H.R. 2884

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2007

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To assist members of the Armed Forces in obtaining United States citizenship, 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 "Kendell Frederick Citi-
3	zenship Assistance Act".
4	SEC. 2. FINGERPRINTS FOR MEMBERS OF ARMED FORCES.
5	(a) In General.—Notwithstanding any other provi-
6	sion of law, including section 552a of title 5, United States
7	Code (commonly referred to as the "Privacy Act of
8	1974"), the Secretary of Homeland Security shall use the
9	fingerprints provided by an individual at the time the indi-
10	vidual enlisted in the Armed Forces to satisfy any require-

- 11 ment for fingerprints that is part of an application for
- 12 naturalization if—

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- 13 (1) the individual may be naturalized pursuant 14 to section 328 or 329 of the Immigration and Na-15 tionality Act (8 U.S.C. 1439–1440);
 - (2) the individual was fingerprinted in accordance with the requirements of the Department of Defense at the time the individual enlisted in the Armed Forces;
 - (3) the individual submits an application for naturalization not later than 24 months after the date on which the individual enlisted in the Armed Forces; and
- (4) the Secretary of Homeland Security determines that the fingerprints are sufficient to adjudicate the applicant's naturalization application.

- 1 (b) Most Timely and Effective Adjudica-
- 2 TION.—Nothing in this section shall preclude an individual
- 3 described in subsection (a) from submitting new finger-
- 4 prints to the Secretary of Homeland Security. If the Sec-
- 5 retary of Homeland Security determines that submitting
- 6 new fingerprints would result in more timely and effective
- 7 adjudication of the individual's naturalization application,
- 8 the Secretary shall inform the individual that submitting
- 9 new fingerprints would result in more timely and effective
- 10 adjudication of the individual's naturalization application,
- 11 along with a description of how to submit new finger-
- 12 prints.
- 13 (c) Cooperation.—The Secretary of Homeland Se-
- 14 curity, in consultation with the Secretary of Defense, shall
- 15 determine the format of fingerprints acceptable for usage
- 16 under subsection (a). The Secretary of Defense, or any
- 17 other official having custody of the fingerprints referred
- 18 to in subsection (a), shall make such prints available to
- 19 the Secretary of Homeland Security for the purpose de-
- 20 scribed in subsection (a) without charge and shall other-
- 21 wise cooperate with the Secretary of Homeland Security
- 22 in fulfilling the Secretary's satisfaction of the requirement
- 23 under subsection (a).

1 SEC. 3. PROVISION OF INFORMATION ON MILITARY NATU-

- 2 RALIZATION.
- 3 (a) IN GENERAL.—Not later than 30 days after the
- 4 effective date of any modification to a regulation related
- 5 to naturalization under section 328 or 329 of the Immi-
- 6 gration and Nationality Act (8 U.S.C. 1439–1440), the
- 7 Secretary of Homeland Security shall update as necessary
- 8 the appropriate Internet site or sites maintained by the
- 9 Secretary to reflect such modification.
- 10 (b) Sense of Congress.—It is the sense of the
- 11 Congress that the Secretary of Homeland Security should
- 12 update as necessary the appropriate application form or
- 13 forms promulgated by the Secretary not later than 180
- 14 days after an effective date described in subsection (a).
- 15 SEC. 4. REPORTS.
- 16 (a) Adjudication Process.—Not later than 120
- 17 days after the date of the enactment of this Act, the
- 18 Comptroller General of the United States shall submit to
- 19 the appropriate congressional committees a report on the
- 20 entire process for the adjudication of an application for
- 21 naturalization filed pursuant to section 328 or 329 of the
- 22 Immigration and Nationality Act (8 U.S.C. 1439–1440),
- 23 including the process that begins at the time the applica-
- 24 tion is mailed to, or received by, the Secretary of Home-
- 25 land Security, regardless of whether the Secretary deter-
- 26 mines that such application is complete, through the final

- 1 disposition of such application. Such report shall include2 a description of—
- 3 (1) the methods of the Secretary of Homeland 4 Security and the Secretary of Defense to prepare, 5 handle, and adjudicate such applications;
 - (2) the effectiveness of the chain of authority, supervision, and training of employees of the Federal Government or of other entities, including contract employees, who have any role in such process or adjudication; and
 - (3) the ability of the Secretary of Homeland Security and the Secretary of Defense to use technology to facilitate or accomplish any aspect of such process or adjudication.

(b) Implementation.—

- (1) STUDY.—The Comptroller General of the United States shall conduct a study on the implementation of this Act by the Secretary of Homeland Security and the Secretary of Defense, including studying any technology that may be used to improve the efficiency of the naturalization process for members of the Armed Forces.
- (2) Report.—Not later than 180 days after the date that the Comptroller General submits the report required by subsection (a), the Comptroller

1	General shall submit to the appropriate congres-
2	sional committees a report on the study required by
3	paragraph (1). The report shall include any rec-
4	ommendations of the Comptroller General for im-
5	proving the implementation of this Act by the Sec-
6	retary of Homeland Security or the Secretary of De-
7	fense.
8	(c) Appropriate Congressional Committees De-
9	FINED.—In this section, the term "appropriate congres-
10	sional committees" means—
11	(1) the Committee on Armed Services and the
12	Committee on the Judiciary of the Senate; and
13	(2) the Committee on Armed Services and the
14	Committee on the Judiciary of the House of Rep-
15	resentatives.
	Passed the House of Representatives November 6,
	2007.
	Attest: LORRAINE C. MILLER,

Clerk.