

109TH CONGRESS  
1ST SESSION

# H. R. 260

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2005

Ms. JACKSON-LEE of Texas 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 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.

