

105TH CONGRESS
1ST SESSION

S. 118

To provide for the completion of the naturalization process for certain
nationals of the Philippines.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. INOUE introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To provide for the completion of the naturalization process
for certain nationals of the Philippines.

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

3 **SEC. . COMPLETION OF THE NATURALIZATION PROC-**
4 **ESS FOR CERTAIN NATIONALS OF THE PHIL-**
5 **IPPINES.**

6 (a) IN GENERAL.—Section 405 of the Immigration
7 and Nationality Act of 1990 (8 U.S.C. 1440 note) is
8 amended—

9 (1) by striking subparagraph (B) of subsection

10 (a)(1) and inserting the following:

1 “(B) who—

2 “(i) is listed on the final roster pre-
3 pared by the Recovered Personnel Division
4 of the United States Army of those who
5 served honorably in an active duty status
6 within the Philippine Army during the
7 World War II occupation and liberation of
8 the Philippines,

9 “(ii) is listed on the final roster pre-
10 pared by the Guerrilla Affairs Division of
11 the United States Army of those who re-
12 ceived recognition as having served honor-
13 ably in an active duty status within a rec-
14 ognized guerrilla unit during the World
15 War II occupation and liberation of the
16 Philippines, or

17 “(iii) served honorably in an active
18 duty status within the Philippine Scouts or
19 within any other component of the United
20 States Armed Forces in the Far East
21 (other than a component described in
22 clause (i) or (ii)) at any time during the
23 period beginning September 1, 1939, and
24 ending December 31, 1946;”;

1 (2) by adding at the end of subsection (a) the
2 following new paragraph:

3 “(3)(A) For purposes of the second sentence of
4 section 329(a) and section 329(b)(3) of the Immi-
5 gration and Nationality Act, the executive depart-
6 ment under which a person served shall be—

7 “(i) in the case of an applicant claiming to
8 have served in the Philippine Army, the United
9 States Department of the Army;

10 “(ii) in the case of an applicant claiming to
11 have served in a recognized guerrilla unit, the
12 United States Department of the Army or, in
13 the event the Department of the Army has no
14 record of military service of such applicant, the
15 General Headquarters of the Armed Forces of
16 the Philippines; or

17 “(iii) in the case of an applicant claiming
18 to have served in the Philippine Scouts or any
19 other component of the United States Armed
20 Forces in the Far East (other than a compo-
21 nent described in clause (i) or (ii)) at any time
22 during the period beginning September 1, 1939,
23 and ending December 31, 1946, the United
24 States executive department (or successor

1 thereto) that exercised supervision over such
2 component.

3 “(B) An executive department specified in sub-
4 paragraph (A) may not make a determination under
5 the second sentence of section 329(a) with respect to
6 the service or separation from service of a person de-
7 scribed in paragraph (1) except pursuant to a re-
8 quest from the Service.”; and

9 (3) by adding at the end the following new sub-
10 section:

11 “(d) IMPLEMENTATION.—(1) Notwithstanding any
12 other provision of law, for purposes of the naturalization
13 of natives of the Philippines under this section—

14 “(A) the processing of applications for natu-
15 ralization, filed in accordance with the provisions of
16 this section, including necessary interviews, shall be
17 conducted in the Philippines by employees of the
18 Service designated pursuant to section 335(b) of the
19 Immigration and Nationality Act; and

20 “(B) oaths of allegiance for applications for
21 naturalization under this section shall be adminis-
22 tered in the Philippines by employees of the Service
23 designated pursuant to section 335(b) of that Act.

1 “(2) Notwithstanding paragraph (1), applications for
 2 naturalization, including necessary interviews, may con-
 3 tinue to be processed, and oaths of allegiance may con-
 4 tinue to be taken in the United States.”.

5 (b) REPEAL.—Section 113 of the Departments of
 6 Commerce, Justice, and State, the Judiciary, and Related
 7 Agencies Appropriations Act, 1993 (8 U.S.C. 1440 note),
 8 is repealed.

9 (c) EFFECTIVE DATE; TERMINATION DATE.—

10 (1) APPLICATION TO PENDING APPLICA-
 11 TIONS.—The amendment made by subsection (a)
 12 shall apply to applications filed before February 3,
 13 1995.

14 (2) TERMINATION DATE.—The authority pro-
 15 vided by the amendment made by subsection (a)
 16 shall expire February 3, 2001.

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