

AMENDMENT TO RULE COMMITTEE PRINT 116-19
OFFERED BY MR. HARDER OF CALIFORNIA

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

1 **SEC. ____ . AUTHORITY TO ENLIST IN THE ARMED FORCES**
2 **CERTAIN ALIENS WHO ARE UNLAWFULLY**
3 **PRESENT IN THE UNITED STATES AND LEGAL**
4 **STATUS OF SUCH ENLISTEES BY REASON OF**
5 **HONORABLE SERVICE IN THE ARMED**
6 **FORCES.**

7 (a) CERTAIN ALIENS AUTHORIZED FOR ENLIST-
8 MENT.—Section 504(b)(1) of title 10, United States Code,
9 is amended by adding at the end the following new sub-
10 paragraph:

11 “(D) An alien who was unlawfully present
12 in the United States on December 31, 2012,
13 who has been continuously present in the
14 United States since that date, who was younger
15 than 15 years of age on the date the alien ini-
16 tially entered the United States, and who, dis-
17 regarding such unlawful status, is otherwise eli-
18 gible for original enlistment in a regular compo-
19 nent of the Army, Navy, Air Force, Marine
20 Corps, or Coast Guard under section 505(a) of

1 this title and regulations issued to implement
2 such section.”.

3 (b) **CONDITIONAL ADMISSION TO PERMANENT RESI-**
4 **DENCE OF ALIEN ENLISTEES.**—Section 504 of title 10,
5 United States Code, is further amended by adding at the
6 end the following new subsection:

7 “(c) **CONDITIONAL ADMISSION TO PERMANENT RES-**
8 **IDENCE OF ALIEN ENLISTEES.**—(1) The Secretary of
9 Homeland Security shall adjust the status of an alien de-
10 scribed in subsection (b)(1)(D) who enlists in a regular
11 component of the Army, Navy, Air Force, Marine Corps,
12 or Coast Guard to the status of an alien lawfully admitted
13 for permanent residence under the provisions of section
14 249 of the Immigration and Nationality Act (8 U.S.C.
15 1259), except that the alien does not have to—

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

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

20 “(2) The lawful permanent resident status of an alien
21 described in subsection (b)(1)(D) who enlisted in a regular
22 component of the Armed Forces and whose status was ad-
23 justed under paragraph (1) is automatically rescinded, by
24 operation of law, if the alien is separated from the armed
25 forces under other than honorable conditions before the

1 alien serves the term of enlistment of such alien. Such
2 grounds for rescission are in addition to any other grounds
3 for rescission provided by law. Proof of separation from
4 the armed forces under other than honorable conditions
5 shall be established by a duly authenticated certification
6 from the armed force in which the alien last served.

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

9 “(A) the process prescribed by sections 328,
10 329, and 329A of the Immigration and Nationality
11 Act (8 U.S.C. 1439, 1440, 1440–1) by which a per-
12 son may naturalize through service in the armed
13 forces; or

14 “(B) the qualifications for original enlistment
15 in the armed forces described in section 505(a) of
16 this title and regulations issued to implement such
17 section.”.

