

116TH CONGRESS
1ST SESSION

H. R. 4890

To provide benefits for noncitizen members of the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2019

Mr. TAKANO (for himself, Mr. VARGAS, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide benefits for noncitizen members of the Armed Forces, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veteran Deportation
5 Prevention and Reform Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) military service to the United States is a
2 sacrifice that demonstrates loyalty to the Nation;

3 (2) a noncitizen who takes an oath of enlist-
4 ment or an oath of office to join the United States
5 Armed Forces—promising to support and defend the
6 Constitution of the United States against all en-
7 emies, foreign and domestic—deserves facilitated ac-
8 cess to naturalization;

9 (3) such noncitizen and his or her family mem-
10 bers deserve consideration for the exercise of pros-
11 ecutorial discretion in immigration removal pro-
12 ceedings; and

13 (4) a noncitizen veteran who is deported after
14 consideration under this Act should be provided the
15 same veterans’ benefits to which a similarly situated
16 United States citizen veteran would be entitled.

17 **SEC. 3. IDENTIFICATION OF MEMBERS OF THE ARMED**
18 **FORCES, VETERANS, AND COVERED FAMILY**
19 **MEMBERS IN REMOVAL PROCEEDINGS.**

20 (a) IN GENERAL.—Not later than the time of the
21 Master Calendar Hearing for any individual in removal
22 proceedings, the Director of U.S. Immigration and Cus-
23 toms Enforcement shall identify whether the individual
24 is—

1 (1) a member of the Armed Forces serving on
2 active duty or in a reserve component;

3 (2) a veteran; or

4 (3) a covered family member.

5 (b) TRANSFER OF CASE FILES.—The Director of
6 U.S. Immigration and Customs Enforcement shall trans-
7 fer a copy of the complete case file of any individual identi-
8 fied under subsection (a), immediately after such identi-
9 fication, to the Advisory Committee.

10 (c) LIMITATION ON REMOVAL.—Notwithstanding any
11 other provision of law, an individual described in sub-
12 section (a) may not be removed until the Military Family
13 Immigration Advisory Committee established under sec-
14 tion 7 has provided recommendations with respect to that
15 individual to the Secretary of Homeland Security and the
16 Attorney General under section 7.

17 **SEC. 4. STUDY AND REPORT ON NONCITIZEN VETERANS**
18 **REMOVED FROM THE UNITED STATES.**

19 (a) STUDY REQUIRED.—Not later than 1 year after
20 the date of the enactment of this Act, the Secretary of
21 Defense, the Secretary of Homeland Security, and the
22 Secretary of Veterans Affairs shall jointly carry out a
23 study on noncitizen veterans of the Armed Forces who
24 were removed from the United States during the period

1 beginning on January 1, 1990, and ending on the date
2 of the enactment of this Act, which shall include—

3 (1) the number of noncitizens removed by U.S.
4 Immigration and Customs Enforcement or the Im-
5 migration and Naturalization Service during the pe-
6 riod covered by the report who served on active duty
7 in the Armed Forces or in a reserve component of
8 the Armed Forces for a period of more than 180
9 days;

10 (2) for each noncitizen described in paragraph
11 (1)—

12 (A) the country of origin of the noncitizen;

13 (B) the length of time the noncitizen
14 served as a member of the Armed Forces;

15 (C) the grounds for removal under section
16 237(a) of the Immigration and Nationality Act
17 (8 U.S.C. 1227) or section 212(a) of the Immi-
18 gration and Nationality Act (8 U.S.C. 1182), as
19 applicable; and

20 (D) whether the noncitizen appealed the
21 removal order;

22 (3) the number of noncitizens described in
23 paragraph (1) who—

24 (A) were discharged or released from serv-
25 ice under honorable conditions;

1 (B) were deployed overseas;

2 (C) served on active duty in the Armed
3 Forces in an overseas contingency operation;

4 (D) were awarded military decorations,
5 campaign medals, or service medals;

6 (E) applied for benefits under laws admin-
7 istered by the Secretary of Veterans Affairs; or

8 (F) are receiving benefits described in sub-
9 paragraph (E); and

10 (4) a description of the reasons preventing any
11 of the noncitizens who applied for benefits described
12 in paragraph (3)(E) from receiving such benefits.

13 (b) REPORT.—Not later than 90 days after the date
14 of the completion of the study required under subsection
15 (a), the Secretary of Defense, the Secretary of Homeland
16 Security, and the Secretary of Veterans Affairs shall joint-
17 ly submit a report containing the results of such study
18 to the appropriate congressional committees.

19 **SEC. 5. INFORMATION REGARDING VETERANS SUBJECT TO**
20 **REMOVAL PROCEEDINGS.**

21 (a) IN GENERAL.—Not later than one year after the
22 date of the enactment of this Act, the Secretary of Home-
23 land Security shall create a system to maintain informa-
24 tion, that is shared across the Department of Homeland
25 Security (including Enforcement and Removal Operations,

1 the Office of the Principal Legal Advisor, and Homeland
2 Security Investigations), on potentially removable noncit-
3 izen veterans (including the names and last known ad-
4 dresses of such individuals) and removal proceedings with
5 respect to any such individual, for the purpose of ensuring
6 that service in the Armed Forces of any such individual
7 is taken into consideration during any adjudication under
8 the immigration laws with respect to such individual,
9 which information shall include—

10 (1) information collected pursuant to the pro-
11 tocol established under section 6(a); and

12 (2) information provided by the Secretary of
13 Defense under subsection (b).

14 (b) PROVISION OF INFORMATION BY DEPARTMENT
15 OF DEFENSE.—Not later than 30 days after a noncitizen
16 veteran is honorably discharged from the Armed Forces,
17 the Secretary of Defense shall provide to the Secretary
18 of Homeland Security a copy of the Certificate of Release
19 of Discharge from Active Duty form, for inclusion in the
20 system established under subsection (a).

21 **SEC. 6. PROTOCOL FOR IDENTIFYING NONCITIZEN VET-**
22 **ERANS.**

23 (a) IN GENERAL.—Not later than the last of the first
24 fiscal year that begins after the date of the enactment of

1 this Act, the Secretary of Homeland Security shall estab-
2 lish—

3 (1) a protocol (to be known as the “Immigrant
4 Veterans Eligibility Tracking System” or “I-
5 VETS”) for identifying noncitizens who are or may
6 be veterans, and for collecting and maintaining data
7 with respect to such who are in removal proceedings,
8 or who have been removed, for use by personnel of
9 U.S. Immigration and Customs Enforcement;

10 (2) best practices with respect to addressing
11 issues related to the removal of any such noncitizen;
12 and

13 (3) an annual training program for personnel of
14 U.S. Immigration and Customs Enforcement with
15 respect to the protocol and best practices established
16 under paragraphs (1) and (2).

17 (b) TRAINING.—Beginning in the first fiscal year
18 that begins after the Secretary of Homeland Security com-
19 pletes the requirements under subsection (a), personnel of
20 U.S. Immigration and Customs enforcement shall partici-
21 pate, on an annual basis, in a training on the protocol
22 and best practices developed under subsection (a).

1 **SEC. 7. MILITARY FAMILY IMMIGRATION ADVISORY COM-**
2 **MITTEE.**

3 (a) ESTABLISHMENT.—The Secretary of Homeland
4 Security, in consultation with the Secretary of Defense
5 and in cooperation with the Secretary of the Army, the
6 Secretary of the Navy, the Secretary of the Air Force, and
7 the Commandant of the Coast Guard, shall establish an
8 advisory committee, to be known as the “Military Family
9 Immigration Advisory Committee”, to provide rec-
10 ommendations to the Secretary of Homeland Security and
11 the Attorney General on the exercise of prosecutorial dis-
12 cretion in cases involving removal proceedings of individ-
13 uals described in section 3(a).

14 (b) MEMBERSHIP.—The Advisory Committee shall be
15 composed of—

16 (1) the Deputy Commanding General of Army
17 Human Resources Command, or designee;

18 (2) the Judge Advocate of the Army, or des-
19 ignee;

20 (3) the Deputy Commander of Navy Personnel
21 Command, or designee;

22 (4) the Judge Advocate of the Navy, or des-
23 ignee;

24 (5) the Vice Chief of Staff of the Air Force;

25 (6) the Judge Advocate of the Air Force, or
26 designee;

1 (7) the Deputy Commandant for Mission Sup-
2 port of the Coast Guard;

3 (8) the Judge Advocate of the Coast Guard, or
4 designee; and

5 (9) the Deputy Commandant of Manpower and
6 Reserve Affairs of the Marine Corps, or designee.

7 (c) CASE REVIEWS.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the Director of U.S. Immigration and Customs En-
10 forcement notifies the Advisory Committee of the
11 case of an individual described in section 3(a), the
12 Advisory Committee shall meet to review the case
13 and to provide a written recommendation to the Sec-
14 retary of Homeland Security on whether the indi-
15 vidual—

16 (A) notwithstanding the grounds for re-
17 moval asserted by U.S. Immigration and Cus-
18 toms Enforcement, should be granted—

19 (i) a stay of removal and allowed to
20 apply for asylum;

21 (ii) deferred action; or

22 (iii) parole; or

23 (B) should be removed from the United
24 States.

1 (2) SUBMISSION OF INFORMATION.—An indi-
2 vidual who is the subject of a case review under
3 paragraph (1) may submit information to the Advi-
4 sory Committee, and the Advisory Committee shall
5 consider such information.

6 (3) PROCEDURES.—In conducting each case re-
7 view under paragraph (1), the Advisory Committee
8 shall consider, as factors weighing in favor of a rec-
9 ommendation under paragraph (1)(A)—

10 (A) with respect to a member of the
11 Armed Forces serving on active duty or in a re-
12 serve component, whether the individual—

13 (i) took an oath of enlistment or an
14 oath of office;

15 (ii) received military decorations, cam-
16 paign medals, or service medals, was de-
17 ployed, or was otherwise evaluated for
18 merit in service during his or her service in
19 the Armed Forces;

20 (iii) is a national of a country that
21 prohibits repatriation of an individual after
22 any service in the Armed Forces; or

23 (iv) contributed to his or her local
24 community during his or her service in the
25 Armed Forces;

1 (B) with respect to a veteran, whether the
2 individual—

3 (i) took an oath of enlistment or an
4 oath of office;

5 (ii) completed a term of service in the
6 Armed Forces and was discharged under
7 conditions other than dishonorable;

8 (iii) received military decorations,
9 campaign medals, or service medals, was
10 deployed, or was otherwise evaluated for
11 merit in service during his or her service in
12 the Armed Forces;

13 (iv) is a national of a country that
14 prohibits repatriation of an individual after
15 any service in the Armed Forces; or

16 (v) contributed to his or her local
17 community during or after his or her serv-
18 ice in the Armed Forces; and

19 (C) with respect to a covered family mem-
20 ber, whether the individual—

21 (i) supported a member of the Armed
22 Forces serving on active duty or a veteran,
23 including through financial support, emo-
24 tional support, or caregiving; or

1 (ii) contributed to his or her local
2 community during or after the military
3 service of the member or of the veteran.

4 (d) CONSULTATION WITH U.S. IMMIGRATION AND
5 CUSTOMS ENFORCEMENT PRINCIPAL LEGAL ADVISOR.—
6 The Principal Legal Advisor of U.S. Immigration and
7 Customs Enforcement, or designee, shall consult with the
8 Advisory Committee at the request of members of the Ad-
9 visory Committee.

10 (e) BRIEFINGS ON UNSUITABILITY OF NONCITIZEN
11 MEMBERS OF THE ARMED FORCES.—The Under Sec-
12 retary of Defense for Personnel and Readiness shall pro-
13 vide detailed briefings to the Advisory Committee regard-
14 ing the reasons for determining the unsuitability of noncit-
15 izen members of the Armed Forces whose cases are being
16 considered by the Advisory Committee.

17 (f) BRIEFINGS ON ACTIONS IN RESPONSE TO REC-
18 OMMENDATIONS.—Not less frequently than quarterly, the
19 Secretary of Homeland Security shall provide detailed
20 briefings to the Advisory Committee regarding actions
21 taken in response to the recommendations of the Advisory
22 Committee, including detailed explanations for any cases
23 in which a recommendation of the Advisory Committee
24 was not followed.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated such sums as may be nec-
3 essary to carry out this section.

4 **SEC. 8. LIST OF COUNTRIES UNWILLING TO REPATRIATE**
5 **UNITED STATES VETERANS.**

6 The Secretary of Homeland Security, in consultation
7 with the Secretary of State, shall compile and annually
8 update a list of countries that refuse to repatriate nation-
9 als of such country who have enlisted or been appointed
10 in the United States Armed Forces.

11 **SEC. 9. PROGRAM OF CITIZENSHIP THROUGH MILITARY**
12 **SERVICE.**

13 (a) IN GENERAL.—The Secretary of Homeland Secu-
14 rity, acting through the Director of U.S. Citizenship and
15 Immigration Services, and the Secretary of Defense shall
16 jointly carry out a program under which any individual
17 noncitizen who serves on active duty in the Armed Forces,
18 and the noncitizen spouse and any noncitizen minor child
19 of such individual, shall be naturalized as a United States
20 citizen if such individual, and such spouse or child, sub-
21 mits an application for naturalization and is not otherwise
22 ineligible for citizenship under the immigration laws (as
23 that term is defined in section 101(a)(17) of the Immigra-
24 tion and Nationality Act (8 U.S.C. 1101(a)(17)).

1 (b) JAG TRAINING.—The Secretary of Defense shall
2 ensure that appropriate members of the Judge Advocate
3 General Corps of the Armed Forces shall receive training
4 to function as liaisons with U.S. Citizenship and Immigra-
5 tion Services with respect to applications for citizenship
6 of noncitizen members of the Armed Forces assigned to
7 units in such areas.

8 (c) TRAINING FOR RECRUITERS.—The Secretary of
9 Defense shall ensure that all recruiters in the Armed
10 Forces receive training regarding—

11 (1) the steps required for a noncitizen member
12 of the Armed Forces to receive citizenship;

13 (2) limitations on the path to citizenship for
14 family members of such individuals; and

15 (3) points of contact at the Department of
16 Homeland Security to resolve emergency immigra-
17 tion-related situations with respect to such individ-
18 uals and their family members.

19 (d) APPLICATION FOR NATURALIZATION.—

20 (1) BIOMETRICS.—

21 (A) SUBMISSION OF BIOMETRIC INFORMA-
22 TION.—The Secretary of Defense shall ensure
23 that, at the time of accession into the Armed
24 Forces, biometric information of an individual
25 who has applied, or who plans to apply, for nat-

1 uralization is submitted to U.S. Citizenship and
2 Immigration Services for the purposes of such
3 application.

4 (B) ACCEPTANCE OF BIOMETRIC INFORMA-
5 TION.—The Director of U.S. Citizenship and
6 Immigration Services shall accept any biometric
7 information submitted pursuant to subpara-
8 graph (A).

9 (2) FILING OF APPLICATION.—The Secretary of
10 Homeland Security, in coordination with the Sec-
11 retary of Defense, shall ensure that each noncitizen
12 individual who accesses into the Armed Forces is
13 permitted to file an application for naturalization as
14 part of the accessions process.

15 (3) ADJUDICATION OF APPLICATION.—The Sec-
16 retary of Homeland Security, in coordination with
17 the Secretary of Defense, shall ensure that the appli-
18 cation for naturalization of any individual who ap-
19 plies for naturalization during the accessions process
20 into the Armed Forces is adjudicated not later than
21 the last day of active service of the individual in the
22 Armed Forces.

23 (e) ANNUAL REPORTS.—The Secretary of each mili-
24 tary department shall annually submit to the appropriate
25 congressional committees a report on the number of all

1 noncitizens who enlisted or were appointed in their depart-
2 ment, all members of the Armed Forces in their depart-
3 ment who naturalized, and all members of the Armed
4 Forces in their department who were discharged or re-
5 leased without United States citizenship under the juris-
6 diction of such Secretary during the preceding year.

7 **SEC. 10. INFORMATION FOR MILITARY RECRUITS REGARD-**
8 **ING NATURALIZATION THROUGH SERVICE IN**
9 **THE ARMED FORCES.**

10 The Secretary of Defense, in coordination with the
11 Secretary of Homeland Security, shall ensure that there
12 is stationed or employed at each Military Entrance Proc-
13 essing Station—

14 (1) an employee of U.S. Citizenship and Immi-
15 gration Services; or

16 (2) in the case that the Secretary determines
17 that it is impracticable station or employ a person
18 described in paragraph (1) at a Military Entrance
19 Processing Station, a member of the Armed Forces
20 or employee of the Department of Defense—

21 (A) whom the Secretary determines is
22 trained in the immigration laws; and

23 (B) who shall inform each military recruit
24 who is not a citizen of the United States proc-
25 essed at such Military Entrance Processing Sta-

tion regarding naturalization through service in the Armed Forces under sections 328 and 329 of the Immigration and Nationality Act (8 U.S.C. 1439–1440).

SEC. 11. RETURN OF ELIGIBLE VETERANS REMOVED FROM THE UNITED STATES; ADJUSTMENT OF STATUS.

(a) PROGRAM FOR ADMISSION AND ADJUSTMENT OF STATUS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a program and an application procedure that allows—

(1) eligible veterans outside the United States to be admitted to the United States as noncitizens lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); and

(2) eligible veterans in the United States to adjust status to that of noncitizens lawfully admitted for permanent residence.

(b) VETERANS ORDERED REMOVED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in the case of noncitizen veterans who are the subjects of final orders of removal, including noncitizen veterans

1 who are outside the United States, the Attorney
2 General shall—

3 (A) reopen the removal proceedings of each
4 such noncitizen veteran; and

5 (B) make a determination with respect to
6 whether each such noncitizen veteran is an eli-
7 gible veteran.

8 (2) RESCISSION OF REMOVAL ORDER.—In the
9 case of a determination under paragraph (1)(B) that
10 a noncitizen veteran is an eligible veteran, the Attor-
11 ney General shall—

12 (A) rescind the order of removal;

13 (B) adjust the status of the eligible veteran
14 to that of a noncitizen lawfully admitted for
15 permanent residence; and

16 (C) terminate removal proceedings.

17 (c) VETERANS IN REMOVAL PROCEEDINGS.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, in the
20 case of noncitizen veterans, the removal proceedings
21 of whom are pending as of the date of the enactment
22 of this Act, the Attorney General shall make a deter-
23 mination with respect to whether each such noncit-
24 izen veteran is an eligible veteran.

1 (2) TERMINATION OF PROCEEDINGS.—In the
2 case of a determination under paragraph (1) that a
3 noncitizen veteran is an eligible veteran, the Attor-
4 ney General shall—

5 (A) adjust the status of the eligible veteran
6 to that of a noncitizen lawfully admitted for
7 permanent residence; and

8 (B) terminate removal proceedings.

9 (d) NO NUMERICAL LIMITATIONS.—Nothing in this
10 section or in any other law may be construed to apply a
11 numerical limitation on the number of veterans who may
12 be eligible to receive a benefit under this section.

13 (e) ELIGIBILITY.—

14 (1) IN GENERAL.—Notwithstanding sections
15 212 and 237 of the Immigration and Nationality Act
16 (8 U.S.C. 1182 and 1227) or any other provision of
17 law, a noncitizen veteran shall be eligible to partici-
18 pate in the program established under subsection (a)
19 or for adjustment of status under subsections (b) or
20 (c), as applicable, if the Secretary or the Attorney
21 General, as applicable, determines that the noncit-
22 izen veteran—

23 (A) was not removed or ordered removed
24 from the United States based on a conviction
25 for—

1 (i) a crime of violence; or

2 (ii) a crime that endangers the na-
3 tional security of the United States for
4 which the noncitizen veteran has served a
5 term of imprisonment of at least 5 years;
6 and

7 (B) is not inadmissible to, or deportable
8 from, the United States based on a conviction
9 for a crime described in subparagraph (A).

10 (2) WAIVER.—The Secretary may waive the ap-
11 plication of paragraph (1)—

12 (A) for humanitarian purposes;

13 (B) to ensure family unity;

14 (C) based on exceptional service in the
15 Armed Forces; or

16 (D) if a waiver otherwise is in the public
17 interest.

18 (f) DEFINITIONS.—In this section:

19 (1) CRIME OF VIOLENCE.—The term “crime of
20 violence” means an offense defined in section 16(a)
21 of title 18, United States Code—

22 (A) that is not a purely political offense;
23 and

24 (B) for which a noncitizen has served a
25 term of imprisonment of at least 5 years.

1 (2) ELIGIBLE VETERAN.—

2 (A) IN GENERAL.—The term “eligible vet-
3 eran” means a veteran who—

4 (i) is a noncitizen; and

5 (ii) meets the criteria described in
6 subsection (e).

7 (B) INCLUSION.—The term “eligible vet-
8 eran” includes a veteran who—

9 (i) was removed from the United
10 States; or

11 (ii) is abroad and is inadmissible
12 under section 212(a) of the Immigration
13 and Nationality Act (8 U.S.C. 1182(a)).

14 **SEC. 12. ESTABLISHING GOOD MORAL CHARACTER OF AP-**
15 **PLICANTS FOR CITIZENSHIP WHO SERVED**
16 **HONORABLY IN THE ARMED FORCES OF THE**
17 **UNITED STATES.**

18 Section 328(e) of the Immigration and Nationality
19 Act is amended by adding at the end the following: “Not-
20 withstanding section 101(f), a finding that an applicant
21 under this section is described in any of paragraphs (1)
22 through (9) of section 101(f) (except in the case of an
23 applicant who is described in any such paragraph because
24 of having been convicted of an aggravated felony described
25 in subparagraph (A), (I), (K), or (L) of section

1 101(a)(43)) shall not preclude a finding that the applicant
2 is of good moral character.”.

3 **SEC. 13. DEFINITIONS.**

4 In this Act:

5 (1) **ADVISORY COMMITTEE.**—The term “Advi-
6 sory Committee” means the Military Family Immi-
7 gration Advisory Committee established pursuant to
8 section 7.

9 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
10 **TEES.**—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Armed Services of
13 the Senate;

14 (B) the Committee on Homeland Security
15 and Governmental Affairs of the Senate;

16 (C) the Committee on the Judiciary of the
17 Senate;

18 (D) the Committee on Veterans’ Affairs of
19 the Senate;

20 (E) the Committee on Armed Services of
21 the House of Representatives;

22 (F) the Committee on Homeland Security
23 of the House of Representatives;

24 (G) the Committee on the Judiciary of the
25 House of Representatives; and

1 (H) the Committee on Veterans' Affairs of
2 the House of Representatives.

3 (3) ARMED FORCES.—The term “Armed
4 Forces” has the meaning given the term “armed
5 forces” in section 101(a)(4) of title 10, United
6 States Code, and includes the reserve components of
7 the Armed Forces.

8 (4) VETERAN.—The term “veteran” means a
9 person who served as a member of the Armed
10 Forces on active duty or in a reserve component and
11 who was discharged or released therefrom under
12 conditions other than dishonorable.

13 (5) COVERED FAMILY MEMBER.—The term
14 “covered family member” means the noncitizen
15 spouse or noncitizen minor child of—

16 (A) a member of the Armed Forces serving
17 on active duty or in a reserve component; or

18 (B) a veteran, as defined in paragraph (4).

19 (6) IMMIGRATION LAWS.—The term “immigra-
20 tion laws” has the meaning given that term in sec-
21 tion 101 of the Immigration and Nationality Act (8
22 U.S.C. 1101).

23 (7) NONCITIZEN.—The term “noncitizen”
24 means an individual who is not a citizen or national
25 of the United States (as defined in section 101(a) of

1 the Immigration and Nationality Act (8 U.S.C.
2 1101(a)).

○