

108TH CONGRESS
1ST SESSION

S. 789

To change the requirements for naturalization through service in the Armed Forces of the United States.

IN THE SENATE OF THE UNITED STATES

APRIL 3, 2003

Mr. NELSON of Florida (for himself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To change the requirements for naturalization through service in the Armed Forces of the United States.

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. SHORT TITLE.**

4 This Act may be cited as the “Citizenship for
5 Servicemembers Act of 2003”.

6 **SEC. 2. REQUIREMENTS FOR NATURALIZATION THROUGH**
7 **SERVICE IN THE ARMED FORCES OF THE**
8 **UNITED STATES.**

9 (a) REDUCTION OF PERIOD FOR REQUIRED SERV-
10 ICE.—Section 328(a) of the Immigration and Nationality

1 Act (8 U.S.C. 1439(a)) is amended by striking “three
2 years” and inserting “2 years”.

3 (b) PROHIBITION ON IMPOSITION OF FEES RELAT-
4 ING TO NATURALIZATION.—Title III of the Immigration
5 and Nationality Act (8 U.S.C. 301 et seq.) is amended—

6 (1) in section 328(b)—

7 (A) in paragraph (3)—

8 (i) by striking “honorable. The” and
9 inserting “honorable (the”;

10 (ii) by striking “discharge.” and in-
11 sserting “discharge); and”;

12 (B) by adding at the end the following:

13 “(4) notwithstanding any other provision of
14 law, no fee shall be charged or collected from the ap-
15 plicant for filing a petition for naturalization or for
16 the issuance of a certificate of naturalization upon
17 citizenship being granted to the applicant, and no
18 clerk of any State court shall charge or collect any
19 fee for such services unless the laws of the State re-
20 quire such charge to be made, in which case nothing
21 more than the portion of the fee required to be paid
22 to the State shall be charged or collected.”;

23 (2) in section 329(b)—

24 (A) in paragraph (2), by striking “and” at
25 the end;

1 (B) in paragraph (3), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(4) notwithstanding any other provision of
5 law, no fee shall be charged or collected from the ap-
6 plicant for filing a petition for naturalization or for
7 the issuance of a certificate of naturalization upon
8 citizenship being granted to the applicant, and no
9 clerk of any State court shall charge or collect any
10 fee for such services unless the laws of the State re-
11 quire such charge to be made, in which case nothing
12 more than the portion of the fee required to be paid
13 to the State shall be charged or collected.”.

14 (c) NATURALIZATION PROCEEDINGS OVERSEAS FOR
15 MEMBERS OF THE ARMED FORCES.—Notwithstanding
16 any other provision of law, the Secretary of Homeland Se-
17 curity, the Secretary of State, and the Secretary of De-
18 fense shall ensure that any applications, interviews, filings,
19 oaths, ceremonies, or other proceedings under title III of
20 the Immigration and Nationality Act (8 U.S.C. 301 et
21 seq.) relating to naturalization of members of the Armed
22 Forces are available through United States embassies,
23 consulates, and as practicable, United States military in-
24 stallations overseas.

1 (d) TECHNICAL AND CONFORMING AMENDMENT.—
2 Section 328(b)(3) of the Immigration and Nationality Act
3 (8 U.S.C. 1439(b)(3)) is amended by striking “Attorney
4 General” and inserting “Secretary of Homeland Secu-
5 rity”.

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