

109TH CONGRESS
1ST SESSION

S. 1087

To amend section 337 of the Immigration and Nationality Act to prescribe the oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2005

Mr. ALEXANDER (for himself and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 337 of the Immigration and Nationality Act to prescribe the oath or affirmation of renunciation and allegiance required to be naturalized as a citizen 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. OATH OR AFFIRMATION OF RENUNCIATION**

4 **AND 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—

1 (1) in subsection (a), by striking “under section
2 310(b) an oath” and all that follows through “per-
3 sonal moral code.” and inserting “under section
4 310(b), the oath (or affirmation) of allegiance pre-
5 scribed in subsection (e).”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(e)(1) Subject to paragraphs (2) and (3), the oath
9 (or affirmation) of allegiance prescribed in this subsection
10 is as follows: ‘I take this oath solemnly, freely, and without
11 any mental reservation. I entirely renounce all allegiance
12 to any foreign state or power of which I have been a sub-
13 ject or citizen. My fidelity and allegiance from this day
14 forward are to the United States of America. I will bear
15 true faith and allegiance to the Constitution and laws of
16 the United States, and will support and defend them
17 against all enemies, foreign and domestic. I will bear arms,
18 or perform noncombatant military or civilian service, on
19 behalf of the United States when required by law. This
20 I do solemnly swear, so help me God.’.

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

1 “(A) with the term ‘oath’ included, the term
2 ‘affirmation’ shall be substituted for the term ‘oath’;
3 and

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

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

10 “(A) because such person is opposed to the
11 bearing of arms in the Armed Forces of the United
12 States, the words ‘bear arms, or’ shall be omitted;
13 and

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

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

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

23 “(B) does not include essentially political, socio-
24 logical, or philosophical views or a merely personal
25 moral code.

1 “(5) Any reference in this title to ‘oath’ or ‘oath of
2 allegiance’ under this section shall be deemed to refer to
3 the oath (or affirmation) of allegiance prescribed under
4 this subsection.”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) shall take effect on the date that is 6
7 months after the date of enactment of this Act.

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