

CHECKLIST: The Child Citizenship Act of 2000

As of February 27, 2001, certain children born outside of the country, including internationally adopted children, who are currently and permanently residing in the United States will automatically become U.S. citizens as a result of a new law signed by President Clinton on October 30, 2000. The new law, called the Child Citizenship Act of 2000, amends the Immigration and Nationality Act (INA) so that the parents of these children do not need to gather and file assorted documents with the Immigration and Naturalization Service and comply with other time-consuming administrative procedures in order to gain citizenship status for their children.

Under the Act, citizenship status will be automatically conferred on all children who meet the following requirements:

- The child is currently and permanently residing in the United States.
- The child is unmarried.
- The child fits the definition of “child” for purposes of naturalization under section 101(c) of the INA, which includes children “legitimated” under the law of the child’s or father’s residence or domicile, including, with some exceptions, adopted children if the adoption took place before the child turned sixteen years old.
- At least one of the child’s parents is a U.S. citizen by birth or naturalization.
- The child is under eighteen years old.
- The child is in the physical and legal custody of the U.S. citizen parent(s).
- The child is a lawful permanent resident.
- If the child was adopted, he or she meets the requirements relating to adopted children under the INA, which in section 101(b)(1) defines “child” to include, among others, children who
 - were adopted abroad when under sixteen years old,

_____ were adopted by a U.S. citizen and spouse jointly or an unmarried person at least twenty-five years old, and

_____ who were then brought to the United States.