



Consolato Generale d'Italia a San Francisco  
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## **GUIDE TO RECOGNITION OF ITALIAN CITIZENSHIP FOR PEOPLE OF ITALIAN DESCENT BORN IN THE USA, OR IN ANOTHER COUNTRY WHERE CITIZENSHIP IS ACQUIRED BY BIRTH**

IN ORDER TO SUBMIT YOUR APPLICATION TO THIS CONSULATE, YOU MUST BE A RESIDENT OF ONE OF THE FOLLOWING STATES: **CALIFORNIA** (except San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Los Angeles, Riverside, San Diego, Imperial Valley, Orange Counties), **ALASKA**, **HAWAII**, **IDAHO**, **MONTANA**, **OREGON**, **UTAH**, **WASHINGTON STATE**, administrative territory of the **Islands of Marianne** (Legal Aliens must show national passport and proof of their Alien Registration Card or Employment Authorization Card). Residents outside the above jurisdiction must present their application and documentation to the Consular Authority under whose jurisdiction they reside.

Please note that applications are personal, that there are no individuals or agencies authorized or recognized by this Consulate General to act as intermediaries on your behalf, and that you do not need an attorney to assist you in the process, as it is sufficient to follow our instructions. If you wish to do so, however, you may avail yourself of the services of individuals or agencies for the purpose of obtaining documents.

The only exceptions to the above rule are translators. On our homepage, under “useful addresses”, you will find a list of professional translators in our jurisdiction. We strongly recommend you use translators from our list. Ask for estimates, as fees vary from \$30 to \$350 per translation.

If you are concerned that the procedures indicated below may affect your U.S. citizenship, you should contact the appropriate U.S. authorities.

If you are a servicemember in the U.S. military or planning a career in the U.S. military, please note that Uncle Sam can and will compel you to renounce any and all non-U.S. citizenships. Ergo, we strongly recommend you postpone applying for recognition as an Italian citizen until you have finished your military service.

If you spot errors or omissions in this document, please do not hesitate to let us know.



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### **NOTICE:**

As of 10 October 2012, in accordance with memoranda issued by the Ministero degli Affari Esteri (MAE Messaggio 2435392012-10-02), this Consulate will no longer refer to the files of other Consulates or Comuni (municipalities) in Italy. Therefore, if you are applying after a family member has already received recognition of citizenship by descent from the same ancestor, you will be required to present all family documents from scratch, in original.

All prior advice, written or verbal, by Consular officials on this topic should be disregarded, including any statements contained in prior versions of this guide.

Documents on file with this Consulate still do not need to be duplicated.

We extend our sincere apologies for the inconvenience.



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### **Definitions used in this guide**

*Ascendant*: an applicant's ancestor

*Apostille*: in the United States, an Apostille is a legalization issued by the Secretaries of the fifty states. An Apostille is a separate page bearing the seal of the state and the signature of the Secretary of State, stapled to the document it legalizes.

*Certified copy*: A copy issued by a government agency. "Certified copy" is also synonymous with "original copy".

*Italian-born ascendant*: an applicant's closest ascendant who was born in Italy.

*Intermediate ascendant*: an ascendant in direct line from an applicant's Italian-born ascendant (note: spouses do not generally count as intermediate ascendants).

*Jure Sanguinis*: "law of the blood"; the principle of citizenship by descent

*Jure Solis*: "law of the soil", the principle of citizenship based on place of birth (note: Italy does not have *jure solis*)

*Naturalization*: the process whereby an emigrant becomes a citizen (not merely a resident but a full-fledged citizen) of his or her new nation.

### **Examples of Definitions**

Mario's grandfather Luigi emigrated to the States in 1900. Mario's father Pietro was born in 1925 in the USA. Luigi is Mario's *Italian-born ascendant*. Pietro is Mario's *intermediate ascendant*.

Luigi emigrates to the States in 1900 through Ellis Island. He is a resident of the USA, but a citizen of Italy. In 1930, he begins the process of naturalization by signing a Declaration of Intention to become a U.S. citizen. This does not affect his status as an Italian citizen. In 1935, spurred by looming hostilities between the two nations, he files a Petition for Naturalization. When he signs the oath of allegiance in late 1935, he has completed the process of *naturalization*, renouncing his Italian citizenship and acquiring U.S. citizenship. Henceforth, he is only a U.S. citizen, not an Italian citizen, for all legal purposes.

Luigi's son Pietro is born in 1925, while Luigi is still an Italian citizen. Because Pietro is born in King County, Washington, which is part of the territory of the United States, Pietro involuntarily acquires U.S. citizenship *jure solis*. Because he is the child of an Italian citizen, he acquires Italian citizenship *jure sanguinis*.



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## Determining whether You Qualify for Citizenship Jure Sanguinis

### The General Rule

In order to demonstrate that he or she has inherited a right to citizenship by descent, an applicant must demonstrate that citizenship was transmitted from his or her Italian-born ascendant to the applicant. Italian citizenship was exclusive until 15 August 1992; therefore, the voluntary acquisition of any non-Italian citizenship meant the automatic renunciation of one's Italian citizenship for people who were born with Italian citizenship. Children born to Italian citizens in the United States or other countries with *jure solis*, however, acquired their foreign citizenships involuntarily because of their birthplaces. Ergo, these children can claim citizenship by descent if and only if they can prove that their Italian-born ascendant was an Italian citizen at the moment of their births. Subsequently, they can pass citizenship onto their children, grandchildren, etc., barring a loss of citizenship somewhere along the line.

#### *Example:*

Mario's grandfather Luigi emigrated to the States in 1900. His father, Pietro, was born in 1912, and Luigi naturalized as a U.S. citizen in 1925. Pietro inherited citizenship because Luigi was a citizen at the moment of his birth, and Mario, born in 1950, inherited citizenship from Pietro unless Pietro renounced his right to Italian citizenship (for example, by acquiring a third citizenship prior to Mario's birth or by a declaration before an Italian authority).

### Exceptions to the General Rule:

1. Ascendants naturalized before July 1st, 1912, cannot transmit citizenship, even to children born before those ascendants naturalized.
2. Italian women did not win the right to pass on citizenship to their children until 1948. Therefore, people born prior to Jan. 1st, 1948, can only claim citizenship from their paternal line, while those born on or after Jan. 1st, 1948, can claim from either their maternal or paternal line. If this is not clear, please contact the citizenship department at [cittadinanza.sanfrancisco@esteri.it](mailto:cittadinanza.sanfrancisco@esteri.it).

#### *Example of the 1912 limitation:*

Benedetto and his brother Gioacchino emigrate to the USA in 1898. Benedetto's son, Giuseppe, is born in 1900. Gioacchino's son Vincenzo is also born in 1900. Benedetto naturalizes as a U.S. citizen in 1910. Gioacchino naturalizes as a U.S. citizen in 1914. Giuseppe and Giuseppe's descendants do not have any right to Italian citizenship. Vincenzo and his descendants do.

#### *Example of the 1948 limitation:*

Teresa emigrates to the USA in 1940 and marries an American man. She never acquires U.S. citizenship. Her son Matteo is born in 1947. Her daughter Sofia is born in 1949. Matteo did not inherit Italian citizenship. Sofia did.



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## Proving Naturalization Dates or Lack Thereof

The following guide is specific to the United States, because this Consulate's jurisdiction is exclusively comprised of United States territory. For information on how to obtain naturalization records of other nations, please contact the Italian Consulates or Embassies with jurisdiction over those territories.

If your Italian-born ascendant is still living and not a U.S. citizen, it suffices to present the ascendant's Italian passport and current U.S. permanent resident card (aka "green card") or visa. Otherwise, please see the following list.

### 1. The Ascendant's Original Certificate of Naturalization<sup>1</sup>

If an applicant has his or her Italian-born ascendant's original certificate, the date of naturalization on that certificate requires no further documentation. The applicant must present the certificate at his/her citizenship appointment. Please note that in most cases, the certificate of naturalization bears very few identifying details; in most cases, only the applicant's name and date of birth are listed, and because many immigrants anglicized their names when they naturalized, these data points are often insufficient to link the ascendant to successive generations. Ergo, if you are going back many generations and/or there are discrepancies, we strongly suggest applicants for citizenship also bring a certified copy of their ascendant's Petition for Naturalization from the National Archives. **Nota Bene:** This is the only document that the Consulate will not retain for our records after we accept a citizenship application.

**Nota Bene:** If your Italian-born ascendant is living but does not have the original certificate, a new certified copy can be requested from U.S. Citizenship and Immigration Services (formerly the INS) by your ascendant (and ONLY your ascendant)

### 2. USCIS Naturalization Records

U.S. Citizenship and Immigration Services (<http://www.uscis.gov/portal/site/uscis>) is the only federal agency empowered to definitively state whether or when an immigrant naturalized, and the only federal agency that can issue a new copy of a naturalization certificate.

**A.** You may request your ascendant's naturalization records through USCIS's Genealogy Program or a Freedom of Information Act request. If your ascendant is still living, privacy restrictions may apply. If USCIS sends you a copy of your ascendant's certificate or alien registration card, it must be corroborated by a County or NARA record (see 3 and 4 below), because USCIS will not release a certified copy except to the person who received citizenship.

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<sup>1</sup> If the ascendant's name and date of birth are not the same on the certificate as they are on the ascendant's birth certificate, we absolutely recommend bringing a certified copy of the ascendant's Petition for Naturalization. Otherwise, it will be very difficult to match the certificate to the rest of the ascendant's documents.



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**Nota bene:** If USCIS sends you a photocopy of the record, we will ask to see the envelope it came in as an informal verification. Please do not throw away the envelope.

**B.** If USCIS sends you a letter stating no record exists, please follow the subsequent directions we received from USCIS and steps 3 and 4 below:

*To request certification of nonexistence of a specific record, write directly to the USCIS Records Services Branch at the address below. It is important that all request letters contain information to specifically identify the immigrant. For example, requests must contain the immigrant's name (including all variants and aliases), date of birth, place of birth, and as much information as possible about when and where the immigrant arrived in or lived in the United States. Names of immediate immigrant relatives can also be helpful.*

*In all cases the immigrant must be deceased. If the immigrant's birth date is less than 100 years before the request date, requests for certification of non-existence must include a copy of the immigrant's death certificate.*

*Requests for this service should be addressed to:*

*U.S. Citizenship and Immigration Services*

*ATTN: Records Operations Branch*

*1200 First Street NE*

*Washington, D.C. 20529-2204*

### **3. Local County Records**

Until 1991, naturalized U.S. citizens were sworn in at a local or federal courthouse. As a result, many U.S. Counties' courthouse records include naturalization records. Except when an applicant has his or her ascendant's certificate of naturalization, a County record is always required. Please note that a County record must have the signature and seal of a County official.

**Nota Bene:** In the case of an ascendant who did not naturalize or whose place of naturalization is unknown, request naturalization records from:

- a) the County in which the ascendant lived the longest
- b) the County in which the ascendant's child was born

#### *Example:*

Mario's grandfather Luigi emigrated to the United States in 1900 and settled in Marin County, California. In 1920, Luigi moved to King County, Washington, where he lived until 1925, when his son Pietro was born. Mario should inquire with both Marin County (where Luigi lived longest) and King County (where Luigi's child was born) as to whether any naturalization records exist for his grandfather Luigi.

If the County does not keep naturalization records or cannot find a particular person's naturalization record, you must supply a letter saying so from the County, and then follow step 4 below.



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#### **4. The National Archives and Records Administration (NARA)**

If either USCIS or the County return letters of no record, an applicant must request from the National Archives ([www.archives.gov](http://www.archives.gov)) a full search under the ascendant's names and nicknames, and possible dates of birth. NARA cannot supply a certificate of naturalization, but can supply certified copies of an ascendant's Declaration of Intention, Petition for Naturalization. Either of these, if dated after the birth of the Italian-born ascendant's child, can demonstrate that an Italian-born ascendant was an Italian citizen at the moment of his or her child's birth. Documents from NARA must be certified copies, bearing the red ribbon and gold seal of NARA.

#### **5. The U.S. Census (from the National Archives or the U.S. Census Bureau)**

If NARA also returns a letter of no record, then the applicant must request the first U.S. Census dated after the birth of the Italian-born ascendant's child. The U.S. Census has the following entries for citizenship: AL (alien), PA (papers filed – the beginning of the naturalization process), NA (naturalized). If the ascendant is listed as NA, the Italian government defaults to the presumption that the ascendant naturalized prior to the birth of the child. This is the official position of the government and not one that any individual Consular official can overturn without substantial evidence disproving the Census.

**Nota bene:** The Census will never use “yes” or “no”. If you see something that looks like “no”, it is an NA that means “naturalized”.

**Nota bene:** Either the Archives or the Bureau can issue a copy of the Census; however, the Census Bureau will only issue transcribed excerpts. Therefore, for the sake of completeness, we generally prefer that applicants bring certified copies from the National Archives rather than the U.S. Census Bureau, though we will accept either.

#### *Example:*

Mario's grandfather Luigi emigrated to the States in 1900; Mario's father Pietro was born in 1925 in King County, Washington. USCIS, King County, and NARA have all sent Mario letters of no record regarding his grandfather's naturalization as a U.S. citizen. Mario must request the 1930 Census from the National Archives, in which, presumably, his grandfather Luigi is listed as a resident alien (“AL”).





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## **Acceptable Combinations of Naturalization Documents** (a summary of preceding pages)

### **In cases where the Italian-born ascendant naturalized:**

Original certificate of naturalization<sup>2</sup> OR  
USCIS record AND County record OR  
USCIS record AND National Archives Record

### **In cases where the Italian-born ascendant did not naturalize:**

USCIS letter of non-existence of record AND  
County letter of non-existence of record AND  
NARA letter of non-existence of record AND  
U.S. Census dated immediately after the birth of the ascendant's child, showing the  
ascendant as 'AL' or 'PA' under citizenship.

For Italian-born ascendants who did not naturalize and were born prior to 27 September 1906 (when USCIS' records begin), it is often very useful to acquire a document, such as an alien registration file, WW1 draft card, that shows the Italian-born ascendant could not possibly have naturalized prior to 27 September 1906. If the ascendant did not emigrate to the U.S. until after 27 September 1906, a shipping manifest may serve the same purpose. All of these documents must be certified copies from NARA where possible.

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<sup>2</sup> If the ascendant's name and date of birth are not the same on the certificate as they are on the ascendant's birth certificate, we absolutely recommend bringing a certified copy of the ascendant's Petition for Naturalization. Otherwise, it will be very difficult to match the certificate to the rest of the ascendant's documents.



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## Application Requirements

*(please refer to the definition guide at the beginning of this document for clarifications)*

Once you have determined that you qualify for Italian citizenship, you will need to present the following documents to the Consulate.

**Nota bene:** All documents must be certified copies except those specifically indicated as photocopies.

**Nota Bene:** If your application is accepted, the Consulate will keep all documents presented except original certificates of naturalization.

The Consulate cannot assist applicants in procuring documents. This guide constitutes the most comprehensive assistance we can offer.

### List 1: Documents Proving a Right to Citizenship

1. Your Italian-born ascendant's birth certificate from a Comune in Italy
  - a. write to the "Comune" where your ascendant was born, request a birth certificate in "formato internazionale", or in "estratto per riassunto" (showing his/her parents' names), enclose three/four dollars for shipping and handling and a stamped, self-addressed envelope. When writing to the Comune, address your request to :
  - b. COMUNE DI \_\_\_\_\_  
Ufficio Anagrafe – Stato Civile  
(zip code) \_\_\_\_\_ (City) \_\_\_\_\_ (province of) \_\_\_\_\_  
ITALY
2. Your Italian-born ascendant's marriage certificate<sup>3</sup> (either from Italy or the U.S.)
3. His or her spouse's birth certificate (simple photocopy)
4. Your Italian-born ascendant's naturalization record (see prior pages)
5. Your Italian-born ascendant's death certificate<sup>4</sup>
6. The birth certificates of your intermediate ascendants
7. The marriage certificates of your intermediate ascendants
8. The birth certificates of your intermediate ancestors' spouses (simple photocopy)
9. A list of all discrepancies in the above documents.

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<sup>3</sup> If your Italian-born ascendant is your parent and the marriage has not been registered in Italy, you need an Apostille and translation on the marriage certificate!

<sup>4</sup> We do not require the death certificates of intermediate ascendants at this time; however, if you are worried about discrepancies, or in cases where the Italian-born ascendant did not naturalize, it is prudent to bring certified copies of death certificates as supplementary documentation.



**List 2: Documents Required for Registration as an Italian Citizen:**

1. Your birth certificate (long form), with Apostille and translation
  - a. If you are not sure whether you have a “long form”, check to be sure that your birth certificate lists your city of birth, your parents’ names, and that it was issued by a government agency. If your birth certificate does not show your city of birth, it will be rejected.
2. All your marriage certificates, if any, with Apostilles and translations
  - a. If your marriage certificate does not show your and your spouse’s dates and places of birth, you must also provide the marriage license.
  - b. Please include photocopies of your spouse(s)’ birth certificates. We are aware that this may not be possible in all cases; if so, you must be sure to note on your application form or divorce registration forms your spouse’s date of birth and city of birth. If we lack dates or cities of birth for either spouse, we cannot transcribe a marriage or divorce, which will result, again, in the rejection of an application.
3. All your divorce decrees, if any, with Apostilles and translations.
  - a. Statements of no appeal for said divorce decrees, with Apostilles and translations.
  - b. Please see our Application for Registration of Divorce in Italy form, on our website under “Forms”, for a description and sample of a statement of no appeal. You should also fill out an Application for Registration of Divorce in Italy for each divorce you have.
  - c. Do not bring divorce certificates! Italian law requires the decree itself – if the state in which you reside issues divorce certificates, those cannot substitute for the decree!
  - d. To repeat: you must translate the whole divorce decree. The Consulate cannot give you an exemption, regardless of the length of the decree.
4. All your minor children’s birth certificates (long form), if any, with Apostilles and translations. Please note that minor children do not have to attend the application appointment. We do not ask for minor children’s IDs.
5. The Application for Italian Citizenship “Jure Sanguinis” form and form 2A, and one form 2B for each intermediate ancestor between yourself and your Italian-born ascendant.

**Nota Bene:** You, the applicant, must fill out all forms as “the undersigned”. We do not care if your Italian ascendants are living or dead, as some Consulates do – the only person who fills out any of those forms should be the applicant, period. Please do not submit forms from other Consulates.

**Nota Bene:** Do not notarize your signature on forms unless instructed to do so by a Consular official. Please do not sign forms prior to your appointment date.

6. Your U.S. passport and driver’s license. If you are not a U.S. citizen, then your U.S. green card and/or visa along with your foreign passport and U.S. driver’s license. If you do not have a driver’s license, your state ID or other document



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verifying your identity and residency. Please note that your driver's license is your proof of residency in the United States, while your U.S. passport (or foreign passport) is a proof of your existing citizenship. These documents are not interchangeable.

7. Discrepancies in an applicant's own documents will result in rejection of the application.

The only documents that require Apostilles and translations are the ones that are marked "with Apostille(s) and translations" in List #2. We do not require Apostilles or translations for documents in List #1.

We strongly recommend using a professional translator. If you do not have Apostilles on the requisite certificates or if your translations do not pass certification by a Consular official, your application will be rejected.



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## Translation Requirements

At the moment, anyone can translate a document; there is no bilateral agreement between the U.S. and Italy as there are in other countries regarding official translators. Therefore, Consular officials accept or reject translations based solely on the merit of the work, not the author.

However, we feel compelled to offer certain cautions. First of all, do not rely on translation software such as Babelfish or Google Translate. These programs can assist you in translating basic questions or finding vocabulary, but do not under any circumstances use them for legal paperwork such as birth certificates and divorce decrees. Secondly, be sure that the translator you are using is an actual translator with professional experience. Simply because an individual speaks Italian does not mean he or she speaks it (or English) well enough to accurately translate legal jargon.

A list of recommended translators can be found on the Consulate website, on the 'Citizenship' page and elsewhere. We are generally satisfied that these translators produce good work and charge reasonable fees. We strongly recommend employing them.

All translations must be integral translations – every word, from top to bottom, must be translated. This includes legalizations by local and federal officials, attachments incorporated into documents, and so forth. Summaries, abstracts, or other partial translations will be rejected without consideration.

With regards to formatting, the Consulate does not have any particular requirements. However, translations must be legible (which means a standard font of readable size - please do not submit translations in size 2 Wingdings font, for example) and they should preferably include some amount of white space where we can affix the Consular seals and official's signature.

**Frequently Asked Question:** Does my divorce decree need to be translated in its entirety?

Most divorces include a marital settlement agreement (the division of assets and child custody plan) which is incorporated into the divorce as a whole. If the marital settlement agreement is incorporated, then the entire thing needs to be translated, however many pages it is, and however old or irrelevant you may consider it. It is not within the power of Consular officials to accept partial or incomplete translations. Note that divorces with interlocutory agreements can escape this requirement – the interlocutory agreement is separate from the decree itself and does not fall under the documentation you are required to submit for a citizenship application.



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### **Documents from countries other than the United States or Italy**

If any documents you are submitting have been issued from countries other than the USA or Italy, the certified copies must be legalized in the Country of issue and accompanied by a translation certified by the Italian Consulate or Embassy with jurisdiction over that country. To find out how a document should be legalized in its country of origin, you may contact the competent Italian Consulate/Embassy. A list of all Italian Consulate/Embassies abroad is available at [www.esteri.it](http://www.esteri.it) ( “Farnesina” - “Rappresentanze Diplomatiche” - “Ambasciate e Consolati” – Country).

**Nota bene:** Any document we ask for in simple photocopy does not need to meet these requirements, because they are used only in-house for records-keeping, not for vital records or for verification of transmission of citizenship. If the discrepancies on your paperwork are such that these documents must be used to bolster an application, then you must obtain Apostilles and certified translations for these documents as well.

### **Discrepancies**

Check all documents word for word to make sure that there are no discrepancies or changes in the names, last names, dates and places of birth. If there are major discrepancies in last names, dates, ages, and places of birth of ascendants, these variations or errors must be corrected, wherever possible, in accordance with the issuing agency’s policy. For example, to amend a California birth record it is generally necessary to file an Affidavit to Amend a Record with the state authorities; in other jurisdictions it may be necessary to file a court order or contact the local county.

Any discrepancies, even minor ones, in the applicant’s own documents (List 2) must be amended and corrected. This includes the applicant’s own name, spouse’s name, and parents’ names. Discrepancies in an applicant’s own documents will result in rejection of the application. Because an applicant’s documents must be registered in Italy, it is municipal officials in Italy who make the final call on discrepancies, not Consular officials.

Discrepancies are not only typographical errors – missing middle names, the use of nicknames, and the addition or omission of suffixes (such as Jr. or II) all count as discrepancies.



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## Scheduling an Appointment

When you are close to having the documents required for a citizenship application, please contact the citizenship office at [cittadinanza.sanfrancisco@esteri.it](mailto:cittadinanza.sanfrancisco@esteri.it) to schedule an appointment.

Appointments must be scheduled by e-mail.

You must include the following information in your request for an appointment:

1. Your full (maiden) name
2. The number of adults applying for recognition at this appointment.
3. The best phone number at which to reach you
4. Your state of residence.

Do not schedule an appointment unless you have at least your Italian-born ascendant's birth certificate and naturalization records in hand – it can often take longer to obtain these documents than to obtain an appointment with the citizenship office!

Appointments are presumed to be for one adult plus minor children unless the applicant specifies otherwise when requesting the appointment.

**Nota Bene:** Special arrangements can be made for applicants who live out of state. Please ask us about them.

**Nota Bene:** As of summer 2010, the adult children of Italian citizens resident in our jurisdiction and registered in our AIRE database may apply for recognition of citizenship directly through our Stato Civile department ([statocivile.sanfrancisco@esteri.it](mailto:statocivile.sanfrancisco@esteri.it)) instead of the Citizenship department. This is a limited-opportunity window which allows those applicants to skip the lengthy queue for a citizenship appointment.



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### **What happens after?**

After the Consulate General accepts the application, there is an internal processing time. Although in the past this processing time has been as low as two months, it can take significantly longer; the official estimate at the time of this guide's publication is five months. Additional hurdles, such as documents from nations other than the U.S. or Italy, complicated family histories, and so forth, can add time to this processing period.

While the application is being processed, the applicant derives no legal benefit from it.

We do not object to requests for status updates, but it is extremely difficult for us to give precise updates. Please do not ask for status updates until you have hit the five-month mark.

Upon completion of the processing period, the applicant will receive a letter of recognition from the Consulate General, congratulating the applicant. The letter itself does not hold legal value, although it is paired with an *attestato di riconoscimento*, a declaration of the recipient's citizenship. Because the attestato is not a picture ID, it should not be used as a travel document under any circumstances.

Before the Consulate issues the letter of recognition, copies of the applicants' information are sent to the Ministero dell'Interno, the Comune of the applicant's ascendant's birth, and other agencies as necessary (for example, other Consulates when dealing with documents issued outside our jurisdiction or individuals who have resided outside our jurisdiction). Any of them may raise objections to the recognition of citizenship; if these objections cannot be resolved with the documentation on hand, we will contact the applicant for additional documentation or information. The Comune is charged with registering the applicant's vital records, and henceforth will serve as the applicant's "hometown" for all issues related to vital records, voting, and so forth.

Upon receipt of the letter of recognition, please be sure to double-check that vital statistics, such as name, date of birth, and address, are correct. If there are any errors, please contact the citizenship department with the correct information; these changes are easiest to fix when caught early.

Once recognized as a citizen, you have all of the rights and privileges associated with citizenship. Many of these services, such as passports, AIRE, and vital records, have their own offices at the Consulate; please feel free to contact them directly. The citizenship office cannot assist you with services beyond citizenship.





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## Frequently Asked Questions

**Q: How many generations back can I pursue citizenship?**

A: There is no generational restriction; however, your ascendant cannot have emigrated prior to the founding of the Kingdom of Italy on March 17th, 1861. If your ascendant was born prior to this date, you must prove that he or she did not emigrate until afterward. The only other restrictions are those listed in the preceding pages of this document.

**Q: My Italian-born ascendant was a minor when he or she emigrated. Does that have any legal impact?**

A: No. That person is still your closest ascendant. You must present naturalization documentation for him or her, not his or her parents. Note that in Italy, until 1976, the age of majority was 21. Minors who emigrate generally naturalize concurrently with their adult parents. Ergo, if your Italian-born ascendant was a minor when his or her parent naturalized, it is very probable that he or she naturalized on that date as well. If you wish to prove otherwise, you will need to provide documentation proving that.

**Q: Will acquiring Italian citizenship affect my U.S. or other citizenship(s)?**

A: As a rule of thumb, no, but questions concerning the laws and citizenships of nations other than Italy should be directed to those governments. The Consulate cannot offer advice regarding other nations' laws.

**Q: Can I apply for citizenship without registering my marriages, divorces, or minor children?**

A: No. Citizenship *jure sanguinis* is a retroactive recognition of citizenship; ergo, all those documents must be legally recorded in Italy. Concealing the existence of marriages, divorces, or minor children is illegal.

**Q: How long does it take to be formally recognized as an Italian citizen?**

A: As of the date of publication of this document, we are averaging six months for appointments to apply and two to five months to process an application.

**Q: I have a family member who already applied for and received citizenship *jure sanguinis* via this or another Consulate. Do I need to duplicate all the documentation from scratch?**

A: Documents on file in this Consulate do not need to be duplicated. We are barred from requesting documents for citizenship purposes from another Consulate, so if your family member was recognized at another Consulate, you will need to provide either new originals, or *copie conforme* from the Consulate through which your family member was recognized.



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**Q: I do not qualify for citizenship because my Italian-born ascendant naturalized before the birth of his or her children. What can I do?**

A: If you are the child or grand-child of an ex-citizen, you can obtain Italian citizenship by residing in Italy for a period of three years. Great-grandchildren (and beyond) are treated no differently than people of purely non-Italian ancestry, and can only acquire citizenship by residence in Italy for a period of ten years. People who do not qualify for citizenship by descent can still acquire citizenship by marriage or by service to the government.

**Q: Is my spouse entitled to citizenship as well?**

A: Yes. However, in most cases the spouse must apply after the couple's marriage has been registered in Italy. See our citizenship by marriage instructions for further details (on the Citizenship webpage or under "Forms"). Foreign women who married Italian men prior to 27 April 1983, however, automatically acquired Italian citizenship, and therefore are entitled to apply simultaneously for recognition.

**Q: Can I apply for citizenship directly in Italy or through another Consulate?**

A: You can only apply for citizenship through the Italian authority with jurisdiction over your residence. Therefore, if you reside in our jurisdiction, you must apply through this Consulate. You can only apply for citizenship through the domestic authorities in Italy if you are a permanent legal resident of Italy.

**Q: I have had or want a name change. What can I do to register this name change in Italy?**

A: The Italian government generally permits name changes in only two situations: (1) your life is in danger, (2) your birth name is obscene. If you have had a name change prior to applying for citizenship, the only way you can keep that name change is by amending your birth certificate. To do so, you generally need to request a change of name decree from your local court, then contact the department of vital records of the U.S. state in which you were born and ask them to amend your birth certificate, presenting the decree as supporting evidence.

If you wish to change your name after your application for citizenship has been submitted, you will generally find it exceedingly difficult to do so.

**Nota bene:** This means the Italian government does not recognize married names either!

**Q: Will I or my children be drafted into the Italian military?**

A: No. The draft has been abolished.

**Q: What taxes will I have to pay as an Italian citizen?**

A: Talk to a tax lawyer. The Consulate cannot and will not offer tax advice.



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**Q: My Italian-born ascendant was native to a town which is no longer part of Italy, or which was not part of Italy when he or she emigrated from Italy. Can I qualify for citizenship?**

A: Due to the many exchanges of territory between Italy and other nations and the resulting patchwork of citizenship laws, your situation is likely to be too complex to be covered by this guide. Contact the citizenship department, specifying your ascendant's place and date of birth as well as his or her date of emigration from Italy (or what was by then another nation's territory).

**Q: My Italian-born ascendant emigrated to a country other than the United States (such as Canada or Argentina); then my ascendant and/or subsequent generations of my family emigrated to the United States. Are there differences in the procedure?**

A: First, double-check that you still qualify. If an intermediate ascendant acquired U.S. citizenship prior to 15 August 1992, then even if that ascendant had inherited Italian citizenship from your Italian-born ascendant, the intermediate ascendant could not pass on citizenship to his or her children born after the acquisition of U.S. citizenship. Secondly, you will in many cases need to provide naturalization records from the country to which your ascendant originally emigrated. The Italian Consulate or Embassy located in that country will be able to tell you what documents you need to provide. Please contact the citizenship department at [cittadinanza.sanfrancisco@esteri.it](mailto:cittadinanza.sanfrancisco@esteri.it) with the specifics of your case if you have any further questions.

**Q. Can you accept church records?**

A: We can only accept church records (baptismal certificates, religious marriage certificates, etc.) if the civil authorities state that they have no record of a birth or marriage. Ergo, if you cannot find a civil record, obtain a statement to that effect from the local authorities.

**Q: I cannot find my Italian-born ascendant's birth certificate. Is there an alternative?**

A: Usually, the only acceptable alternative is a letter from the Comune stating that they do not have the birth certificate, and a copy of the baptismal certificate from the local diocese. Occasionally, in the case of male ascendants, military draft documents from Italy will have parents' names and the ascendant's place and date of birth. Without either one of these substitutes or the birth certificate from the Comune, you cannot apply for citizenship.

**Q: Can the Consulate assist me in finding a document?**

A: As a general rule, no. We do not have the manpower to do so.

**Q: Can the Consulate recommend someone to assist me in locating documents?**

A: As per page 1 of this document, we do not authorize any third parties to assist applicants with their research. The only third parties we recommend for any function are



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our recommended translators. Whether they are willing to offer additional services is their own individual prerogative.

**Q: I was adopted by Italian citizens. Can I still qualify for citizenship through my adoptive Italian parents?**

A: Yes. If you were adopted as a minor, we will ask for the adoption decree (with Apostille and translation) in addition to the usual requirements. If you were adopted as an adult, you must reside in Italy for five years before applying.

**Q: I adopted non-Italian children. If I am recognized as a citizen, are my adopted children also recognized as citizens?**

A: Yes. See the previous question; contact the citizenship department for specifics if necessary. Frequently, a parent must be recognized as a citizen before he or she can request citizenship for an adopted minor child (unlike biological minor children, who are automatically citizens). The adoptions of minor children go to the Tribunale dei Minori (Children's Court) for judicial review before they can be passed onto the municipality and the child recognized as an Italian citizen.

**Q: I have a question not covered by this guide or FAQ. Whom can I contact?**

A: The citizenship office e-mail is [cittadinanza.sanfrancisco@esteri.it](mailto:cittadinanza.sanfrancisco@esteri.it). The Consulate's main line is 415-292-9200. From there, you can choose the option to reach the citizenship department. If no one picks up, you may leave a voicemail message. Please allow four to five business days for a reply. When contacting the office, it is very helpful to include names, dates and places of birth, and dates of naturalization. Please note that a Virtual Assistant is available on our website to field basic inquiries; questions that the VA cannot answer can be escalated to a Consular official's e-mail.

**Q: Why does this process take so long?**

A: The Consulate has a jurisdiction of seven and a half states and a very small staff. The resulting delays are unavoidable. We ask for your patience.