

115TH CONGRESS
2^D SESSION

H. R. 887

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2018

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

AN ACT

To amend the Immigration and Nationality Act to extend honorary citizenship to otherwise qualified noncitizens who enlisted in the Philippines and died while serving on active duty with the United States Armed Forces during certain periods of hostilities, 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,*

3 **SECTION 1. GRANTING OF POSTHUMOUS CITIZENSHIP TO**
4 **OTHERWISE QUALIFIED NONCITIZENS WHO**
5 **ENLISTED IN THE PHILIPPINES.**

6 (a) IN GENERAL.—Section 329A(b) of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1440–1(b)) is amended
8 to read as follows:

9 “(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS
10 CITIZENSHIP.—

11 “(1) IN GENERAL.—A person referred to in
12 subsection (a) is a person who, while an alien or a
13 noncitizen national of the United States—

14 “(A) served honorably in an active-duty
15 status in the military, air, or naval forces of the
16 United States during any period described in
17 the first sentence of section 329(a);

18 “(B) died as a result of injury or disease
19 incurred in or aggravated by that service; and

20 “(C) either—

21 “(i) satisfied the requirements of
22 clause (1) or (2) of the first sentence of
23 section 329(a); or

24 “(ii) enlisted, reenlisted, extended en-
25 listment, or was inducted in the Phil-

1 ippines and died during the period begin-
2 ning September 1, 1939, and ending De-
3 cember 31, 1946.

4 “(2) DETERMINATION OF SATISFACTION OF RE-
5 QUIREMENTS.—The executive department under
6 which a person described in paragraph (1) served
7 shall determine whether the person satisfied the re-
8 quirements of subparagraphs (A), (B), and (C)(ii) of
9 paragraph (1).

10 “(3) POSTHUMOUS BENEFITS.—In the case of a
11 person to which paragraph (1)(C)(ii) applies—

12 “(A) section 319(d) shall not apply; and

13 “(B) section 1703 of the National Defense
14 Authorization Act for Fiscal Year 2004 (Public
15 Law 108–136; 117 Stat. 1693; 8 U.S.C. 1151
16 note) shall not apply.”.

17 (b) CONFORMING AMENDMENTS.—Section
18 329A(c)(2) of the Immigration and Nationality Act (8
19 U.S.C. 1440–1(c)(2)) is amended—

20 (1) in subparagraph (A)(i), by inserting “(or, in
21 the case of an individual to which clause (ii) of sub-
22 section (b)(1)(C) applies, the date of the enactment
23 of such clause (ii))” after “the date of enactment of
24 this section”;

1 (2) by striking subparagraph (B) and inserting
2 the following new subparagraph:

3 “(B) the request is accompanied by a duly
4 authenticated certificate from the executive de-
5 partment under which the person served which
6 states that the person satisfied the require-
7 ments of—

8 “(i) subparagraphs (A) and (B) of
9 subsection (b)(1); and

10 “(ii) if applicable, subparagraph
11 (C)(ii) of subsection (b)(1); and”;

12 (3) in subparagraph (C), by striking “of sub-
13 section (b)(3)” and inserting “of subsection
14 (b)(1)(C)(i)”.

Passed the House of Representatives December 12,
2018.

Attest:

KAREN L. HAAS,

Clerk.