

**AMENDMENT TO THE RULES COMMITTEE PRINT**  
**118-10**  
**OFFERED BY MR. SOTO OF FLORIDA**

In subtitle C of title XVIII, add at the end the following:

**1 SEC. 1859. PROTECTING PATRIOT SPOUSES.**

2 (a) ADJUSTMENT OF STATUS FOR CERTAIN MILI-  
3 TARY SPOUSES.—Section 245 of the Immigration and Na-  
4 tionality Act (8 U.S.C. 1255) is amended by adding at  
5 the end the following:

6 “(o)(1) In applying this section to an alien described  
7 in paragraph (2)—

8 “(A) such alien shall be deemed, for purposes  
9 of subsection (a), to have been inspected and admit-  
10 ted into the United States; and

11 “(B) in determining the alien’s admissibility as  
12 an immigrant—

13 “(i) paragraphs (6)(A), (7)(A), and (9)(B)  
14 of section 212(a) shall not apply; and

15 “(ii) the Secretary of Homeland Security,  
16 in the discretion of the Secretary, may waive  
17 the application of paragraphs (6)(C), (9)(A),  
18 and (9)(C) of section 212(a) if the alien estab-

1 lishes to the satisfaction of the Secretary that  
2 the alien does not pose a threat to the public  
3 and has not committed any criminal offenses in  
4 violation of Federal or State law unrelated to  
5 the alien's status.

6 “(2) An alien is described in this paragraph if the  
7 alien—

8 “(A) is or was the spouse of a United States  
9 citizen who—

10 “(i) is or was serving on active duty in the  
11 United States Armed Forces or in a reserve  
12 component of the United States Armed Forces;  
13 and

14 “(ii) if discharged or released from service  
15 in the Armed Forces, was discharged or re-  
16 leased under honorable conditions; and

17 “(B) is the beneficiary of a petition for classi-  
18 fication under section 204(a)(1)(A) as an immediate  
19 relative (as defined in section 201(b)) by reason of  
20 the marriage to such citizen.”.

21 (b) TREATMENT OF CERTAIN GROUNDS FOR INAD-  
22 MISSIBILITY FOR CERTAIN MILITARY SPOUSES.—Section  
23 212 of the Immigration and Nationality Act (8 U.S.C.  
24 1182) is amended by inserting after subsection (b) the fol-  
25 lowing:

1 “(c)(1) In determining the admissibility as an immi-  
2 grant of an alien described in paragraph (2)—

3 “(A) subsection (a)(9)(B) shall not apply; and

4 “(B) the Secretary of Homeland Security, in  
5 the discretion of the Secretary, may waive the appli-  
6 cation of paragraphs (6)(C), (9)(A), and (9)(C) of  
7 subsection (a) if the alien establishes to the satisfac-  
8 tion of the Secretary that the alien does not pose a  
9 threat to the public and has not committed any  
10 criminal offenses in violation of Federal or State law  
11 unrelated to the alien’s status.

12 “(2) An alien is described in this paragraph if the  
13 alien—

14 “(A) is or was the spouse of a United States  
15 citizen who—

16 “(i) is or was serving on active duty in the  
17 United States Armed Forces or in a reserve  
18 component of the United States Armed Forces;  
19 and

20 “(ii) if discharged or released from service  
21 in the Armed Forces, was discharged or re-  
22 leased under honorable conditions; and

23 “(B) is the beneficiary of a petition for classi-  
24 fication under section 204(a)(1)(A) as an immediate

1 relative (as defined in section 201(b)) by reason of  
2 the marriage to such citizen.”.

3 (c) ELIGIBILITY OF REMOVED OR VOLUNTARILY DE-  
4 PARTED ALIENS.—

5 (1) IN GENERAL.—The Secretary of Homeland  
6 Security and the Secretary of State shall take such  
7 steps as may be necessary to ensure that eligible  
8 aliens who were removed or permitted to depart vol-  
9 untarily from the United States before the date of  
10 the enactment of this Act may apply from abroad  
11 for an immigrant visa pursuant to the amendment  
12 made by subsection (b).

13 (2) NONIMMIGRANT ADMISSION PENDING ADJU-  
14 DICATION.—The Secretary of Homeland Security  
15 and the Secretary of State shall establish a program  
16 under which an eligible alien with a pending applica-  
17 tion made under paragraph (1) may be authorized to  
18 enter the United States as a nonimmigrant to re-  
19 unite with their United States citizen spouse during  
20 the period in which such application, and an associ-  
21 ated application for adjustment of status, remain  
22 pending. In determining whether an alien is eligible  
23 to be admitted to the United States as a non-  
24 immigrant under this subsection, the Secretary of  
25 Homeland Security and the Secretary of State shall

1       require the alien to establish to the satisfaction of  
2       each Secretary that the alien does not pose a threat  
3       to the public or to national security. In determining  
4       the admissibility as a nonimmigrant of an alien de-  
5       scribed in this subsection, the Secretary of Home-  
6       land Security, in the discretion of the Secretary,  
7       may waive the application of paragraphs (6)(C) and  
8       (9) of section 212(a) of the Immigration and Na-  
9       tionality Act (8 U.S.C. 1182(a)).

