

103^D CONGRESS
1ST SESSION

H. R. 283

To amend the Immigration and Nationality Act to provide the children of female United States citizens born abroad before May 24, 1934, and their descendants, with the same rights to citizenship at birth as children born of male citizens abroad.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. MINETA (for himself and Mr. BERMAN) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide the children of female United States citizens born abroad before May 24, 1934, and their descendants, with the same rights to citizenship at birth as children born of male citizens abroad.

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 “Equity in Citizenship
5 Act of 1993”.

1 **SEC. 2. EQUAL TREATMENT OF WOMEN IN CONFERRING**
2 **CITIZENSHIP FOR CHILDREN BORN ABROAD.**

3 (a) IN GENERAL.—Section 301 of the Immigration
4 and Nationality Act (8 U.S.C. 1401) is amended—

5 (1) by striking the period at the end of para-
6 graph (g) and inserting “; and”, and

7 (2) by adding at the end the following new
8 paragraph:

9 “(h) a person born before noon (Eastern Stand-
10 ard Time) May 24, 1934, outside the limits and ju-
11 risdiction of the United States of an alien father and
12 a mother who is a citizen of the United States who,
13 prior to the birth of such person, had resided in the
14 United States.”.

15 (b) WAIVER OF RETENTION REQUIREMENTS.—Any
16 provision of law (including section 301(b) of the Immigra-
17 tion and Nationality Act (as in effect before October 10,
18 1978), and the provisos of section 201(g) of the National-
19 ity Act of 1940) that provided for a person’s loss of citi-
20 zenship or nationality if the person failed to come to, or
21 reside or be physically present in, the United States shall
22 not apply in the case of a person claiming United States
23 citizenship based on such person’s descent from an indi-
24 vidual described in section 301(h) of the Immigration and
25 Nationality Act (as added by subsection (a)).

1 (c) RETROACTIVE APPLICATION.—The immigration
2 and nationality laws of the United States shall be applied
3 (to persons born before, on, or after the date of the enact-
4 ment of this Act) as though such amendment and such
5 subsection had been in effect as of the date of their birth.
6 However, the retroactive application of the amendment
7 and provision shall not affect the validity of citizenship
8 of anyone who has obtained citizenship under section 1993
9 of the Revised Statutes (as in effect before the enactment
10 of the Act of May 24, 1934, 48 Stat. 797).

○