

117TH CONGRESS
1ST SESSION

H. R. 1941

To amend the Immigration and Nationality Act to waive certain naturalization requirements for United States nationals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2021

Mrs. RADEWAGEN (for herself, Mr. SABLAN, Miss GONZÁLEZ-COLÓN, and Mr. SAN NICOLAS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to waive certain naturalization requirements for United States nationals, 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. WAIVER OF CERTAIN NATURALIZATION RE-**
4 **QUIREMENTS FOR UNITED STATES NATION-**
5 **ALS TO BECOME UNITED STATES CITIZENS.**

6 (a) FINDINGS.—The Congress finds the following:

7 (1) Both United States citizens and United
8 States nationals are persons who owe permanent al-
9 legiance to the United States.

1 (2) United States nationals serve in the United
2 States Armed Services at a very high per capita
3 rate.

4 (3) Commissioned military officers and certain
5 security clearances require United States nationals
6 to become United States citizens.

7 (4) Many United States nationals desire to be-
8 come United States citizens.

9 (5) United States nationals attend United
10 States Department of Education curriculum-ap-
11 proved and regulated schools.

12 (6) United States nationals serving in the mili-
13 tary or other United States national civilians desir-
14 ing to obtain United States citizenship should be en-
15 titled to citizenship on an expedited basis without
16 having to move, having any further educational test-
17 ing required, or having any fee or cost assessed.

18 (b) NATURALIZATION OF CERTAIN UNITED STATES
19 NATIONALS.—Section 325 of the Immigration and Na-
20 tionality Act (8 U.S.C. 1436) is amended to read as fol-
21 lows:

1 **“SEC. 325. NATIONALS BUT NOT CITIZENS OF THE UNITED**
2 **STATES; RESIDENCE WITHIN OUTLYING POS-**
3 **SESSIONS.**

4 “(a) **ELIGIBILITY FOR NATURALIZATION.**—A person
5 not a citizen who owes permanent allegiance to the United
6 States, and who is otherwise qualified, may—

7 “(1) if the person becomes a resident of any
8 State, be naturalized upon compliance with the ap-
9 plicable requirements of this title, except that in ap-
10 plications for naturalization filed under the provi-
11 sions of this section, residence and physical presence
12 within the United States within the meaning of this
13 title shall include residence and physical presence
14 within any of the outlying possessions of the United
15 States; or

16 “(2) if the person has continuously resided in
17 any State or outlying possession of the United
18 States from birth to the date of approval of the ap-
19 plication, be naturalized upon compliance with the
20 applicable requirements of this title other than sec-
21 tions 312 and 337(a) and paragraphs (1) and (2) of
22 section 316(a).

23 “(b) **JURISDICTION.**—The Secretary shall provide
24 that applications, interviews, filings, oaths, ceremonies, or
25 other proceedings under this title, to the extent applicable,

1 are available in an outlying possession of the United
2 States with respect to—

3 “(1) any applicant for naturalization under sub-
4 section (a)(2);

5 “(2) any applicant for naturalization under sec-
6 tion 328 or 329 who is a resident of an outlying pos-
7 session of the United States; or

8 “(3) any child described in section 322(a)(5)(B)
9 for whom an application is made under section 322.

10 “(c) CONSTRUCTION.—In determining eligibility for
11 naturalization under subsection (a)(2)—

12 “(1) absence from any State or outlying posses-
13 sion of the United States for a continuous period of
14 more than 180 days shall break the continuity of
15 such residence, unless the person establishes to the
16 satisfaction of the Secretary of Homeland Security
17 that the person did not abandon such person’s resi-
18 dence during such period;

19 “(2) in conducting the investigation and exam-
20 ination of the person under sections 332(a) and 335,
21 the Secretary of Homeland Security may in the dis-
22 cretion of the Secretary waive a personal interview
23 of the person; and

24 “(3) the Secretary of Homeland Security, in the
25 discretion of the Secretary, may impose a reduced

1 fee for an application for naturalization under such
2 subsection compared to other applications for natu-
3 ralization, taking into account the relative costs of
4 processing an application for naturalization under
5 such subsection.”.

6 (c) CHILDREN OF UNITED STATES NATIONALS.—

7 Section 322(a)(5) of the Immigration and Nationality Act
8 (8 U.S.C. 1433(a)(5)) is amended to read as follows:

9 “(5) The child—

10 “(A) is temporarily present in the United
11 States pursuant to a lawful admission, and is
12 maintaining such lawful status; or

13 “(B) is present and resides in an outlying
14 possession of the United States”.

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