

108TH CONGRESS  
1ST SESSION

# H. R. 1714

To amend the Immigration and Nationality Act relating to naturalization through service in the Armed Forces of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2003

Mr. HASTINGS of Washington 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 relating to naturalization through service in the Armed Forces of the United States.

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 THE**  
7 **ARMED FORCES OF THE UNITED STATES.**

8 (a) MINIMUM PERIOD OF SERVICE ELIMINATED.—  
9 Section 328(a) of the Immigration and Nationality Act (8

1 U.S.C. 1439(a)) is amended by striking “for a period or  
2 periods aggregating three years,”.

3 (b) PROHIBITION ON IMPOSITION OF FEES RELAT-  
4 ING TO NATURALIZATION.—Section 328(b) of the Immi-  
5 gration and Nationality Act (8 U.S.C. 1439(b)) is amend-  
6 ed—

7 (1) by striking the period at the end of para-  
8 graph (3) and inserting “; and”; and

9 (2) by adding after paragraph (3) the following:

10 “(4) notwithstanding any other provision of  
11 law, no fee shall be charged or collected from the ap-  
12 plicant for filing an application under subsection (a)  
13 or issuing a certificate of naturalization upon admis-  
14 sion to citizenship, and no clerk of any State court  
15 shall charge or collect any fee for such services un-  
16 less the laws of the State require such charge to be  
17 made, in which case nothing more than the portion  
18 of the fee required to be paid to the State shall be  
19 charged or collected.”.

20 (c) CONDUCT OF NATURALIZATION PROCEEDINGS  
21 OVERSEAS FOR MEMBERS OF THE ARMED FORCES OF  
22 THE UNITED STATES.—Notwithstanding any other provi-  
23 sion of law, the Secretary of Homeland Security, the Sec-  
24 retary of State, and the Secretary of Defense, shall ensure  
25 that any applications, interviews, filings, oaths, cere-

1 monies, or other proceedings under title III of the Immi-  
2 gration and Nationality Act relating to naturalization of  
3 members of the Armed Forces are available through  
4 United States embassies and consulates and, as prac-  
5 ticable, United States military installations overseas.

6 (d) REVOCATION OF CITIZENSHIP FOR SEPARATION  
7 FROM MILITARY SERVICE UNDER OTHER THAN HONOR-  
8 ABLE CONDITIONS.—Section 328 of such Act is further  
9 amended by inserting after subsection (e) the following  
10 new subsection:

11 “(f) Citizenship granted pursuant to this section may  
12 be revoked in accordance with section 340 of this title if  
13 at any time subsequent to naturalization the person is sep-  
14 arated from the military, air, or naval forces under other  
15 than honorable conditions, and such ground for revocation  
16 shall be in addition to any other provided by law. The fact  
17 that the naturalized person was separated from the service  
18 under other than honorable conditions shall be proved by  
19 a duly authenticated certification from the executive de-  
20 partment under which the person was serving at the time  
21 of separation.”.

22 (e) TECHNICAL AND CONFORMING AMENDMENTS.—  
23 Section 328 of the Immigration and Nationality Act (8  
24 U.S.C. 1439) is amended by striking “the Attorney Gen-

1 eral” each place such term appears and inserting “the  
2 Secretary of Homeland Security”.

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