

ONE - PARENT NATIONAL BILL

PL 99-396
Section 15

SEC. 15(a) Section 308 of the Immigration and Nationality Act (8 U.S.C. 1408) is amended by adding at the end the following new paragraph:

"(4) A person born outside the United States and its outlying possessions of parents one of whom is an alien, and the other a national, but not a citizen, of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than seven years in any continuous period of ten years-

"(A) during which the national parent was not outside the United States or its outlying possessions for a continuous period of more than one year, and

"(B) at least five years of which were after attaining the age of fourteen years.

The proviso of section 301(g) shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section."

(b) The amendment made by subsection (a) shall apply to persons born before, on, or after the date of the enactment of this Act. In the case of a person born before the date of the enactment of this Act-

(1) the status of a national of the United States shall not be considered to be conferred upon the person until the date the person establishes to the satisfaction of the Secretary of State that the person meets the requirements of section 308(4) of the Immigration and Nationality Act, and

(2) the person shall not be eligible to vote in any general election in American Samoa earlier than January 1, 1987.

If you believe you have a claim to U.S. nationality under this new legislation, you should collect the documents required, have 2 passport type photographs made, and complete passport application form DS -11. You should contact the passport agents at the U.S. Post Office at the Fagatogo Lumana'i Bldg for an appointment time. You will be required to submit the appropriate passport fees at the time you file your application. See... <https://tools.usps.com/rcas.htm?locationId=1376586>

DOCUMENTS REQUIRED TO ESTABLISH CLAIM TO U.S. NATIONAL STATUS UNDER THE ONE-PARENT NATIONAL BILL

A. Applicant's Birth and Identity

1. Certified copy of birth certificate. To be acceptable, the certificate must show that the event was recorded within one year of the birth; must bear the signature of the official custodian of vital records; and, bear the official seal of the issuing office.
2. If the birth was reported over one year after the event, the delayed record must be supported by at least one affidavit from an older blood relative who had personal knowledge of the birth and at least one public record created as close to the year of birth as possible.

NOTE: Affidavits must state the affiant's familial relationship and must also state where and when the birth occurred, how the affiant acquired knowledge of the event and the complete names of applicant and parents.

If you were born in Western Samoa, a birth certificate may be obtained from the following:

Samoa Bureau of Statistics
PO Box 1151
Government of Samoa
Apia, Samoa
685-62000 <https://www.sbs.gov.ws>

3. Driver's license or other photo identification.

B. Applicant's U.S. National Parent's Evidence of U.S. National Status

1. U.S. Passport, or
2. Certified copy of birth certificate. See requirements in Column A, item 1 and 2.

C. U.S. National Parent's Evidence of Fulfilling Physical Presence Requirement

You must submit documentation of your U.S. National parent's physical presence in American Samoa or the United States and its territories which totals at least 7 years in any 10 year period which must include at least 5 of those years after your U.S. National parent's fourteenth birthday. (All physical presence must be prior to applicant's birth.) It is suggested that you try to obtain at least one public record from each of the 7 years you are trying to document. Suggested records are:

1. School records
2. Church records: baptismal, marriage, confirmation, etc.
3. Sibling's birth certificates
4. Village census records
5. Employment records
6. Immigration records
7. Records of hospital treatment
8. Record of any court proceeding
9. U.S. Census records. Use form BC-600 to request U.S. census record.
10. Am. Samoa Govt. Archives & Records:
684 699 6848 or <https://www.dascarmasg.net/>

Affidavits may be used to supplement documents mentioned above, but affidavits alone will not suffice. The affidavits must be very specific as to the time period and to the actual village where the physical presence occurred before they will be considered as supporting documentation.

This information sheet is provided to assist you in gathering pertinent documents to help establish your claim to U.S. National status. The suggestions are not all-inclusive and further documents may be required depending on the specific circumstances of your particular case. (22 CFR 51.40) Each applicant should be prepared for an extensive interview by the agent who accepts your passport application. If you should receive a request for further documents or clarification of a specific item in your passport application, please try to respond within 30 days.
