



ADOPTEE RIGHTS CAMPAIGN

Adoptee Citizenship Act Bill Summary

Background

Since WWII, roughly 354,000 children have been adopted from overseas by U.S. citizen parents to become members of their families with the promise of a better life in the United States. While two governments including the United States (the receiving country) and the birth country (the sending country) facilitated the adoption process, the burden of securing U.S. citizenship for their children was placed on the adoptive parents.

Recognizing that children adopted by U.S. citizens should have automatic citizenship, in 2000 the U.S. Congress passed the Childhood Citizenship Act (CCA), which was signed into law by President Clinton and took effect on February 27, 2001. Now, U.S. citizenship is automatic for children adopted from abroad. Unfortunately, this law only applied to those who were under the age of 18 at the time of its enactment, excluding adoptees who were born before 1983 and/or whose adoptive parents did not secure their legal permanent residency.

As a result, **there is an estimated 35,000 adoptees, now adults, who do not have U.S. citizenship.** These adoptees are denied access to employment, drivers licenses, public benefits, home loans, passports, the right to vote and are at risk for deportation to countries where they do not speak the language or know the culture, have no known family and have little chance of survival.

The Adoptee Citizenship Act

First introduced into the U.S. Senate by Senators Amy Klobuchar (D-MN), Dan Coates (R-IN) and Jeff Merkley (D-OR)- S.2275, and later into the U.S. House of Representatives by Congressman Adam Smith (D-WA) and Trent Franks (R-AZ)- H.R.5454, the Adoptee Citizenship Act will:

- Grant retroactive U.S. citizenship to all international adoptees regardless of when they were adopted.
- Create a clear pathway for adoptees who have been deported and allow them to return to the U.S.

Which Adoptees Automatically Become Citizens Under the New Law?

For Adopted Individuals Residing *IN* the United States:

- A. The individual was adopted by a U.S. citizen before the individual reached 18 years of age.
- B. The individual was physically present in the U.S. in the legal custody of the citizen parent pursuant to a lawful admission before the individual reached 18 years of age.
- C. The individual never acquired U.S. citizenship before the date of the enactment of the ACA of 2015.

- D. The individual was residing in the U.S. on the date of the enactment of the ACA of 2015 pursuant to a lawful admission.
- E. The individual shall automatically become a citizen of the United States when all of the above conditions have been fulfilled.

For Adopted Individuals Residing *OUTSIDE* of the United States:

- A. The individual was adopted by a U.S. citizen before the individual reached 18 years of age.
- B. The individual was physically present in the U.S. in the legal custody of the citizen parent pursuant to a lawful admission before the individual reached 18 years of age.
- C. The individual never acquired U.S. citizenship before the date of the enactment of the ACA of 2015.
- D. An individual who meets all of the above criteria shall automatically become a U.S. citizen on the date on which the individual is physically present in the United States pursuant to a lawful admission.
- E. The grounds of inadmissibility set forth in section 212(a) shall not apply to an individual described in the above bullet point "A" who is seeking admission to the United States.
- F. The individual described above may not be issued a visa unless—
 - a. the individual was subjected to a criminal background check; and
 - b. if the background check conducted pursuant to clause (i) reveals that the individual has committed a crime that was not properly resolved, the Secretary of Homeland Security and the Secretary of State coordinated with relevant law enforcement agencies to ensure that appropriate action is taken to resolve such criminal activity.

Bill Status

Since the S.2275 and H.R.5454 did not pass during the 114th Congress, the Adoptee Citizenship Act must be re-introduced into the 115th Congress.

To learn more, sign the petition in support of bill and get involved, please visit www.adopteerightscampaign.org or email us at adopteedefense@gmail.com.