

108TH CONGRESS
1ST SESSION

H. R. 1953

To revise the provisions of the Immigration and Nationality Act relating to naturalization through service in the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2003

Mr. HASTINGS of Washington introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To revise the provisions of the Immigration and Nationality Act relating to naturalization through service in the Armed Forces, 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 “Armed Forces Citizen-
5 ship Act of 2003”.

6 **SEC. 2. NATURALIZATION THROUGH SERVICE IN ARMED**
7 **FORCES.**

8 (a) REDUCTION OF PERIOD FOR REQUIRED SERV-
9 ICE.—Section 328(a) of the Immigration and Nationality

1 Act (8 U.S.C. 1439(a)) is amended by striking “three
2 years,” and inserting “one year,”.

3 (b) PROHIBITION ON IMPOSITION OF FEES RELAT-
4 ING TO NATURALIZATION.—Title III of the Immigration
5 and Nationality Act (8 U.S.C. 1401 et seq.) is amended—

6 (1) in section 328(b)—

7 (A) in paragraph (3)—

8 (i) by striking “honorable. The” and
9 inserting “honorable (the”;

10 (ii) by striking “discharge.” and in-
11 sserting “discharge); and”;

12 (B) by adding at the end the following:

13 “(4) notwithstanding any other provision of
14 law, no fee shall be charged or collected from the
15 person for filing the application, or for the issuance
16 of a certificate of naturalization upon being granted
17 citizenship, and no clerk of any State court shall
18 charge or collect any fee for such services unless the
19 laws of the State require such charge to be made,
20 in which case nothing more than the portion of the
21 fee required to be paid to the State shall be charged
22 or collected.”;

23 (2) in section 329(b)—

24 (A) in paragraph (2), by striking “and” at
25 the end;

1 (B) in paragraph (3), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(4) notwithstanding any other provision of
5 law, no fee shall be charged or collected from the
6 person for filing the application, or for the issuance
7 of a certificate of naturalization upon being granted
8 citizenship, and no clerk of any State court shall
9 charge or collect any fee for such services unless the
10 laws of the State require such charge to be made,
11 in which case nothing more than the portion of the
12 fee required to be paid to the State shall be charged
13 or collected.”.

14 (c) NATURALIZATION PROCEEDINGS OVERSEAS FOR
15 MEMBERS OF ARMED FORCES.—Notwithstanding any
16 other provision of law, the Secretary of Homeland Secu-
17 rity, the Secretary of State, and the Secretary of Defense
18 shall ensure that any applications, interviews, filings,
19 oaths, ceremonies, or other proceedings under title III of
20 the Immigration and Nationality Act (8 U.S.C. 1401 et
21 seq.) relating to naturalization of members of the Armed
22 Forces are available, to the maximum extent practicable,
23 through United States embassies, consulates, and United
24 States military installations overseas.

1 (d) TECHNICAL AMENDMENT.—Section 328(b)(3) of
2 the Immigration and Nationality Act (8 U.S.C.
3 1439(b)(3)) is amended by striking “Attorney General,”
4 and inserting “Secretary of Homeland Security,”.

5 (e) EFFECTIVE DATES.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), this section and the amendments made by
8 this section shall take effect on the date of the en-
9 actment of this Act.

10 (2) REDUCTION OF PERIOD FOR REQUIRED
11 SERVICE.—The amendment made by subsection (a)
12 shall take effect as if enacted on September 11,
13 2001.

14 (3) FEES.—The amendments made by this sec-
15 tion to sections 328 and 329 of the Immigration and
16 Nationality Act (8 U.S.C. 1439–1440), insofar as
17 such amendments prohibit the imposition of a fee,
18 shall not be construed to require the refund or re-
19 turn of any fee collected before the date of the en-
20 actment of this Act.

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