

SUBCHAPTER C—NATIONALITY REGULATIONS

PART 301—NATIONALS AND CITI- ZENS OF THE UNITED STATES AT BIRTH

AUTHORITY: 8 U.S.C. 1103, 1401; 8 CFR part 2.

SOURCE: 62 FR 39927, July 25, 1997, unless otherwise noted.

§ 301.1 Procedures.

(a) *Application.* (1) As provided in 8 CFR part 341, a person residing in the United States who desires to be documented as a United States citizen pursuant to section 301(h) of the Act may apply for a passport at a United States passport agency or may submit an application on the form specified by USCIS in accordance with the form instructions and with the fee prescribed by 8 CFR 106.2. The applicant will be notified when and where to appear before a USCIS officer for examination on his or her application.

(2) A person residing outside of the United States who desires to be documented as a United States citizen under section 301(h) of the Act shall make his or her claim at a United States embassy or consulate, in accordance with such regulations as may be prescribed in the Secretary of State.

(b) *Oath of allegiance; issuance of certificate.* Upon determination by the district director that a person is a United States citizen pursuant to section 301(h) of the Act, the person shall take the oath of allegiance, prescribed in 8 CFR part 337, before an officer of the Service designated to administer the oath of allegiance within the United States, and a certificate of citizenship shall be issued. The person shall be considered a United States citizen as of the date of his or her birth.

[62 FR 39927, July 25, 1997, as amended at 74 FR 26940, June 5, 2009; 76 FR 53797, Aug. 29, 2011; 85 FR 46928, Aug. 3, 2020]

PART 306—SPECIAL CLASSES OF PERSONS WHO MAY BE NATU- RALIZED: VIRGIN ISLANDERS

Sec.

306.1 Persons eligible.

306.2 United States citizenship; when acquired.

306.11 Preliminary application form; filing; examination.

306.12 Renunciation forms; disposition.

AUTHORITY: Secs. 103, 306, 332, 66 Stat. 173, 237, 252; 8 U.S.C. 1103, 1406, 1443.

SOURCE: 22 FR 9812, Dec. 6, 1957, unless otherwise noted.

§ 306.1 Persons eligible.

Any Danish citizen who resided in the Virgin Islands of the United States on January 17, 1917, and in those Islands, Puerto Rico, or the United States on February 25, 1927, and who had preserved his Danish citizenship by making the declaration prescribed by Article VI of the treaty entered into between the United States and Denmark on August 4, 1916, and proclaimed January 25, 1917, may renounce his Danish citizenship before any court of record in the United States irrespective of his place of residence, in accordance with the provisions of this part.

§ 306.2 United States citizenship; when acquired.

Immediately upon making the declaration of renunciation as described in § 306.12 the declarant shall be deemed to be a citizen of the United States. No certificate of naturalization or of citizenship shall be issued by the clerk of court to any person obtaining, or who has obtained citizenship solely under section 306(a)(1) of the Immigration and Nationality Act or under section 1 of the act of February 25, 1927.

§ 306.11 Preliminary application form; filing; examination.

A person of the class described in § 306.1 shall submit to the Service on Form N-350 preliminary application to renounce Danish citizenship, in accordance with the instructions contained therein. The applicant shall be notified in writing when and where to appear