

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3863

02/26/2020 Authored by Her, Kotyza-Witthuhn, Halverson, Long, Gomez and others
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A resolution
1.2 memorializing the President and Congress; urging passage of the Adoptee Citizenship
1.3 Act of 2019.
1.4 WHEREAS, since the close of World War II, over 350,000 children have been adopted from
1.5 abroad by United States citizen parents; and
1.6 WHEREAS, the Child Citizenship Act of 2000 aimed to provide equal treatment under United
1.7 States law for adopted and biological children by granting automatic citizenship to internationally
1.8 born adoptees. However, when the act became law, it did not apply to internationally born adoptees
1.9 who were already over the age of 18 and adoptees who entered the United States through
1.10 nonimmigration visas; and
1.11 WHEREAS, as a result, thousands of legally adopted individuals who were born before
1.12 February 27, 1982, and raised in the United States remain without citizenship and are therefore
1.13 potentially subject to deportation. These adoptees' parents did not complete necessary processes to
1.14 provide their adopted children with citizenship or, in many cases, even a green card; and
1.15 WHEREAS, several deportations of individuals who were legally adopted from foreign
1.16 countries have already taken place, breaking up families and returning the deported individuals to
1.17 places where they were born but do not speak the language, understand the culture, or have any
1.18 connections; and
1.19 WHEREAS, adoptees who do not have citizenship have come from countries including
1.20 Argentina, Brazil, Colombia, Costa Rica, Germany, Guatemala, El Salvador, India, Ireland, Haiti,
1.21 Iran, Japan, Mexico, Panama, the Philippines, Russia, Ukraine, and Vietnam. There are an estimated
1.22 18,000 Korean-American adoptees alone who do not have American citizenship despite having
1.23 been adopted; and
1.24 WHEREAS, two bills which would have granted citizenship to all adult adoptees were
1.25 introduced with bipartisan support in the 114th Congress, the Adoptee Citizenship Act of 2015 and

2.1 the Adoptee Citizenship Act of 2016. Neither bill was referred out of committee for a Congressional
2.2 vote; and

2.3 WHEREAS, both bills sought to amend the Immigration and Nationality Act to grant automatic
2.4 citizenship to all qualifying children adopted by a United States citizen parent, regardless of the
2.5 date on which the adoption was finalized. Citizenship would be granted to any individual who was
2.6 adopted by a United States citizen before age 18, was physically present in the United States in the
2.7 citizen parent's legal custody pursuant to a lawful admission before the individual reached age 18,
2.8 never previously acquired United States citizenship, and was lawfully residing in the United States.
2.9 The bills also would have given adult adoptees who had already been deported the opportunity to
2.10 return to the United States; and

2.11 WHEREAS, when a biological child of United States citizen parents commits a crime, the
2.12 child is not subject to deportation. It is discrimination for the adopted child of United States citizen
2.13 parents to then be subject to deportation; and

2.14 WHEREAS, the Adoptee Citizenship Act of 2016 stipulated that a visa may not be issued
2.15 to an adoptee unless the individual was subjected to a criminal background check and the Department
2.16 of Homeland Security and Department of State coordinated with law enforcement agencies to
2.17 ensure that appropriate action is taken to resolve such criminal activity. In the cases in which
2.18 criminal activity has been properly resolved, the individuals would be eligible for United States
2.19 citizenship; and

2.20 WHEREAS, the Adoptee Citizenship Act of 2019 was introduced into the 116th Congress
2.21 to grant United States citizenship to all adoptees who have entered the United States on a valid
2.22 visa, including those who have been inhumanely deported; and

2.23 WHEREAS, naturalization of adult adoptees who immigrated to the United States under the
2.24 promise of finding a permanent home is necessary to ensure that they are not forcibly removed
2.25 from what has become their home country; and

2.26 WHEREAS, the state of Minnesota has played a distinct and important part in the history
2.27 and development of international adoption, specifically that of Korean adoption, and is currently
2.28 home to over 10,000 foreign-born Korean adoptees; and

2.29 WHEREAS, the state of Minnesota does not condone the deportation of individuals who
2.30 were legally adopted into American homes and should have every expectation that their citizenship
2.31 matches that of their adoptive parents. Further, the state welcomes broad legislation that will provide
2.32 a pathway to citizenship for all adult adoptees whose adoptive parents did not complete the
2.33 naturalization process while they were children; NOW, THEREFORE,

2.34 BE IT RESOLVED by the Legislature of the State of Minnesota that it supports the President
2.35 and the Congress of the United States to grant, as a civil right, automatic citizenship to all qualifying
2.36 children adopted by a United States citizen parent, regardless of the date on which the adoption

3.1 was finalized; condemns the deportation of individuals who were adopted into American homes
3.2 and should have every expectation that their citizenship matches that of their adoptive parents; and
3.3 welcomes legislation that will provide citizenship for all adult adoptees whose adoptive parents
3.4 did not complete the naturalization process while they were children.

3.5 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota urges the
3.6 Congress of the United States and the President of the United States to enact legislation securing
3.7 the citizenship of all internationally adopted children who are now adults.

3.8 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed
3.9 to prepare copies of this memorial and transmit them to the President of the United States, the
3.10 President and the Secretary of the United States Senate, the Speaker and the Clerk of the United
3.11 States House of Representatives, and Minnesota's Senators and Representatives in Congress.