

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3505

To provide for transitional employment eligibility for qualified lawful permanent resident alien airport security screeners until their naturalization process is completed, and to expedite that process.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2001

Ms. SOLIS (for herself, Ms. PELOSI, and Mr. HONDA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for transitional employment eligibility for qualified lawful permanent resident alien airport security screeners until their naturalization process is completed, and to expedite that process.

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 “Airport Security Per-  
5 sonnel Protection Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) AIRPORT SECURITY SCREENER.—The term  
4 “airport security screener” means an individual who  
5 is employed to perform security screening services at  
6 an airport in the United States.

7 (2) LAWFUL PERMANENT RESIDENT ALIEN.—  
8 The term “lawful permanent resident alien” means  
9 an alien lawfully admitted for permanent residence,  
10 as defined in section 101(a)(20) of the Immigration  
11 and Nationality Act (8 U.S.C. 1101(a)(20)).

12 (3) QUALIFIED LAWFUL PERMANENT RESIDENT  
13 ALIEN DEFINED.—The term “qualified lawful per-  
14 manent resident alien” means an alien with respect  
15 to whom a certification has been made by the Under  
16 Secretary of Transportation for Security under sec-  
17 tion 111(e)(1)(B) of the Aviation and Transpor-  
18 tation Security Act (Public Law 107–71), as added  
19 by section 3 of this Act.

20 **SEC. 3. TRANSITIONAL EMPLOYMENT ELIGIBILITY FOR**  
21 **QUALIFIED LAWFUL PERMANENT RESIDENT**  
22 **AIRPORT SECURITY SCREENERS.**

23 (a) IN GENERAL.—Section 111 of the Aviation and  
24 Transportation Security Act (Public Law 107–71) is  
25 amended by adding at the end the following:

1       “(e) SPECIAL TRANSITION RULE FOR QUALIFIED  
2       LAWFUL PERMANENT RESIDENT ALIENS.—

3               “(1) IN GENERAL.—Notwithstanding any rule  
4       or regulation promulgated to implement the citizen-  
5       ship requirement in section 44935(e)(2)(A)(ii) of  
6       title 49, United States Code, as amended by sub-  
7       section (a), or any other provision of law prohibiting  
8       the employment of aliens by the Federal Govern-  
9       ment, an alien shall be eligible for hiring or contin-  
10      ued employment as an airport security screener until  
11      the naturalization process for such alien is com-  
12      pleted, if—

13               “(A) the Attorney General makes the cer-  
14      tification described in paragraph (2) to the  
15      Under Secretary of Transportation for Security  
16      with respect to the alien; and

17               “(B) the Under Secretary of Transpor-  
18      tation for Security makes the certification de-  
19      scribed in paragraph (3) to the Attorney Gen-  
20      eral with respect to such alien.

21               “(2) CERTIFICATION BY THE ATTORNEY GEN-  
22      ERAL.—A certification under this paragraph is a  
23      certification by the Attorney General, upon the re-  
24      quest of the Under Secretary of Transportation for

1 Security, with respect to an alien described in para-  
2 graph (1) that—

3 “(A) the alien is a lawful permanent resi-  
4 dent alien (as defined in section 2 of the Air-  
5 port Security Personnel Protection Act); and

6 “(B)(i) an application for naturalization  
7 has been approved, and the alien is awaiting the  
8 holding of a ceremony for the administration of  
9 the oath of renunciation and allegiance, as re-  
10 quired by section 337 of the Immigration and  
11 Nationality Act (8 U.S.C. 1448);

12 “(ii) an application for naturalization filed  
13 by the alien prior to the date of enactment of  
14 this Act is pending before the Immigration and  
15 Naturalization Service but has not been finally  
16 adjudicated; or

17 “(iii) the alien—

18 “(I) satisfies, or will satisfy within  
19 one year of the date of certification if the  
20 alien remains in the United States, the res-  
21 idence requirements applicable to the alien  
22 in the Immigration and Nationality Act, or  
23 any other Act that are necessary for eligi-  
24 bility for naturalization; and

1           “(II) not more than 180 days after  
2           the date of enactment of the Airport Secu-  
3           rity Personnel Protection Act, filed under  
4           section 334(f) of the Immigration and Na-  
5           tionality Act an application for a declara-  
6           tion of intention to become a United States  
7           citizen.

8           “(3) CERTIFICATION BY THE UNDER SEC-  
9           RETARY OF TRANSPORTATION.—A certification  
10          under this paragraph is a certification by the Under  
11          Secretary of Transportation for Security with re-  
12          spect to an alien described in paragraph (1) that—

13               “(A) the Under Secretary has decided to  
14              hire or continue the employment of such alien;  
15              and

16               “(B) the alien—

17                   “(i) meets the qualifications to be a  
18                  security screener under section 44935(f);

19                   “(ii) was employed as an airport secu-  
20                  rity screener as of the date of enactment  
21                  of this Act, as determined by the Under  
22                  Secretary of Transportation for Security;  
23                  and

24                   “(iii) has undergone and successfully  
25                  completed an employment investigation (in-

1 including a criminal history record check) re-  
2 quired by section 44935(e)(2)(B) of such  
3 title, as amended by subsection (a).”.

4 (b) EFFECTIVE DATE.—The amendment made by  
5 subsection (a) shall be deemed effective as if included in  
6 the enactment of the Aviation and Transportation Secu-  
7 rity Act.

8 **SEC. 4. EXPEDITED NATURALIZATION FOR QUALIFIED LAW-**  
9 **FUL PERMANENT RESIDENT AIRPORT SECU-**  
10 **RITY SCREENERS.**

11 (a) REQUIREMENT.—

12 (1) IN GENERAL.—For the purpose of enabling  
13 qualified lawful permanent resident aliens to satisfy  
14 in a timely manner the citizenship requirement in  
15 section 44935(e)(2)(A)(ii) of title 49, United States  
16 Code, the Attorney General shall expedite—

17 (A) the processing and adjudication of an  
18 application for naturalization filed by any quali-  
19 fied lawful permanent resident alien who was  
20 employed as an airport security screener as of  
21 the date of enactment of the Aviation and  
22 Transportation Security Act (Public Law 107–  
23 71); and

24 (B) if such application for naturalization is  
25 approved, the holding of a ceremony for admin-

1           istration of the oath of renunciation and alle-  
2           giance to such qualified lawful permanent resi-  
3           dent alien, as required by section 337 of the  
4           Immigration and Nationality Act (8 U.S.C.  
5           1448).

6           (b) DEADLINES FOR COMPLETED ACTION.—The At-  
7    torney General shall complete the actions described in sub-  
8    section (a)—

9           (1) not later than 30 days after the date of en-  
10          actment of this Act, in the case of a qualified lawful  
11          permanent resident alien with respect to whom an  
12          application for naturalization is approved but such  
13          alien is awaiting the holding of a ceremony for the  
14          administration of the oath of renunciation and alle-  
15          giance, as required by section 337 of the Immigra-  
16          tion and Nationality Act (8 U.S.C. 1448);

17          (2) not later than 180 days after the date of  
18          enactment of this Act, in the case of a qualified law-  
19          ful permanent resident alien with respect to whom  
20          an application for naturalization was pending on the  
21          date of enactment of this Act; and

22          (3) not later than 180 days after the date on  
23          which an application for naturalization is received by  
24          the Attorney General, in the case of a qualified law-  
25          ful permanent resident alien with respect to whom

1 an application for naturalization is filed after the  
2 date of enactment of this Act.

3 (c) STATUTORY CONSTRUCTION.—Nothing in this  
4 section may be construed to lower the standards of quali-  
5 fication set forth in title III of the Immigration and Na-  
6 tionality Act (8 U.S.C. 1401 et seq.) that applicants for  
7 naturalization must meet in order to become naturalized  
8 citizens of the United States.

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