

114TH CONGRESS  
2D SESSION

# H. R. 5454

To provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2016

Mr. SMITH of Washington (for himself and Mr. FRANKS of Arizona) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Adoptee Citizenship  
5 Act of 2016”.

6 **SEC. 2. UNITED STATES CITIZENSHIP FOR CERTAIN INTER-**  
7 **NATIONALLY ADOPTED INDIVIDUALS.**

8 Section 320(b) of the Immigration and Nationality  
9 Act (8 U.S.C. 1431(a)(3)) is amended to read as follows:

1 “(b) ADOPTED CHILDREN OF CITIZEN PARENT.—

2 “(1) IN GENERAL.—Subsection (a) shall apply  
3 to a child adopted by a United States citizen parent  
4 if the child satisfies the requirements applicable to  
5 adopted children under subparagraph (E), (F), or  
6 (G) of section 101(b)(1), regardless of the date on  
7 which the adoption was finalized.

8 “(2) LIMITED APPLICATION TO CERTAIN  
9 ADOPTED INDIVIDUALS RESIDING IN THE UNITED  
10 STATES.—Notwithstanding section 318, an indi-  
11 vidual born outside of the United States who was  
12 adopted by a United States citizen parent shall auto-  
13 matically become a citizen of the United States when  
14 all of the following conditions have been fulfilled:

15 “(A) The individual was adopted by a  
16 United States citizen before the individual  
17 reached 18 years of age.

18 “(B) The individual was physically present  
19 in the United States in the legal custody of the  
20 citizen parent pursuant to a lawful admission  
21 before the individual reached 18 years of age.

22 “(C) The individual never acquired United  
23 States citizenship before the date of the enact-  
24 ment of the Adoptee Citizenship Act of 2016.

1           “(D) The individual was residing in the  
2           United States on the date of the enactment of  
3           the Adoptee Citizenship Act of 2016 pursuant  
4           to a lawful admission.

5           “(3) LIMITED APPLICATION TO CERTAIN  
6           ADOPTED INDIVIDUALS RESIDING OUTSIDE OF THE  
7           UNITED STATES.—

8           “(A) IN GENERAL.—An individual who  
9           meets all of the criteria described in paragraph  
10          (2) except for subparagraph (D) shall automati-  
11          cally become a citizen of the United States on  
12          the date on which the individual is physically  
13          present in the United States pursuant to a law-  
14          ful admission.

15          “(B) INAPPLICABILITY OF GROUNDS OF  
16          INADMISSIBILITY.—The grounds of inadmis-  
17          sibility set forth in section 212(a) shall not  
18          apply to an individual described in subpara-  
19          graph (A) who is seeking admission to the  
20          United States.

21          “(C) CRIMINAL BACKGROUND CHECK.—  
22          Notwithstanding subparagraphs (A) and (B),  
23          an individual described in subparagraph (A)  
24          may not be issued a visa unless—

1           “(i) the individual was subjected to a  
2 criminal background check; and  
3           “(ii) if the background check con-  
4 ducted pursuant to clause (i) reveals that  
5 the individual has committed a crime that  
6 was not properly resolved, the Secretary of  
7 Homeland Security and the Secretary of  
8 State coordinated with relevant law en-  
9 forcement agencies to ensure that appro-  
10 priate action is taken to resolve such crimi-  
11 nal activity.”.

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