Statement in Support of International Adoptees Without U.S. Citizenship

Adopted 2017
Amended February 2021
Amended February 2022

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 60,000 attorneys and approximately 90 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, hundreds of thousands of Asian, Pacific Islander, and other children have been adopted into American families and welcomed by the United States, where they have grown up in American families, attended American schools, and raised as nothing other than Americans;

WHEREAS, these international adoptees entered the United States lawfully and transparently through legal adoption processes, but, for whatever reason, some of their adoptive parents or guardians failed to complete the naturalization process through which these international adoptees would have become United States citizens;

WHEREAS, the Child Citizenship Act of 2000 (CCA), 8 U.S.C. §§ 1431-33, automatically granted United States citizenship to certain international adoptees under 18 years of age as of February 27, 2001, the CCA’s effective date, but left international adoptees 18 years of age and older without United States citizenship and at risk of deportation;

WHEREAS, given the current political climate, the fear of deportation for international adoptees without United States citizenship may be at its highest;

WHEREAS, the deportation of adoptees for their parents’ omission/failure to complete the naturalization process is disproportionate punishment;

WHEREAS, the Adoptee Citizenship Act of 2015 (ACA) (H.R. 5454 and S. 2275, 114th Congress), if passed, would confer automatic citizenship on an estimated 35,000 international adoptees – an estimated 15,000 of which include Asian Pacific American adoptees – excluded from the automatic citizenship provision of the CCA for being 18 years of age and older as of
the CCA’s effective date;

WHEREAS, Asian Pacific American adoptees have been raised in the United States by American families, and in every sense, deserve the protection and rights as citizens of this country;

WHEREAS, it is in the interest of the United States to avoid uprooting people who have made a life in our nation and to preserve family unity;

WHEREAS, the United States government system should uphold our basic values, and any legislative or administrative policies attempting to limit rights and privileges of international adoptees undermine our commitment to American values, core concepts of family, and fundamental human rights;

THEREFORE BE IT RESOLVED, THAT NAPABA:

1. Supports the passage of Adoptee Citizenship Act of 2015 (ACA) and any subsequent iterations or similar legislation to protect international adoptees from deportation and/or any threats of deportation.

2. Supports any legislative, executive, or judicial efforts to confer United States citizenship on international adoptees without United States citizenship and excluded from the Child Citizenship Act of 2000.

3. Supports advocacy in favor of Asian Pacific American adoptees in the United States, including supporting the international adoptee community and the protection of international adoptee rights and privileges, consistent with this resolution, as the benefits that will inure to society as a whole.

4. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary.

5. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.

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1 Adoptee Citizenship Act of 2021. H.R.1593, S.967 (117th Congress)