

107TH CONGRESS
1ST SESSION

H. R. 2766

To amend the Immigration and Nationality Act to modify the requirements for a child born abroad and out of wedlock to acquire citizenship based on the citizenship of the child's father, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Ms. JACKSON-LEE of Texas (for herself and Mr. TERRY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to modify the requirements for a child born abroad and out of wedlock to acquire citizenship based on the citizenship of the child's father, 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 "Father's Equity Act".

1 **SEC. 2. ACQUISITION OF CITIZENSHIP FOR CHILDREN**
2 **BORN ABROAD AND OUT OF WEDLOCK TO A**
3 **UNITED STATES CITIZEN FATHER.**

4 Section 309(a) of the Immigration and Nationality
5 Act (8 U.S.C. 1409(a)) is amended—

6 (1) in paragraph (2), by adding “and” at the
7 end;

8 (2) by striking paragraph (3);

9 (3) in paragraph (4), by striking “while the
10 person is under the age of 18 years—” and inserting
11 “at any time—”; and

12 (4) by redesignating paragraph (4) as para-
13 graph (3).

14 **SEC. 3. CLARIFICATION REGARDING DECEASED PARENTS**
15 **OF CHILDREN BORN ABROAD AND OUT OF**
16 **WEDLOCK.**

17 Section 309 of the Immigration and Nationality Act
18 (8 U.S.C. 1409) is amended by adding at the end the fol-
19 lowing:

20 “(d) Nothing in this section shall be construed to pre-
21 clude a person who is a citizen or national of the United
22 States by virtue of a provision of this section from estab-
23 lishing such status under this title after the death of the
24 person’s father, mother, or parents.”.

1 **SEC. 4. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply to per-
3 sons born out of wedlock who are alive on or after the
4 date of the enactment of this Act.

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