AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. COFFMAN OF COLORADO
(National Defense Authorization Bill)

At the end of subtitle C of title V, add the following new section:

SEC. 5. ADDITIONAL PERSONS QUALIFIED FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Paragraph (1) of subsection (b) of section 504 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

“(C) A person who, at the time of enlistment in an armed force, has resided continuously in a lawful status in the United States for at least two years.

“(D) A person who, at the time of enlistment in an armed force, possesses an employment authorization document issued by United States Citizenship and Immigration Services
under the requirements of the Department of Homeland Security policy entitled ‘Deferred Action for Childhood Arrivals’ (DACA).’

(b) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

“(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in subsection (b) who, at the time of enlistment in an armed force, is not a citizen or other national of the United States or lawfully admitted for permanent residence shall be adjusted to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien need not—

“(A) establish that he or she entered the United States prior to January 1, 1972; and

“(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

“(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions before the person served for a period or periods aggregating five years. Such grounds for rescis-
sion are in addition to any other provided by law. The fact that the person was separated from the armed forces under other than honorable conditions shall be proved by a duly authenticated certification from the armed force in which the person last served. The service of the person in the armed forces shall be proved by duly authenticated copies of the service records of the person.

“(3) Nothing in this subsection shall be construed to alter—

“(A) the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces; or

“(B) the qualifications for military enlistment described in section 505 of this title.”.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 504. Persons not qualified; citizenship or residency requirements; exceptions”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such title is
amended by striking the item relating to section 504 and inserting the following new item:

“504. Persons not qualified; citizenship or residency requirements; exceptions.”.