



Legislation Text

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Res. No. 1229

Resolution calling on the United States Congress to pass, and the President to sign, the Adoptee Citizenship Act of 2019 (H.R. 2731 / S. 1554), in order to secure U.S. citizenship of internationally adopted children who are now adults or aging into adulthood.

By Council Members Koo, Koslowitz, Gjonaj and Chin

Whereas, Current laws do not guarantee United States ('U.S') citizenship to all children brought to the U.S. for the purposes of adoption; and

Whereas, The Child Citizenship Act of 2000 guaranteed automatic citizenship to adoptees under the age of 18 who were born outside the U.S. and adopted by U.S. citizens, as long as their adoptions are considered final in the countries of their birth; and

Whereas, The Child Citizenship Act excluded three categories of adopted children from automatic citizenship: (1) adopted children who were 18 years of age, or older, at the time of the Act's passage; (2) children adopted after the Act's passage, whose adoptions were not finalized in the countries of their birth and thus did not enter the U.S. on specific visas; and (3) children who entered the U.S. on non-immigrant or humanitarian visas; and

Whereas, It is the responsibility of adopted parents to ensure that adoptions are finalized within the U.S. and citizenship separately sought for those adopted children who entered the U.S. under visa categories ineligible for automatic citizenship; and

Whereas, Information related to the immigration of adoptees is unevenly distributed by adoption agencies, often resulting in adoptive parents being unaware of the implications of failing to finalizing adoptions in the U.S. and filing for the naturalization of their adoptive children; and

Whereas, In other instances, adoptive parents neglect to complete adoption or naturalization filings, resulting in the deprivation of citizenship; and

Whereas, The cost of filing for naturalization can be prohibitive in addition to the high cost of intercountry adoptions; and

Whereas, A bipartisan effort to close the adoptee-citizenship loophole has been ongoing, the most recent iteration of which is the Adoptee Citizenship Act of 2019 (H.R. 2731 / S. 1554), sponsored by U.S. Representative Smith (D-WA) and U.S. Senator Blunt (R-MO); and

Whereas, The Adoptee Citizenship Act of 2019 would grant automatic citizenship to any adoptee of a U.S. citizen parent upon entry to the U.S., subject to a criminal background check, and waive all grounds of inadmissibility outlined in section 212(a) of the Immigration and Nationality Act; and

Whereas, Federal data does not track the naturalizations of intercountry adoptees, however U.S. Department of State data shows that at least 27 percent of all intercountry adoptions between 1999 and 2016 were of children entering the U.S. under visa categories ineligible for automatic citizenship; and

Whereas, Adoptees at risk of U.S. citizenship deprivation were born in Argentina, Brazil, Cambodia, China, Colombia, Costa Rica, Dominican Republic, El Salvador, Germany, Great Britain, Guatemala, Haiti, India, Iran, Ireland, Japan, Mexico, Panama, the Philippines, Russia, Samoa, South Korea, St. Kitts, Thailand, the Ukraine, and Vietnam; and

Whereas, National advocacy organization, the Adoptee Rights Campaign ('ARC') estimates that between 25,000 and 49,000 children adopted between 1945 and 1998 reached adulthood without naturalizing; and

Whereas, ARC estimates that an additional 7,321 to 14,643 children, could enter adulthood without guaranteed U.S. citizenship; and

Whereas, These estimates do not account for children who entered the U.S. on non-immigrant or humanitarian visas and could therefore be much higher; and

Whereas, The state of New York has the second highest population of intercountry adopted children in the nation, and could see more than 4,000 adopted residents deprived of the protections granted by U.S. citizenship; and

Whereas, Without U.S. citizenship, these adoptees are not protected from deportation, which has occurred in a least 12 cases according to ARC; and

Whereas, The well-documented rise in immigration enforcement could lead to additional deportations of adoptees if the current statute is not amended; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass, and the President to sign, the Adoptee Citizenship Act of 2019 (H.R. 2731 / S. 1554), in order to secure U.S. citizenship of internationally adopted children who are now adults or aging into adulthood.

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