

117TH CONGRESS
2D SESSION

H. R. 9052

To amend title 10, United States Code, to authorize the enlistment of certain aliens in the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2022

Mr. GALLEGO (for himself and Mr. CARBAJAL) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 10, United States Code, to authorize the enlistment of certain aliens in the Armed Forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fight for the American
5 Dream Act”.

1 **SEC. 2. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED**
2 **FORCES.**

3 (a) **ADDITIONAL QUALIFIED PERSONS.**—Paragraph
4 (1) of subsection (b) of section 504 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new subparagraph:

7 “(D) A person who, at the time of enlistment
8 in an armed force, possesses an employment author-
9 ization document issued by United States Citizen-
10 ship and Immigration Services under the require-
11 ments of the Department of Homeland Security pol-
12 icy entitled ‘Deferred Action for Childhood Arriv-
13 als’.”.

14 (b) **ADMISSION TO PERMANENT RESIDENCE OF EN-**
15 **LISTED PERSONS.**—Such section is further amended by
16 adding at the end the following new subsection:

17 “(c) **ADMISSION TO PERMANENT RESIDENCE OF**
18 **CERTAIN ENLISTED PERSONS.**—(1) Notwithstanding any
19 other provision of law, the Secretary of Homeland Security
20 shall adjust the status of a person described in subpara-
21 graph (D) of paragraph (1) of subsection (b) to the status
22 of an alien lawfully admitted for permanent residence if
23 such person is otherwise eligible under section 245 of the
24 Immigration and Nationality Act (8 U.S.C. 1255). For
25 purposes of such adjustment, a person described in such
26 subparagraph shall—

1 “(A) be considered inspected and admitted into
2 the United States; and

3 “(B) not be subject to paragraph (6)(A),
4 (6)(C), (7)(A), or (9) of section 212(a) of such Act
5 (8 U.S.C. 1182(a)).

6 “(2) The Secretary of Homeland Security shall re-
7 scind the lawful permanent resident status of a person
8 whose status was adjusted under paragraph (1) if, before
9 the person completes a period of obligated service, the per-
10 son receives a discharge from the Armed Forces that is
11 not an honorable discharge.

12 “(3) Nothing in this subsection shall be construed to
13 alter the process prescribed by sections 328, 329, and
14 329A of the Immigration and Nationality Act (8 U.S.C.
15 1439, 1440, 1440–1) by which a person may naturalize
16 through service in the Armed Forces.”.

17 (c) CLERICAL AMENDMENTS.—

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

20 “**§ 504. Persons not qualified: citizenship or residency**
21 **requirements; exceptions”.**

22 (2) TABLE OF SECTIONS.—The table of sections
23 at the beginning of chapter 31 of such title is

- 1 amended by striking the item relating to section 504
- 2 and inserting the following new item:

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

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