



USCIS changes automatic citizenship for children of overseas service members

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The Trump administration on Wednesday said it would change the citizenship process for children born to U.S. service members abroad.

Under current policy, children of service members and other officials stationed abroad effectively receive the same automatic citizenship as if they were born on U.S. soil. But starting Oct. 29, parents of certain children born outside the U.S. will have to apply for citizenship on their child's behalf, U.S. Citizenship and Immigration Services said in a [policy memo](#).

The agency's update prompted concern — and in some cases, confusion — from advocates and legal scholars who said that the U.S. could end up denying citizenship to more children born overseas.

“It's not denying people citizenship, but it's making it happen through a process not automatic by the virtue of birth,” said Josh Blackman, a professor at South Texas College of Law and an adjunct scholar at the conservative Cato Institute. “The parents have to submit paperwork to make their kids citizens.”

“The optics here are pretty awful,” Blackman added.

Acting USCIS Director Ken Cuccinelli sought to tamp down criticism that the policy change would deny citizenship to children of service members stationed abroad. The change, he tweeted, “does not affect who is born a U.S. citizen, period. It only affects children who were born outside the US and were not US citizens. This does NOT impact birthright citizenship.”

“The policy update doesn't deny citizenship to the children of US gov employees or members of the military born abroad,” Cuccinelli [tweeted](#). “This policy aligns USCIS' process with the Department of State's procedures for these children — that's it. Period.”

While the new policy does not change eligibility for citizenship, it makes the process more cumbersome and raises that possibility that some applicants could be denied, advocates said.

“It's creating a bureaucratic maze for people to attain citizenship,” said Tyler Moran, director of the Immigration Hub, a pro-immigration group.

According to the memo, “children residing abroad with their U.S. citizen parents who are U.S. government employees or members of the U.S. armed forces stationed abroad are not considered to be residing in the United States for acquisition of citizenship.”

Some Democrats swiftly criticized the change, saying it would harm members of the military who Trump purports to lift up.

“This Trump Administration policy is a slap in the face to American troops and diplomats serving our country overseas,” tweeted Rep. Dan Kildee (D-Mich.). “It’s cruel, unpatriotic and wrong.”