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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

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

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

“(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS
CITIZENSHIP.—

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

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

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

“(C) either—

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

“(ii) enlisted, reenlisted, extended en-
listment, or was inducted in the Phil-
ippines and died during the period begin-
ning September 1, 1939, and ending De-
cember 31, 1946.

“(2) **Determination of satisfaction of require-**
ments.—The executive department under
which a person described in paragraph (1) served
shall determine whether the person satisfied the re-
quirements of subparagraphs (A), (B), and (C)(ii) of
paragraph (1).

“(3) **Posthumous benefits.—**In the case of a
person to which paragraph (1)(C)(ii) applies—

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

“(B) section 1703 of the National Defense
Authorization Act for Fiscal Year 2004 (Public
note) shall not apply.”.

(b) **Conforming Amendments.—**Section
329A(c)(2) of the Immigration and Nationality Act (8
U.S.C. 1440–1(c)(2)) is amended—

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

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

“(B) the request is accompanied by a duly authenticated certificate from the executive department under which the person served which states that the person satisfied the requirements of—

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

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

(3) in subparagraph (C), by striking “of subsection (b)(3)” and inserting “of subsection (b)(1)(C)(i)”.

Passed the House of Representatives December 12, 2018.

Attest: KAREN L. HAAS,

Clerk.