

118TH CONGRESS
1ST SESSION

H. R. 3714

To amend the Immigration and Nationality Act to extend honorary citizenship to otherwise qualified noncitizens who enlisted in the Philippines and died while serving on active duty with the United States Armed Forces during certain periods of hostilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2023

Mrs. NAPOLITANO (for herself, Mr. SESSIONS, Mr. CARSON, and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to extend honorary citizenship to otherwise qualified noncitizens who enlisted in the Philippines and died while serving on active duty with the United States Armed Forces during certain periods of hostilities, 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 “Corporal Fernando
5 Ruiz Baltazar Posthumous Citizenship Act of 2023”.

1 **SEC. 2. GRANTING OF POSTHUMOUS CITIZENSHIP TO OTH-**
 2 **ERWISE QUALIFIED NONCITIZENS WHO EN-**
 3 **LISTED IN THE PHILIPPINES.**

4 (a) IN GENERAL.—Section 329A(b) of the Immigra-
 5 tion and Nationality Act (8 U.S.C. 1440–1(b)) is amended
 6 to read as follows:

7 “(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS
 8 CITIZENSHIP.—

9 “(1) IN GENERAL.—A person referred to in
 10 subsection (a) is a person who, while an alien or a
 11 noncitizen national of the United States—

12 “(A) served honorably in an active-duty
 13 status in the military, air, or naval forces of the
 14 United States during any period described in
 15 the first sentence of section 329(a);

16 “(B) died as a result of injury or disease
 17 incurred in or aggravated by that service; and

18 “(C) either—

19 “(i) satisfied the requirements of
 20 clause (1) or (2) of the first sentence of
 21 section 329(a); or

22 “(ii) enlisted, reenlisted, extended en-
 23 listment, or was inducted in the Phil-
 24ippines and died during the period begin-
 25ning September 1, 1939, and ending De-
 26cember 31, 1946.

1 “(2) DETERMINATION OF SATISFACTION OF RE-
2 QUIREMENTS.—The executive department under
3 which a person described in paragraph (1) served
4 shall determine whether the person satisfied the re-
5 quirements of subparagraphs (A), (B), and (C)(ii) of
6 paragraph (1).

7 “(3) POSTHUMOUS BENEFITS.—In the case of a
8 person to which paragraph (1)(C)(ii) applies—

9 “(A) section 319(d) shall not apply; and

10 “(B) section 1703 of the National Defense
11 Authorization Act for Fiscal Year 2004 (Public
12 Law 108–136; 117 Stat. 1693; 8 U.S.C. 1151
13 note) shall not apply.”.

14 (b) CONFORMING AMENDMENTS.—Section
15 329A(c)(2) of the Immigration and Nationality Act (8
16 U.S.C. 1440–1(c)(2)) is amended—

17 (1) in subparagraph (A)(i), by inserting “(or, in
18 the case of an individual to which clause (ii) of sub-
19 section (b)(1)(C) applies, the date of the enactment
20 of such clause (ii))” after “the date of enactment of
21 this section”;

22 (2) by striking subparagraph (B) and inserting
23 the following new subparagraph:

24 “(B) the request is accompanied by a duly
25 authenticated certificate from the executive de-

1 partment under which the person served which
2 states that the person satisfied the require-
3 ments of—

4 “(i) subparagraphs (A) and (B) of
5 subsection (b)(1); and

6 “(ii) if applicable, subparagraph
7 (C)(ii) of subsection (b)(1); and”; and

8 (3) in subparagraph (C), by striking “of sub-
9 section (b)(3)” and inserting “of subsection
10 (b)(1)(C)(i)”.

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