



## **Adoptee Citizenship Act of 2019: Bill Summary**

The Adoptee Citizenship Act of 2019 ([H.R. 2731](#)) would provide U.S. citizenship to individuals born outside of the United States who were adopted as children by American parents. The bill was introduced on May 14, 2019 in the U.S. House of Representatives by Reps. Rob Woodall (R-Georgia) and Adam Smith (D-Washington) with [two original cosponsors](#).

This bipartisan bill would fix a loophole that denies some adoptees the right to citizenship. The [Child Citizenship Act \(CCA\) of 2000](#) guarantees automatic citizenship to qualifying adoptees born outside of the U.S. under the age of 18. However, the CCA did not apply to adoptees who were over the age of 18 years when the law went into effect on February 27, 2001. As a result, an estimated 35,000 adoptees who were legally adopted by U.S. citizens but were over the age of 18 when the CCA went into effect failed to receive U.S. citizenship. Many of these adoptees live in the U.S. susceptible to deportation, unable to travel outside of the U.S. and unable to work legally.

### **What the Adoptee Citizenship Act of 2019 Does**

- The bill would grant an adoptee born outside of the U.S. who was adopted by a U.S. citizen parent automatic U.S. citizenship if he or she meets the following conditions:
  1. Adopted by a U.S. citizen parent before reaching the age of 18;
  2. Physically present in the U.S. in the legal custody of a U.S. citizen parent (pursuant to a lawful admission) before reaching the age of 18;
  3. Never acquired U.S. citizenship before the enactment of this bill; and
  4. Resides in the U.S. on the date of the enactment of this bill.
- The bill would also allow certain adopted individuals residing outside of the U.S. to automatically become a U.S. citizen once he or she is physically present in the U.S. (pursuant to a lawful admission), if they meet the following conditions:
  - Meet points 1, 2 and 3 described above; and
  - Undergo and pass criminal background checks that shows they do not have any unresolved criminal activity.

### **Who May Benefit from the Adoptee Citizenship Act?**

- [David](#), a husband and father, was adopted from Brazil by American parents in the 1980s when he was about 3 weeks old and has since lived in San Francisco. David participated in sports throughout school and was even offered scholarships to attend private schools to play baseball. David married in 2013 and had a daughter the following year. He maintains stable employment, obtained a driver's license and even passed a Department of Justice background check to legally own a firearm. David attempted to obtain a U.S. passport, but discovered that he is not a U.S. citizen and, due to poor record keeping, there is no record of his entry into the U.S. Without proof of legal entry, David cannot adjust to legal status and is susceptible to deportation.
- [Justin](#) was adopted from South Korea at age 2. He grew up in Oregon, where he played basketball in high school and remembers pledging allegiance to the U.S. flag before every

game. He was 18 when the CCA went into effect. A few years later, when he applied for a job, he discovered he was not a U.S. citizen.

- [Mauricio](#), a sheet metal apprentice from Wisconsin and entrepreneur, came to the U.S. when he was 18 months old with his mother, who had married a U.S. citizen. Mauricio's American stepfather went through the legal process and adopted him. The family believed there was nothing else they needed to do and that Mauricio was a citizen. Years later when Mauricio was returning to the U.S. from vacation, he was detained for a conviction from several years earlier for which he had already served his sentence and was deported to Costa Rica. Mauricio does not speak Spanish.
- [Joy](#) was legally adopted fifty years ago by U.S. citizen parents from Texas and still has not obtained U.S. citizenship. Joy's citizenship slipped through the cracks when her parents divorced and forgot to complete the paperwork to naturalize her. Joy entered the state foster care system in her teens, where she "aged out" without citizenship. Joy only realized she had not been naturalized upon applying for a passport in her twenties thinking she was a citizen and being threatened with deportation for falsely claiming citizenship. She is concerned by the fact that adoptees, like her, that do not know the truth about their citizenship status participate in civic activities and unintentionally commit deportable offenses.

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