

The Military Personnel Citizenship Processing Act passed the House and Senate and the bill is expected to be signed into law by the President.

On Sunday, September 28, 2008, the Military Personnel Citizenship Processing Act (S. 2840) passed the House of Representatives by a vote of 416-0. The Senate already passed the legislation (S. 2840) on September 24, 2008. The bill is expected to be signed into law by the President.

The bill requires the following:

Within 6 months of receiving an application for naturalization filed by a current member of the Armed Forces under subsection (a), section 329(a), or section 329A, by the spouse of such member under section 319(b), or by a surviving spouse or child under section 319(d), United States Citizenship and Immigration Services (USCIS) shall--

- (1) process and adjudicate the application, including completing all required background checks to the satisfaction of the Secretary of Homeland Security; or
- (2) provide the applicant with an explanation for its inability to meet the processing and adjudication deadline under this subsection; and an estimate of the date by which the application will be processed and adjudicated.

The bill would also establish an Office of FBI Liaison office within USCIS. The Office of the FBI Liaison will monitor the progress of the FBI to assist in the expeditious completion of all such functions pertaining to naturalization applications filed by, or on behalf of current or former members of the Armed Forces; current spouses of United States citizens who are currently serving on active duty in the Armed Forces and surviving spouses and children; or a deceased individual who is eligible for posthumous citizenship under INA section 329A.

The bill also requires DHS to issue regulations within six months regarding the new Office of FBI Liaison. In addition, USCIS must submit a report to Congress regarding any naturalization application impacted by this section that has not been processed within 1 year due to delays in conducting background checks. The bill also requires a GAO report regarding the average length of time taken by USCIS to process and adjudicate applications for naturalization filed by members of the Armed Forces, deceased members of the Armed Forces, and their spouses and children.

This measure will sunset five years after enacted.