

107TH CONGRESS
1ST SESSION

H. R. 1616

To amend the Immigration and Nationality Act to provide for the granting of United States citizenship, through the issuance of a certificate of citizenship, to any person who, after obtaining the status of an alien lawfully admitted for permanent residence, completes 3 years of honorable service on active duty in the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2001

Mr. KELLER (for himself and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

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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 “Veterans’ Citizenship
5 Act of 2001”.

1 **SEC. 2. CITIZENSHIP FOR LAWFUL PERMANENT RESIDENT**
2 **ALIENS COMPLETING 3 YEARS OF HONOR-**
3 **ABLE SERVICE IN THE ARMED FORCES.**

4 (a) IN GENERAL.—Section 328 of the Immigration
5 and Nationality Act (8 U.S.C. 1439) is amended to read
6 as follows:

7 “CITIZENSHIP THROUGH SERVICE IN THE ARMED FORCES
8 OF THE UNITED STATES

9 “SEC. 328. (a) A person described in subsection (b)
10 may apply for naturalization under this section without
11 regard to any other requirement of this title. Such an ap-
12 plication may be filed abroad. The Attorney General shall
13 approve an application for naturalization under this sec-
14 tion, and shall issue a certificate of citizenship to the per-
15 son filing the application, upon proof that the require-
16 ments of subsection (b) have been met.

17 “(b)(1) A person described in this subsection is a per-
18 son who, after acquiring the status of an alien lawfully
19 admitted for permanent residence, serves on active duty
20 in the Armed Forces of the United States and either—

21 “(A) completes not less than 3 years of such
22 service characterized by the Secretary concerned as
23 honorable service; or

24 “(B) is discharged from the Armed Forces due
25 to disability associated with wounds received while

1 on active duty that resulted in the award of the Pur-
2 ple Heart.

3 “(2) The Attorney General shall accept as sufficient
4 documentation of service referred to in paragraph
5 (1)(A)—

6 “(A) duly authenticated copies of the records of
7 the executive department having custody of the
8 records of the person’s service, showing the period of
9 such service and the characterization of such service;
10 or

11 “(B) in the case of a person separated from ac-
12 tive duty in the Armed Forces before submitting an
13 application under this section, the person’s official
14 certificate of separation from active duty (known as
15 a ‘DD 214 Form’), showing the period or periods
16 that the person served on active duty and showing
17 the characterization of the person’s service on active
18 duty.

19 “(c) The Attorney General shall present a certificate
20 of citizenship issued under this section as follows:

21 “(1) For a person who is a member of the
22 Armed Forces of the United States serving on active
23 duty, the Attorney General shall expeditiously for-
24 ward the certificate to the Secretary concerned for

1 presentation to the person in such manner as the
2 Secretary may direct.

3 “(2) For a person not covered by paragraph
4 (1), the Attorney General shall present the certifi-
5 cate to the person.”.

6 “(d) For purposes of this section, the term ‘Secretary
7 concerned’ has the meaning given that term in section 101
8 of title 10, United States Code.”.

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