

108TH CONGRESS
2D SESSION

H. R. 3928

To amend title 10, United States Code, to allow nationals of the United States to attend military service academies and receive Reserve Officers' Training Corps (ROTC) scholarships on the condition that the individual naturalize before graduation.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2004

Mr. FALEOMAVAEGA introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to allow nationals of the United States to attend military service academies and receive Reserve Officers' Training Corps (ROTC) scholarships on the condition that the individual naturalize before graduation.

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. AGREEMENT FOR UNITED STATES NATIONALS**
2 **TO BECOME CITIZENS BEFORE COMPLETION**
3 **OF CERTAIN MILITARY PRECOMMISSIONING**
4 **PROGRAMS.**

5 (a) IN GENERAL.—Chapter 101 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 2015. United States nationals: agreement to be-**
9 **come citizen before completion of**
10 **precommissioning program**

11 “(a) As a condition to the Secretary concerned admit-
12 ting a person who is a national of the United States but
13 not a citizen of the United States to a precommissioning
14 program specified in subsection (c), the Secretary shall re-
15 quire such person to enter into a written agreement with
16 the Secretary under the terms of which such person shall
17 agree—

18 “(1) to apply for and complete naturalization
19 under section 325 of the Immigration and Nation-
20 ality Act (8 U.S.C. 1436) before completion of such
21 precommissioning program; and

22 “(2) that if such person fails to apply for and
23 complete naturalization in accordance with the
24 agreement, such person shall be subject to the pen-
25 alties under section 2005 of this title in the same
26 manner as a person who voluntarily fails to fulfill

1 any term or condition of an agreement described in
2 such section.

3 “(b) The requirements of sections 2104(b)(1),
4 2107(b)(1), and 2107a(b)(1) of this title shall not apply
5 to a national of the United States who enters into an
6 agreement described in subsection (a) with respect to par-
7 ticipation in a Senior Reserve Officers’ Training Corps
8 program.

9 “(c) The precommissioning programs referred to in
10 subsection (a) are—

11 “(1) the programs of instruction and training
12 offered by the United States Military Academy, the
13 United States Naval Academy, the United States Air
14 Force Academy, and the United States Coast Guard
15 Academy; and

16 “(2) the Senior Reserve Officers’ Training
17 Corps programs offered under sections 2107 and
18 2107a of this title and the advanced training offered
19 in Senior Reserve Officers’ Training Corps programs
20 under section 2104 of this title.

21 “(d) In this section:

22 “(1) The term ‘advanced training’ has the
23 meaning given that term in section 2101(3) of this
24 title.

1 “(2) The term ‘national of the United States’
2 has the meaning given that term in section
3 101(a)(22) of the Immigration and Nationality Act
4 (8 U.S.C. 1436).”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by adding
7 at the end the following new item:

“2015. United States nationals: agreement to become citizen before completion
of precommissioning program.”.

