

116TH CONGRESS
2D SESSION

S. 3294

To require U.S. Citizenship and Immigration Services to facilitate naturalization services for noncitizen veterans who have been removed from the United States or are inadmissible.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2020

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

A BILL

To require U.S. Citizenship and Immigration Services to facilitate naturalization services for noncitizen veterans who have been removed from the United States or are inadmissible.

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 “Strengthening Citizen-
5 ship Services for Veterans Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) BIOMETRIC COLLECTION.—The term “bio-
2 metric collection” means the biometric collection de-
3 scribed in section 103.2(b)(9) of title 8, Code of
4 Federal Regulations, during which the applicant pro-
5 vides information, including by providing finger-
6 prints, photographs, or signatures, to confirm his or
7 her identity and to satisfy any requirement for back-
8 ground and security checks in connection with an
9 application to become a naturalized citizen of the
10 United States.

11 (2) ELIGIBLE VETERAN.—The term “eligible
12 veteran”—

13 (A) means a veteran who is a noncitizen;
14 and

15 (B) includes any veteran who—

16 (i) was removed from the United
17 States; or

18 (ii) is not in the United States and is
19 inadmissible under section 212(a) of the
20 Immigration and Nationality Act (8 U.S.C.
21 1182(a)).

22 (3) NATURALIZATION EXAMINATION.—The
23 term “naturalization examination” means the
24 English and civics test that each noncitizen is re-
25 quired to pass (unless exempted) pursuant to section

1 312(a) of the Immigration and Nationality Act (8
2 U.S.C. 1423(a)) to become a naturalized citizen of
3 the United States.

4 (4) NONCITIZEN.—The term “noncitizen”
5 means an individual who is not a citizen of the
6 United States.

7 (5) OATH OF ALLEGIANCE.—The term “oath of
8 allegiance” means the affirmation and ceremony
9 necessary to become a naturalized citizen of the
10 United States.

11 (6) SECRETARY.—The term “Secretary” means
12 the Secretary of Homeland Security.

13 (7) VETERAN.—The term “veteran” has the
14 meaning given such term in section 101 of title 38,
15 United States Code.

16 **SEC. 3. NATURALIZATION EXAMINATIONS AND BIOMETRIC**
17 **COLLECTION FOR ELIGIBLE VETERANS.**

18 (a) IN GENERAL.—The Director of U.S. Citizenship
19 and Immigration Services shall ensure that the naturaliza-
20 tion examination for each eligible veteran is conducted
21 at—

22 (1) a United States port of entry that is acces-
23 sible to the veteran; or

24 (2) a United States embassy or consulate in the
25 country in which the veteran resides.

1 (b) BIOMETRIC COLLECTION.—The Director of U.S.
2 Citizenship and Immigration Services shall ensure that bi-
3 ometric collection is made available for each eligible vet-
4 eran at—

5 (1) a United States port of entry that is acces-
6 sible to the veteran; or

7 (2) a United States embassy or consulate in the
8 country in which the veteran resides.

9 (c) OATH OF ALLEGIANCE.—The Director of U.S.
10 Citizenship and Immigration Services shall ensure that the
11 oath of allegiance for each eligible veteran is conducted
12 at—

13 (1) a United States port of entry that is acces-
14 sible to the veteran; or

15 (2) a United States embassy or consulate in the
16 country in which the veteran resides.

17 **SEC. 4. JOINT GUIDANCE FROM THE SECRETARY OF HOME-**
18 **LAND SECURITY AND THE SECRETARY OF**
19 **STATE.**

20 The Secretary of Homeland Security and the Sec-
21 retary of State shall issue guidance regarding—

22 (1) the methods used by the Department of
23 Homeland Security to conduct biometric collections,
24 naturalization examinations, and oath ceremonies for

1 eligible veterans at a United States port of entry,
2 embassy, or consulate;

3 (2) the methods used by the Department of
4 State to facilitate available space for the activities
5 described in paragraph (1); and

6 (3) quality assurance mechanisms to ensure eli-
7 gible veterans are able to complete the naturalization
8 process at a port of entry, embassy, or consulate.

9 **SEC. 5. REPORT.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of Home-
12 land Security and the Secretary of State shall jointly sub-
13 mit a report to Committee on Veterans' Affairs of the Sen-
14 ate, the Committee on the Judiciary of the Senate, the
15 Committee on Veterans' Affairs of the House of Rep-
16 resentatives, and the Committee on the Judiciary of the
17 House of Representatives that contains an analysis of—

18 (1) the implementation of this Act; and

19 (2) the effectiveness of the guidance issued pur-
20 suant to section 4.

21 (b) UPDATED GUIDANCE.—Not later than the last
22 day of the 90-day period beginning on the date on which
23 the report is submitted pursuant to subsection (a), the
24 Secretary of Homeland Security and the Secretary of
25 State shall jointly update the guidance required under sec-

1 tion 4 to the extent any shortcomings are identified in the
2 report.

3 **SEC. 6. RULEMAKING.**

4 Not later than 90 days after the date of the enact-
5 ment of this Act, the Secretary shall promulgate regula-
6 tions to implement this Act.

7 **SEC. 7. EFFECTIVE DATE; APPLICABILITY.**

8 (a) **EFFECTIVE DATE.**—This Act shall take effect 90
9 days after the date of the enactment of this Act.

10 (b) **APPLICABILITY.**—The requirements under this
11 Act shall apply to all naturalization examinations involving
12 eligible veterans with a pending naturalization application
13 as of the date of the enactment of this Act or who submit
14 a naturalization application after such date of enactment,
15 regardless of the date on which the veterans were dis-
16 charged from the military or exited the United States.

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