

UPDATE

Legislative Update

New Bill is Every Parent's Dream

Natural Born Citizen Act, Senate Bill 2128, would allow children adopted internationally to be elected President

By John Towriss, Adoption Today Washington Bureau

A new bill introduced into Congress would give foreign born children adopted abroad by American parents natural born citizen status and thereby grant them eligibility to be elected to the office of president of the United States.

The Constitution declares that anyone wishing to be president must be a "natural born citizen." While yet to be clearly defined, in practice, the term has often been understood to mean born

explains the rationale for including foreign adopted children in the proposed law, "These children (foreign adopted children) are no less loyal to the United States. They are raised by Americans in America. These children are members of American families, and should be treated as such. They will grow up to work here, pay their taxes here, and raise their children here. They should be allowed to have the same dreams as any other American child including the dream that they, too, could grow up to be president

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within the United States. But many feel this definition is too narrow and seems to leave out not only foreign adopted children, but also biological children born abroad to American military members, diplomats and expatriates.

Sens. Don Nickles, R-Okla., Mary Landrieu, D-La., and James Inhofe, R-Okla., are the primary sponsors of the bill. In introducing the bill, Nickles

of the United States. This bill makes sure they can."

The Constitution of the United States has a full paragraph dedicated to who could occupy the office of president of the United States. It reads, "No Person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of presi-

dent; neither shall any person be eligible to that office who shall not have attained to the age of 35 years, and been 14 years a resident within the United States." — Article II, Section 1, Paragraph 5, Constitution of the United States of America.

But the authors of the Constitution, perhaps deliberately, left vague the definition of natural born citizen. The topic has been the subject of several law review articles that have tried to divine the meaning of the authors. Most agree that the framers of the Constitution were most concerned about insuring loyalty to the United States and preventing a foreign king or other foreign dignitary from gaining control of the young and newly formed U.S. Government.

Inhofe put the loyalty issue in context of children born abroad including foreign adopted children, "Children born to military, or State Department parents living abroad have exceeding loyalty to the United States. They should not be punished for their parents' willingness to serve their country abroad.

Furthermore, internationally adopted children should not bear this penalty either. They are considered "natural issue" of their adoptive parents and share a similar loyalty to the United States. These children should have the same rights, duties, responsibilities and privileges as biological children."

The definition of natural born citizen has never been challenged in the