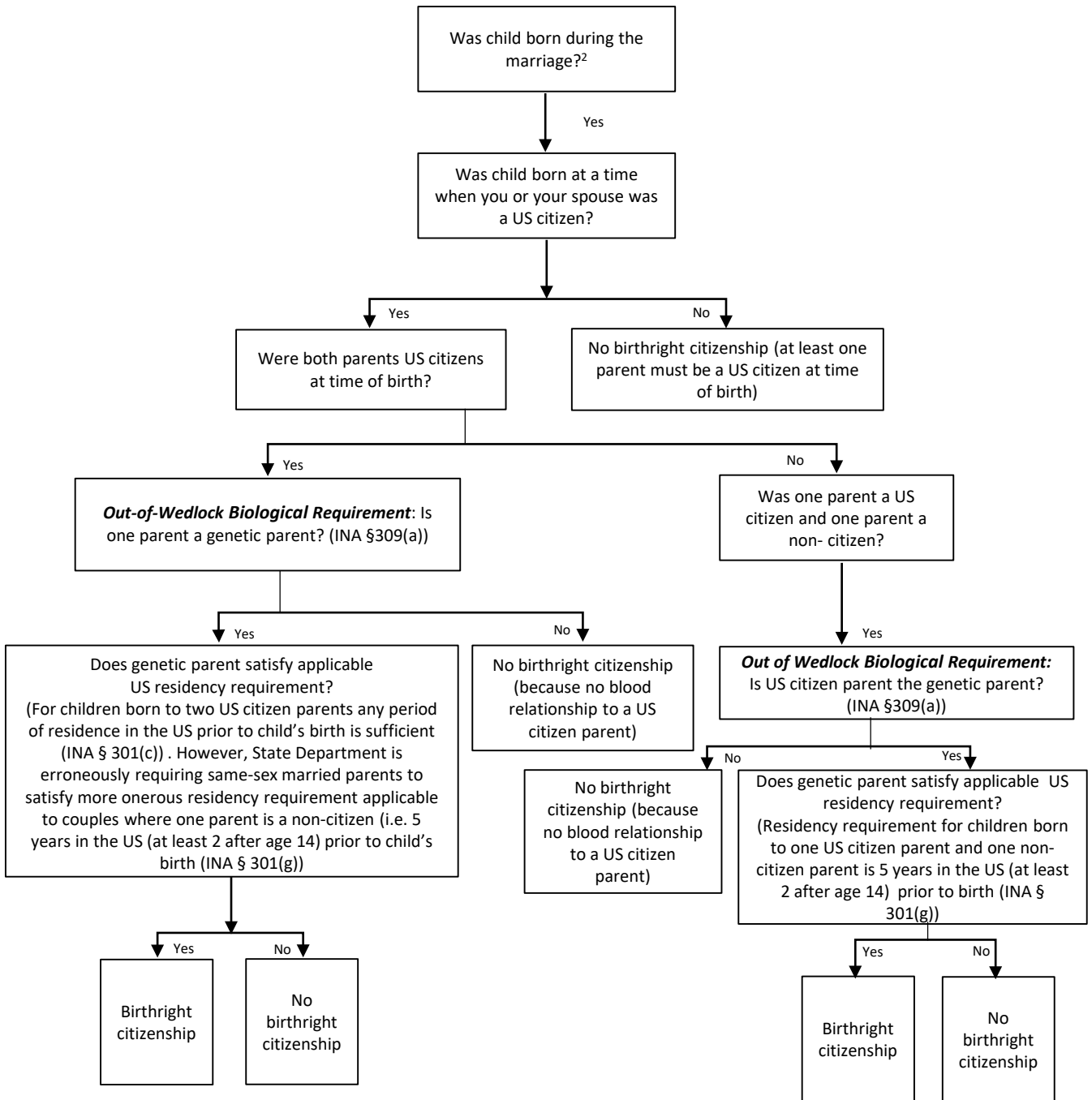


Chart Illustrating Effect of State Department’s Erroneous Policy Declaring Children Born Abroad to Same-Sex Married Parents “Born Out-of-Wedlock”¹

I. Married Male Couple

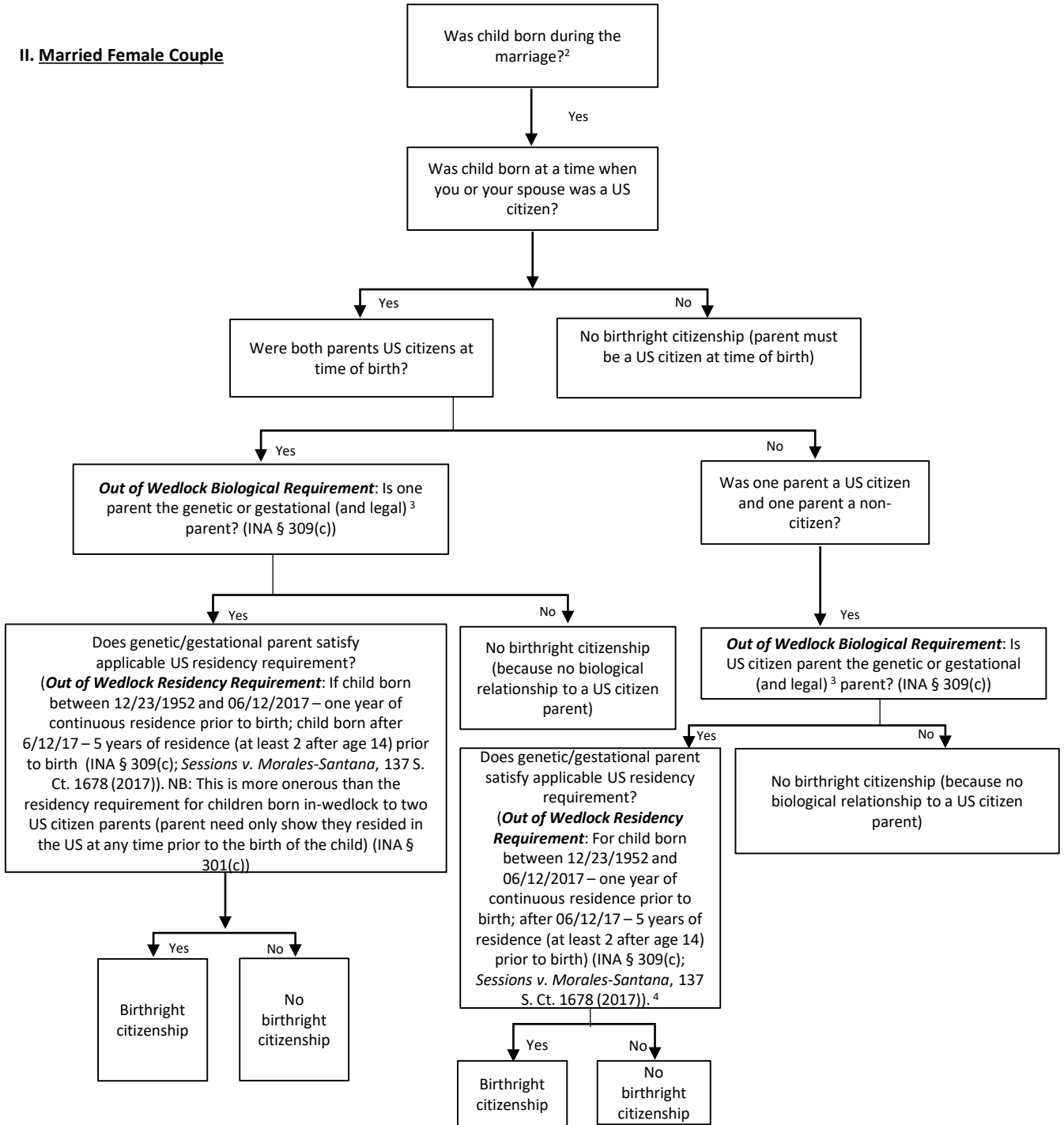


¹ This chart is intended to generally illustrate the effect of the State Department’s erroneous policy declaring children born abroad to same-sex married parents “born out-of-wedlock” on birthright citizenship claims. It does not constitute legal advice, nor is it meant to cover every possible scenario that may arise. Moreover it only analyzes claims by children born to two US citizen parents or where one parent is a US citizen and the other a non-citizen. For specific advice, you should consult an experienced immigration attorney.

² While the chart is intended to provide guidance regarding claims of children born to *married* same-sex parents (who are erroneously declared out of wedlock), if a child was born at a time when their parents were not married (and hence appropriately considered out-of-wedlock) the same analysis would apply.

Chart Illustrating Effect of State Department’s Erroneous Policy Declaring Children Born Abroad to Same-Sex Married Parents “Born Out of Wedlock”¹

II. Married Female Couple



¹ This chart is intended to generally illustrate the effect of the State Department’s erroneous policy declaring children born abroad to same-sex married parents “born out-of-wedlock” on birthright citizenship claims. It does not constitute legal advice, nor is it meant to cover every possible scenario that may arise. Moreover it only analyzes claims by children born to two US citizen parents or where one parent is a US citizen and the other a non-citizen. For specific advice, you should consult an experienced immigration attorney.

² While the chart is intended to provide guidance regarding claims of children born to married same-sex parents (who are erroneously declared out of wedlock), if a child was born at a time when their parents were not married (and hence appropriately considered out of wedlock) the same analysis would apply.

³ In order to transfer citizenship the gestational parent must be the legal parent of the child.

⁴ The in wedlock residency requirement for children born to one US citizen parent and one non-citizen parent is 5 years (at least 2 after age 14) prior to the child’s birth, irrespective of when the child was born.