

Paths to Citizenship

Read constitutional language to identify how U.S. citizenship is established.

SS.8.CG.2.1 "Identify the constitutional provisions for establishing citizenship."

NAME _____

DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the words that state the birthright citizenship rule. Circle the words that name the constitutional provision giving Congress power over naturalization.

Constitutional Routes

- ① The Constitution provides two main ways to establish United States citizenship. The Fourteenth Amendment says that people born in the United States and subject to its jurisdiction are U.S. citizens. It also says they are citizens of the state where they live. This rule is often called birthright citizenship. "Subject to its jurisdiction" means a person must be under U.S. law. For example, most children born here meet this condition, even when their parents are not citizens. The amendment was adopted after the Civil War.
- ② A second constitutional provision concerns naturalization, the legal process by which someone who was not born a U.S. citizen may become one. Article I, Section 8 gives Congress the power to create a uniform rule of naturalization. Congress uses that power to pass immigration and naturalization laws. A person who completes the legal requirements set by those laws can become a U.S. citizen. States cannot create separate national naturalization rules. This keeps citizenship rules consistent across the country.
- ③ Citizenship cases require careful attention to the constitutional words. A child born in the United States to a foreign diplomat is generally not subject to U.S. jurisdiction in the required sense, so the Fourteenth Amendment does not grant citizenship at birth. In contrast, a resident who was born abroad may become a citizen through the federal naturalization process. When identifying a provision, first decide whether the facts describe birth in the United States under U.S. jurisdiction or naturalization under Congress's uniform naturalization rule.

2 ANSWER WITH EVIDENCE Use the passage

1 What two conditions does the Fourteenth Amendment list for citizenship at birth?

2 According to the Fourteenth Amendment, what state citizenship does a U.S. citizen have?

3 Which constitutional provision gives Congress power over naturalization?

4 For a person born abroad, which constitutional route should you examine to determine whether the person can become a U.S. citizen? Explain why.

3 YOUR TURN Your own words

Write exactly two sentences about an invented person who establishes U.S. citizenship through birthright citizenship or naturalization. Name the constitutional provision that applies and explain why it applies to that person.

PART 1 • READ AND MARK

Underline the words that state the birthright citizenship rule. Circle the words that name the constitutional provision giving Congress power over naturalization. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	What two conditions does the Fourteenth Amendment list for citizenship at birth?	A person must be born in the United States and subject to U.S. jurisdiction.
2	According to the Fourteenth Amendment, what state citizenship does a U.S. citizen have?	The person is a citizen of the state where the person lives.
3	Which constitutional provision gives Congress power over naturalization?	Article I, Section 8.
4	For a person born abroad, which constitutional route should you examine to determine whether the person can become a U.S. citizen? Explain why.	Examine naturalization under Article I, Section 8, because Congress has the power to create a uniform rule of naturalization.

PART 3 • YOUR TURN (SAMPLE ANSWER)

After completing the federal naturalization requirements, Noor became a U.S. citizen while living in Michigan. Article I, Section 8 supports Congress's power to set the uniform naturalization rule that applies to Noor.

Accept equivalent wording for the Fourteenth Amendment's birth and jurisdiction requirements and for Article I, Section 8. In the open response, accept either constitutional route if the facts and explanation match the chosen provision.