

110TH CONGRESS  
1ST SESSION

# H. R. 3687

To provide lawful permanent resident status to the immediate family members of military service personnel serving in Iraq or Afghanistan.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2007

Ms. SCHAKOWSKY (for herself, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. GONZALEZ, Ms. CARSON, and Mr. RUSH) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide lawful permanent resident status to the immediate family members of military service personnel serving in Iraq or Afghanistan.

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 “Safeguarding Families  
5 of Soldiers Act”.

1 **SEC. 2. PERMANENT RESIDENT STATUS FOR IMMEDIATE**  
2 **FAMILY MEMBERS OF MILITARY SERVICE**  
3 **PERSONNEL SERVING IN IRAQ OR AFGHANI-**  
4 **STAN.**

5 (a) IN GENERAL.—The Secretary of Homeland Secu-  
6 rity shall adjust the status of an alien described in sub-  
7 section (b) to that of an alien lawfully admitted for perma-  
8 nent residence if the alien—

9 (1) was born before the date of the enactment  
10 of this Act;

11 (2) applies for such adjustment, and is phys-  
12 ically present in the United States on the date the  
13 application is filed;

14 (3) is admissible to the United States as an im-  
15 migrant, except as provided in subsection (c); and

16 (4) pays a fee (determined by the Secretary) for  
17 the processing of such application.

18 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-  
19 TUS.—The benefits provided in subsection (a) shall only  
20 apply to an alien who is—

21 (1) a parent or spouse of a member of the  
22 Armed Forces deployed, on the date on which the  
23 application under subsection (a) is filed, in Iraq in  
24 connection with Operation Freedom or Afghanistan  
25 in connection with Operation Enduring Freedom; or

1           (2) a son or daughter of a member of the  
2           Armed Forces described in subsection (a), but only  
3           if the son or daughter is under the age of 21 on the  
4           date on which the application under subsection (a)  
5           is filed.

6           (c) WAIVER OF CERTAIN GROUNDS OF  
7           INADMISSIBILITY.—The provisions of paragraphs (4), (5),  
8           and (7)(A) of section 212(a) of the Immigration and Na-  
9           tionality Act shall not apply to adjustment of status under  
10          this Act and the Secretary of Homeland Security may  
11          waive any other provision of such section (other than para-  
12          graph (2)(C) and subparagraphs (A), (B), (C), (E), or (F)  
13          of paragraph (3)) with respect to such an adjustment for  
14          humanitarian purposes, to assure family unity, or when  
15          it is otherwise in the public interest..

16          (d) DATE OF APPROVAL.—Upon the approval of such  
17          an application for adjustment of status, the Secretary of  
18          Homeland Security shall create a record of the alien’s ad-  
19          mission as a lawful permanent resident.

20          (e) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—  
21          When an alien is granted the status of having been law-  
22          fully admitted for permanent residence under this section,  
23          the Secretary of State shall not be required to reduce the

- 1 number of immigrant visas authorized to be issued under
- 2 the Immigration and Nationality Act.

