Secs. 2, 5, 48 Stat. 797, 798; 8 U.S.C. 8, et al), as amended, 3 F.R. 92 (Naturalization Rules and Regulations of December 1, 1936, pp. 106-109), is hereby amended to read as follows:

- (b) In addition to the provisions of the Citizenship Act of 1934, Revised Statutes, section 2172 (U.S.C., title 8, sec. 7) (which has not been expressly repealed and only part of which has been repealed by implication), continues to operate and even after May 24, 1934, vests citizenship as follows:
 - (1) Revised Statutes, section 2172, provides that a child is a United States citizen if—
 - (a) He did not prior to 12 noon (E.S.T.), May 24, 1934, acquire citizenship under Revised Statutes, section 1993 (U.S.C., title 8, sec. 6) and is not a citizen under any other law, including that stated in subsection (b) of section 1 of this order; and
 - (b) He was born abroad at any time; and
 - (c) One parent was an alien at the time of the child's birth; and
 - (d) The other parent was either an alien or a citizen at the time of the child's birth; and
 - (e) The alien parent became naturalized before the child reached his twenty-first birthday or, if both parents were aliens, both became naturalized or but one became naturalized and the other parent died before the child reached his twenty-first birthday; and
 - (f) The child began to reside permanently in the United States before he reached his twenty-first birthday; and maintained such residence when the final event described in paragraph (e) hereof occurred, namely, the naturalization or death of such parent.

James L. Houghteling
JAMES L. HOUGHTELING,
Commissioner of Immigration and Naturalization.

Approved:

Nances V. Lewis
Secretary.

Index Under:

Naturalization Rules
and Regulations
Citizenship - Children
Act of May 24, 1934

Amendment of Sec. 2(b) of General Order No. 211,
entitled "Administrative Interpretation of the Citizen-
ship Act of May 24, 1934", which has to do with the citi-
zenship of children under the provisions of R. S. 2172.