

HR 1954

Naturalization and Family Protection for Military Members Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Immigration

Introduced: May 6, 2003

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 142.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 142. (Jun 16, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/1954>

Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berman, Howard L. [D-CA-28]	D · CA		May 6, 2003
Rep. Coble, Howard [R-NC-6]	R · NC		May 6, 2003
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		May 6, 2003
Rep. Flake, Jeff [R-AZ-6]	R · AZ		May 6, 2003
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		May 6, 2003
Rep. Hastings, Doc [R-WA-4]	R · WA		May 6, 2003
Rep. Issa, Darrell E. [R-CA-49]	R · CA		May 6, 2003
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		May 6, 2003
Rep. Jenkins, William L. [R-TN-1]	R · TN		May 6, 2003
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		May 6, 2003
Rep. Keller, Ric [R-FL-8]	R · FL		May 6, 2003
Rep. Dreier, David [R-CA-26]	R · CA		May 9, 2003
Rep. Solis, Hilda L. [D-CA-32]	D · CA		May 9, 2003
Rep. Pearce, Stevan [R-NM-2]	R · NM		May 14, 2003
Rep. Putnam, Adam H. [R-FL-12]	R · FL		May 14, 2003
Rep. Green, Gene [D-TX-29]	D · TX		May 19, 2003
Rep. Lewis, Jerry [R-CA-41]	R · CA		May 19, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	May 7, 2003
Judiciary Committee	Senate	Reported By	Jun 16, 2003

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Summary (as of Jun 16, 2003)

Naturalization and Family Protection for Military Members Act of 2003 - (Sec. 2) Amends the Immigration and Nationality Act with respect to naturalization through armed forces service during nonhostile periods to reduce the required qualifying service from three years to two.

Prohibits imposition of naturalization application or certificate fees and related State documentation fees for armed forces members seeking to naturalize.

Provides for overseas naturalization proceedings for members of the armed forces.

Directs the Secretary of Defense to prescribe a policy that facilitates the opportunity for a member to finalize naturalization for which the member has applied.

(Sec. 3) Qualifies the Selective Reserve of the Ready Reserve for such naturalization benefits.

(Sec. 4) Retains the immediate relative status for the alien spouse (until remarriage), child, or parent of a U.S. citizen who served honorably in active duty status and died from injury or disease incurred in or aggravated by combat. Requires petition filing within two years of such death.

Permits child or parent petitions for immigrant status in instances where the armed forces member had not filed prior to death.

States that an application for status adjustment by the alien spouse, child, or parent of an alien member who was granted service-related posthumous citizenship may be adjudicated as if the death had not occurred. Requires application filing prior to such death.

Treats the spouse, child, or parent of a lawful permanent resident who was granted service-related posthumous citizenship as a valid petitioner for immediate family status. Requires petition filing within two years of such death.

Permits such aliens to apply for permanent resident status adjustment.

Waives public charge inadmissibility grounds for such spouses, children, or parents. Authorizes the Secretary of Homeland Security to waive on an individual basis inadmissibility provisions concerning aliens present without admission or parole, lacking documentation, or unlawfully present, if the alien establishes exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a U.S. citizen or lawful permanent resident alien.

(Sec. 5) Provides that a request for the granting of posthumous citizenship to a member of the armed forces who died from an active service-related injury or disease incurred during a period of military hostilities may be filed: (1) upon locating the next-of-kin, and if so requested by the next-of-kin, by the Secretary of Defense (or designee) with the Bureau of Citizenship and Immigration Services in the Department of Homeland Security immediately upon the death of that person; or (2) by the next-of-kin. (Current law provides for such filing only by the next-of-kin or other representative.)

Requires the Director of the Bureau of Citizenship and Immigration Services to approve a request for posthumous citizenship filed by the next-of-kin if: (1) the request is filed within two years after the later of enactment of this section or the date of the person's death, whichever is later; (2) the request is accompanied by a duly authenticated certificate from the executive department under which the person served attesting to the person's honorable service and service-related death; and (3) the Director finds that the person satisfied certain enlistment location or post-enlistment status requirements. (Current law provides for approval by the Attorney General within two years after the later of March 6,

1990, or the person's death.)

States that the Director (currently the Attorney General) shall send the documentation of posthumous citizenship to the next-of-kin.

(Sec. 6) Makes this Act effective as if enacted on September 11, 2001.

Actions Timeline

- **Jun 16, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. Without written report.
- **Jun 16, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. Without written report.
- **Jun 16, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 142.
- **Jun 12, 2003:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 10, 2003:** Read twice and referred to the Committee on the Judiciary.
- **Jun 5, 2003:** Received in the Senate.
- **Jun 4, 2003:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Jun 4, 2003:** Considered under suspension of the rules. (consideration: CR H4899-4910)
- **Jun 4, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1954.
- **Jun 4, 2003:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 4, 2003:** Considered as unfinished business. (consideration: CR H4921)
- **Jun 4, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 414 - 5 (Roll no. 239).(text: CR H4899-4901)
- **Jun 4, 2003:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 414 - 5 (Roll no. 239). (text: CR H4899-4901)
- **Jun 4, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **May 19, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-111.
- **May 19, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-111.
- **May 19, 2003:** Placed on the Union Calendar, Calendar No. 57.
- **May 7, 2003:** Subcommittee on Immigration, Border Security, and Claims Discharged.
- **May 7, 2003:** Committee Consideration and Mark-up Session Held.
- **May 7, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **May 6, 2003:** Introduced in House
- **May 6, 2003:** Introduced in House
- **May 6, 2003:** Referred to the House Committee on the Judiciary.
- **May 6, 2003:** Referred to the Subcommittee on Immigration, Border Security, and Claims.