

TITLE 8 - ALIENS AND NATIONALITY
CHAPTER 12 - IMMIGRATION AND NATIONALITY
SUBCHAPTER III - NATIONALITY AND NATURALIZATION
Part II - Nationality Through Naturalization

§ 1443a. Naturalization proceedings overseas for members of the Armed Forces and their spouses and children

Notwithstanding any other provision of law, the Secretary of Homeland Security, the Secretary of State, and the Secretary of Defense shall ensure that any applications, interviews, filings, oaths, ceremonies, or other proceedings under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.) relating to naturalization of members of the Armed Forces, and persons made eligible for naturalization by section 319(e) or 322(d) of such Act [8 U.S.C. 1430 (e), 1433 (d)], are available through United States embassies, consulates, and as practicable, United States military installations overseas.

(Pub. L. 108–136, div. A, title XVII, § 1701(d), Nov. 24, 2003, 117 Stat. 1692; Pub. L. 110–181, div. A, title VI, § 674(c), Jan. 28, 2008, 122 Stat. 186.)

References in Text

The Immigration and Nationality Act, referred to in text, is act June 27, 1952, ch. 477, 66 Stat. 163, as amended. Title III of the Act is classified principally to subchapter III (§ 1401 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

Codification

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2004, and not as part of the Immigration and Nationality Act which comprises this chapter.

Amendments

2008—Pub. L. 110–181 inserted “and their spouses and children” after “Armed Forces” in section catchline and “, and persons made eligible for naturalization by section 319(e) or 322(d) of such Act,” after “Armed Forces” in text.

Effective Date of 2008 Amendment

Amendment by Pub. L. 110–181 effective Jan. 28, 2008, and applicable to any application for naturalization or issuance of a certificate of citizenship pending on or after such date, see section 674(d) of Pub. L. 110–181, set out as a note under section 1430 of this title.

Effective Date

Section effective Oct. 1, 2004, see section 1705(b) of Pub. L. 109–136, set out as an Effective Date of 2003 Amendment note under section 1439 of this title.

Finalization of Naturalization Proceedings for Members of the Armed Forces

Pub. L. 108–136, div. A, title XVII, § 1701(e), Nov. 24, 2003, 117 Stat. 1692, provided that: “Not later than 90 days after the date of the enactment of this Act [Nov. 24, 2003], the Secretary of Defense shall prescribe a policy that facilitates the opportunity for a member of the Armed Forces to finalize naturalization for which the member has applied. The policy shall include, for such purpose, the following:

“(1) A high priority for grant of emergency leave.

“(2) A high priority for transportation on aircraft of, or chartered by, the Armed Forces.”