



## **Adoptee Citizenship Act**

In November 2015, Senator Amy Klobuchar (D-MN) and co-signers Senators Dan Coats (R-IN) and Jeff Merkley (D-OR) introduced the Adoptee Citizenship Act (ACA) of 2015, S.2275, to the public. Kirsten Gillibrand (D-NY) and Brian Schatz (D-HI) also became co-signers.

Representatives Trent Franks (R-AZ) and Adam Smith (D-WA) introduced House companion bill H.R. 5454 in June 2016.

The bill will grant retroactive U.S. citizenship to all internationally adopted individuals regardless of when they were adopted, addressing the issue that left thousands of adoptees who were born before 1982 unprotected by the Child Citizenship Act (CCA) of 2000.

President Clinton signed the Child Citizenship Act (CCA) of 2000, H.R. 2883, into law on October 30, 2000 and went into effect on February 27, 2001. The current law amended the Immigration and Nationality Act (INA) to permit foreign-born children—including adopted children—to acquire citizenship automatically if they met certain requirements. Being that the law is not retroactive, thousands of adoptees, namely individuals who were 18 years of age or older on February 27, 2001, are through no fault of their own and negligence by the US federal and state governments, adoption agencies, and their adoptive parents without automatic U.S. citizenship and essentially stateless. There are an estimated 18,000 Korean American adoptees alone without citizenship.

Since then thousands of adoptees have been living in a state of limbo, unable to get driver's licenses, vote, or work legally.

### **How Will the Adoptee Citizenship Act Benefit the Adoptee Community?**

1. Grant retroactive U.S. citizenship to all international adoptees regardless of when they were adopted.
2. Create a clear pathway for adoptees who have been deported for crimes 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.

### **How Can You Support Adoptees NOW Currently Without U.S. Citizenship?**

1. **Call or write to your senator and representative** to express your support for the ACA.
2. **Sign onto our petition** in support of the ACA.

For more information, please contact us at [adopteedefense@gmail.com](mailto:adopteedefense@gmail.com) or visit [adopteerightscampaign.org](http://adopteerightscampaign.org)

Full version of Senate bill: [www.congress.gov/bill/114th-congress/senate-bill/2275/text](http://www.congress.gov/bill/114th-congress/senate-bill/2275/text)  
Full version of House bill: <http://www.congress.gov/bill/114th-congress/house-bill/5454>