

105TH CONGRESS  
1ST SESSION

# H. R. 1599

To amend the Immigration and Nationality Technical Corrections Act of 1994 to provide the descendants of female United States citizens born abroad before May 24, 1934, with the same rights to United States citizenship at birth as the descendants of male citizens born abroad before such date.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1997

Mr. GUTIERREZ (for himself and Mr. JACKSON of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Technical Corrections Act of 1994 to provide the descendants of female United States citizens born abroad before May 24, 1934, with the same rights to United States citizenship at birth as the descendants of male citizens born abroad before such date.

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 Trans-  
5       mission of Citizenship Act of 1997”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) since certain children born abroad to United  
4 States citizen mothers before May 24, 1934, only be-  
5 came entitled to claim United States citizenship, ac-  
6 quired at birth, as of October 25, 1994, with the en-  
7 actment of the Immigration and Nationality Tech-  
8 nical Corrections Act of 1994, they could not enter  
9 into the United States as a citizen prior to that  
10 date; and

11 (2) therefore, such children could not satisfy  
12 any physical-presence requirement necessary to  
13 transmit United States citizenship to their descend-  
14 ants in the same manner as could the children born  
15 abroad to United States citizen fathers before such  
16 date.

17 **SEC. 3. EQUAL TREATMENT OF CHILDREN BORN ABROAD**  
18 **OF FEMALE UNITED STATES CITIZENS IN**  
19 **TRANSMITTING CITIZENSHIP.**

20 (a) IN GENERAL.—Section 101(d) of the Immigra-  
21 tion and Nationality Technical Corrections Act of 1994  
22 (Public Law 103–416; 108 Stat. 4306) is amended to read  
23 as follows:

24 “(d) WAIVER OF PHYSICAL-PRESENCE REQUIRE-  
25 MENT FOR TRANSMISSION OF CITIZENSHIP.—The phys-  
26 ical-presence requirement in section 301(g) of the Immi-

1 gration and Nationality Act, and any residence or phys-  
2 ical-presence requirement in a predecessor provision to  
3 such section (such as section 201(g) of the Nationality Act  
4 of 1940), shall be considered to have been satisfied by any  
5 person born before the date of the enactment of this Act  
6 who otherwise qualifies for United States citizenship based  
7 on such person's descent from an individual described in  
8 section 301(h) of such Act.”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) shall be effective as if included in the Immi-  
11 gration and Nationality Technical Corrections Act of  
12 1994.

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