

112TH CONGRESS
2D SESSION

S. 3643

To amend section 1059(e) of the National Defense Authorization Act for Fiscal Year 2006 to clarify that a period of employment abroad by the Chief of Mission or United States Armed Forces as a translator, interpreter, or in a security-related position in an executive or managerial capacity is to be counted as a period of residence and physical presence in the United States for purposes of qualifying for naturalization, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2012

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

A BILL

To amend section 1059(e) of the National Defense Authorization Act for Fiscal Year 2006 to clarify that a period of employment abroad by the Chief of Mission or United States Armed Forces as a translator, interpreter, or in a security-related position in an executive or managerial capacity is to be counted as a period of residence and physical presence in the United States for purposes of qualifying for naturalization, 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,*

1 **SECTION 1. CLARIFICATION WITH RESPECT TO ABSENCE**
 2 **FROM THE UNITED STATES DUE TO CERTAIN**
 3 **EMPLOYMENT BY CHIEF OF MISSION OR**
 4 **ARMED FORCES.**

5 (a) IN GENERAL.—Section 1059(e) of the National
 6 Defense Authorization Act for Fiscal Year 2006 (8 U.S.C.
 7 1101 note) is amended to read as follows:

8 “(e) NATURALIZATION.—

9 “(1) IN GENERAL.—A period of absence from
 10 the United States described in paragraph (2)—

11 “(A) shall not be considered to break any
 12 period for which continuous residence or phys-
 13 ical presence in the United States is required
 14 for naturalization under title III of the Immi-
 15 gration and Nationality Act (8 U.S.C. 1401 et
 16 seq.); and

17 “(B) shall be treated as a period of resi-
 18 dence and physical presence in the United
 19 States for purposes of satisfying the require-
 20 ments for naturalization under such title.

21 “(2) PERIOD OF ABSENCE DESCRIBED.—A pe-
 22 riod of absence described in this paragraph is a pe-
 23 riod of absence from the United States due to a per-
 24 son’s employment by the Chief of Mission or United
 25 States Armed Forces, under contract with the Chief
 26 of Mission or United States Armed Forces, or by a

1 firm or corporation under contract with the Chief of
2 Mission or United States Armed Forces, if—

3 “(A) such employment involved supporting
4 the Chief of Mission or United States Armed
5 Forces as a translator, interpreter, or in a secu-
6 rity-related position in an executive or manage-
7 rial capacity; and

8 “(B) the person spent at least a portion of
9 the time outside of the United States working
10 directly with the Chief of Mission or United
11 States Armed Forces as a translator, inter-
12 preter, or in a security-related position in an
13 executive or managerial capacity.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall take effect as if included in the enact-
16 ment of section 1059(e) of the National Defense Author-
17 ization Act for Fiscal Year 2006 (8 U.S.C. 1101 note).

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