

109TH CONGRESS
1ST SESSION

H. R. 4168

To amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2005

Mr. RYUN of Kansas (for himself, Mr. WILSON of South Carolina, Mr. TANCREDO, Mr. NEUGEBAUER, Mr. DANIEL E. LUNGREN of California, and Mr. FORBES) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Financial Services, 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

A BILL

To amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening Amer-
3 ican Citizenship Act of 2005”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) OATH OF ALLEGIANCE.—The term “Oath
7 of Allegiance” means the binding oath (or affirma-
8 tion) of allegiance required to be naturalized as a
9 citizen of the United States, as prescribed in sub-
10 section (e) of section 337 of the Immigration and
11 Nationality Act (8 U.S.C. 1448(e)), as added by sec-
12 tion 301(a)(2).

13 (2) SECRETARY.—Except as otherwise provided,
14 the term “Secretary” means the Secretary of Home-
15 land Security.

16 **TITLE I—LEARNING ENGLISH**

17 **SEC. 101. ENGLISH FLUENCY.**

18 (a) EDUCATION GRANTS.—

19 (1) ESTABLISHMENT.—The Chief of the Office
20 of Citizenship of the Department of Homeland Secu-
21 rity (referred to in this subsection as the “Chief”)
22 shall establish a grant program to provide grants in
23 an amount not to exceed \$500 to assist legal resi-
24 dents of the United States who declare an intent to
25 apply for citizenship in the United States to meet

1 the requirements under section 312 of the Immigra-
2 tion and Nationality Act (8 U.S.C. 1423).

3 (2) USE OF FUNDS.—Grant funds awarded
4 under this subsection shall be paid directly to an ac-
5 credited institution of higher education or other
6 qualified educational institution (as determined by
7 the Chief) for tuition, fees, books, and other edu-
8 cational resources required by a course on the
9 English language in which the legal resident is en-
10 rolled.

11 (3) APPLICATION.—A legal resident desiring a
12 grant under this subsection shall submit an applica-
13 tion to the Chief at such time, in such manner, and
14 accompanied by such information as the Chief may
15 reasonably require.

16 (4) PRIORITY.—If insufficient funds are avail-
17 able to award grants to all qualified applicants, the
18 Chief shall give priority based on the financial need
19 of the applicants.

20 (5) NOTICE.—The Secretary, upon relevant reg-
21 istration of a legal resident with the Department of
22 Homeland Security, shall notify such legal resident
23 of the availability of grants under this subsection for
24 legal residents who declare an intent to apply for
25 United States citizenship.

1 (b) FASTER CITIZENSHIP FOR ENGLISH FLUENCY.—
2 Section 316 of the Immigration and Nationality Act (8
3 U.S.C. 1427) is amended by adding at the end the fol-
4 lowing:

5 “(g) A legal resident of the United States who dem-
6 onstrates English fluency, in accordance with regulations
7 prescribed by the Secretary of Homeland Security, in con-
8 sultation with the Secretary of State, will satisfy the resi-
9 dency requirement under subsection (a) upon the comple-
10 tion of 4 years of continuous legal residency in the United
11 States.”.

12 **SEC. 102. SAVINGS PROVISION.**

13 Nothing in this Act shall be construed to—

14 (1) modify the English language requirements
15 for naturalization under section 312(a)(1) of the Im-
16 migration and Nationality Act (8 U.S.C.
17 1423(a)(1)); or

18 (2) influence the naturalization test redesign
19 process of the Office of Citizenship of the United
20 States Citizenship and Immigration Services (except
21 for the requirement under section 301(b) of this
22 Act).

1 **TITLE II—EDUCATION ABOUT**
2 **THE AMERICAN WAY OF LIFE**

3 **SEC. 201. AMERICAN CITIZENSHIP GRANT PROGRAM.**

4 (a) IN GENERAL.—The Secretary shall establish a
5 competitive grant program to provide financial assistance
6 for—

7 (1) efforts by entities (including veterans and
8 patriotic organizations) certified by the Office of
9 Citizenship of the Department of Homeland Security
10 to promote the patriotic integration of prospective
11 citizens into the American way of life by providing
12 civics, history, and English as a second language
13 courses, with a specific emphasis on attachment to
14 principles of the Constitution of the United States,
15 the heroes of American history (including military
16 heroes), and the meaning of the Oath of Allegiance;
17 and

18 (2) other activities approved by the Secretary to
19 promote the patriotic integration of prospective citi-
20 zens and the implementation of the Immigration and
21 Nationality Act (8 U.S.C. 1101 et seq.), including
22 grants—

23 (A) to promote an understanding of the
24 form of government and history of the United
25 States; and

1 (B) to promote an attachment to the prin-
2 ciples of the Constitution of the United States
3 and the well being and happiness of the people
4 of the United States.

5 (b) ACCEPTANCE OF GIFTS.—The Secretary may ac-
6 cept and use gifts from the United States Citizenship
7 Foundation, if the foundation is established under section
8 202(a), for grants under this section.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as may be
11 necessary to carry out this section.

12 **SEC. 202. FUNDING FOR THE OFFICE OF CITIZENSHIP.**

13 (a) AUTHORIZATION.—The Secretary, acting through
14 the Director of the Bureau of Citizenship and Immigration
15 Services, is authorized to establish the United States Citi-
16 zenship Foundation (referred to in this section as the
17 “Foundation”), an organization duly incorporated in the
18 District of Columbia, exclusively for charitable and edu-
19 cational purposes to support the functions of the Office
20 of Citizenship, which shall include the patriotic integration
21 of prospective citizens into—

22 (1) American common values and traditions, in-
23 cluding an understanding of the history of the
24 United States and the principles of the Constitution
25 of the United States; and

1 (2) civic traditions of the United States, includ-
2 ing the Pledge of Allegiance, respect for the flag of
3 the United States, and voting in public elections.

4 (b) DEDICATED FUNDING.—

5 (1) IN GENERAL.—Not less than 1.5 percent of
6 the funds made available to the Bureau of Citizen-
7 ship and Immigration Services (including fees and
8 appropriated funds) shall be dedicated to the func-
9 tions of the Office of Citizenship, which shall include
10 the patriotic integration of prospective citizens
11 into—

12 (A) American common values and tradi-
13 tions, including an understanding of American
14 history and the principles of the Constitution of
15 the United States; and

16 (B) civic traditions of the United States,
17 including the Pledge of Allegiance, respect for
18 the flag of the United States, and voting in
19 public elections.

20 (2) SENSE OF CONGRESS.—It is the sense of
21 Congress that dedicating increased funds to the Of-
22 fice of Citizenship should not result in an increase
23 in fees charged by the Bureau of Citizenship and
24 Immigration Services.

25 (c) GIFTS.—

1 (1) TO FOUNDATION.—The Foundation may so-
2 licit, accept, and make gifts of money and other
3 property in accordance with section 501(c)(3) of the
4 Internal Revenue Code of 1986.

5 (2) FROM FOUNDATION.—The Office of Citizen-
6 ship may accept gifts from the Foundation to sup-
7 port the functions of the Office.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated such sums as may be
10 necessary to carry out the mission of the Office of Citizen-
11 ship, including the patriotic integration of prospective citi-
12 zens into—

13 (1) American common values and traditions, in-
14 cluding an understanding of American history and
15 the principles of the Constitution of the United
16 States; and

17 (2) civic traditions of the United States, includ-
18 ing the Pledge of Allegiance, respect for the flag of
19 the United States, and voting in public elections.

20 **SEC. 203. RESTRICTION ON USE OF FUNDS.**

21 No funds appropriated to carry out a program under
22 this title may be used to organize individuals for the pur-
23 pose of political activism or advocacy.

1 **SEC. 204. REPORTING REQUIREMENT.**

2 The Chief of the Office of Citizenship shall submit
3 to the Committee on Health, Education, Labor, and Pen-
4 sions and the Committee on the Judiciary of the Senate,
5 and the Committee on Education and the Workforce and
6 the Committee on the Judiciary of the House of Rep-
7 resentatives, an annual report that contains—

8 (1) a list of the entities that have received
9 funds from the Office of Citizenship during the re-
10 porting period under this title and the amount of
11 funding received by each such entity;

12 (2) an evaluation of the extent to which grants
13 received under this title and title I successfully pro-
14 moted an understanding of—

15 (A) the English language; and

16 (B) American history and government, in-
17 cluding the heroes of American history, the
18 meaning of the Oath of Allegiance, and an at-
19 tachment to the principles of the Constitution
20 of the United States; and

21 (3) information about the number of legal resi-
22 dents who were able to achieve the knowledge de-
23 scribed under paragraph (2) as a result of the
24 grants provided under this title and title I.

1 **TITLE III—CODIFYING THE OATH**
2 **OF ALLEGIANCE**

3 **SEC. 301. OATH OR AFFIRMATION OF RENUNCIATION AND**
4 **ALLEGIANCE.**

5 (a) REVISION OF OATH.—Section 337 of the Immi-
6 gration and Nationality Act (8 U.S.C. 1448) is amend-
7 ed—

8 (1) in subsection (a), by striking “under section
9 310(b) an oath” and all that follows through “per-
10 sonal moral code.” and inserting “under section
11 310(b), the oath (or affirmation) of allegiance pre-
12 scribed in subsection (e).”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(e)(1) Subject to paragraphs (2) and (3), the oath
16 (or affirmation) of allegiance prescribed in this subsection
17 is as follows: ‘I take this oath solemnly, freely, and without
18 any mental reservation. I absolutely and entirely renounce
19 all allegiance to any foreign state or power of which I have
20 been a subject or citizen. My fidelity and allegiance from
21 this day forward are to the United States of America. I
22 will bear true faith and allegiance to the Constitution and
23 laws of the United States, and will support and defend
24 them against all enemies, foreign and domestic. I will bear
25 arms, or perform noncombatant military or civilian serv-

1 ice, on behalf of the United States when required by law.

2 This I do solemnly swear, so help me God.’.

3 “(2) If a person, by reason of religious training and
4 belief (or individual interpretation thereof) or for other
5 reasons of good conscience, cannot take the oath pre-
6 scribed in paragraph (1)—

7 “(A) with the term ‘oath’ included, the term
8 ‘affirmation’ shall be substituted for the term ‘oath’;
9 and

10 “(B) with the phrase ‘so help me God’ included,
11 the phrase ‘so help me God’ shall be omitted.

12 “(3) If a person shows by clear and convincing evi-
13 dence to the satisfaction of the Attorney General that such
14 person, by reason of religious training and belief, cannot
15 take the oath prescribed in paragraph (1)—

16 “(A) because such person is opposed to the
17 bearing of arms in the Armed Forces of the United
18 States, the words ‘bear arms, or’ shall be omitted;
19 and

20 “(B) because such person is opposed to any
21 type of service in the Armed Forces of the United
22 States, the words ‘bear arms, or’ and ‘noncombatant
23 military or’ shall be omitted.

24 “(4) As used in this subsection, the term ‘religious
25 training and belief’—

1 “(A) means a belief of an individual in relation
2 to a Supreme Being involving duties superior to
3 those arising from any human relation; and

4 “(B) does not include essentially political, socio-
5 logical, or philosophical views or a merely personal
6 moral code.

7 “(5) Any reference in this title to ‘oath’ or ‘oath of
8 allegiance’ under this section shall be deemed to refer to
9 the oath (or affirmation) of allegiance prescribed under
10 this subsection.”.

11 (b) HISTORY AND GOVERNMENT TEST.—The Sec-
12 retary shall incorporate a knowledge and understanding
13 of the meaning of the Oath of Allegiance into the history
14 and government test given to applicants for citizenship.

15 (c) NOTICE TO FOREIGN EMBASSIES.—Upon the
16 naturalization of a new citizen, the Secretary, in coopera-
17 tion with the Secretary of State, shall notify the embassy
18 of the country of which the new citizen was a citizen or
19 subject that such citizen has—

20 (1) renounced allegiance to that foreign coun-
21 try; and

22 (2) sworn allegiance to the United States.

23 (d) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall take effect on the date that is 6
25 months after the date of enactment of this Act.

1 **TITLE IV—CELEBRATING NEW**
2 **CITIZENS**

3 **SEC. 401. ESTABLISHMENT OF NEW CITIZENS AWARD PRO-**
4 **GRAM.**

5 (a) ESTABLISHMENT.—There is established a new
6 citizens award program to recognize citizens who—

7 (1) have made an outstanding contribution to
8 the United States; and

9 (2) were naturalized during the 10-year period
10 ending on the date of such recognition.

11 (b) PRESENTATION AUTHORIZED.—

12 (1) IN GENERAL.—The President is authorized
13 to present a medal, in recognition of outstanding
14 contributions to the United States, to citizens de-
15 scribed in subsection (a).

16 (2) MAXIMUM NUMBER OF AWARDS.—Not more
17 than 10 citizens may receive a medal under this sec-
18 tion in any calendar year.

19 (c) DESIGN AND STRIKING.—The Secretary of the
20 Treasury shall strike a medal with suitable emblems, de-
21 vices, and inscriptions, to be determined by the President.

22 (d) NATIONAL MEDALS.—The medals struck pursu-
23 ant to this section are national medals for purposes of
24 chapter 51 of title 31, United States Code.

1 **SEC. 402. NATURALIZATION CEREMONIES.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-
3 rity, in consultation with the Director of the National
4 Park Service, the Archivist of the United States, and other
5 appropriate Federal officials, shall develop and implement
6 a strategy to enhance the public awareness of naturaliza-
7 tion ceremonies.

8 (b) VENUES.—In developing the strategy under this
9 section, the Secretary shall consider the use of outstanding
10 and historic locations as venues for select naturalization
11 ceremonies.

12 (c) REPORTING REQUIREMENT.—The Secretary of
13 Homeland Security shall annually submit a report to Con-
14 gress that contains—

15 (1) the content of the strategy developed under
16 this section; and

17 (2) the progress made towards the implementa-
18 tion of such strategy.

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