

114TH CONGRESS
1ST SESSION

H. R. 2367

To amend title 10, United States Code, to authorize aliens who are covered by certain immigration policies and who otherwise satisfy the requirements for admission to a military service academy to be appointed to and attend a military service academy and, upon graduation, to be appointed as a commissioned officer in the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2015

Mr. CASTRO of Texas introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize aliens who are covered by certain immigration policies and who otherwise satisfy the requirements for admission to a military service academy to be appointed to and attend a military service academy and, upon graduation, to be appointed as a commissioned officer in the Armed Forces.

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 “Opportunity for Mili-
5 tary Academies and Readiness Act”.

1 **SEC. 2. AUTHORITY TO APPOINT CERTAIN ALIENS WHO**
2 **ARE UNLAWFULLY PRESENT IN THE UNITED**
3 **STATES AS CADETS AND MIDSHIPMEN AT**
4 **MILITARY SERVICE ACADEMIES.**

5 (a) UNITED STATES MILITARY ACADEMY.—Section
6 4346 of title 10, United States Code, is amended by add-
7 ing at the end the following new subsection:

8 “(e)(1) An alien who, at the time of application for
9 admission to the Academy, possesses an employment au-
10 thorization document issued by United States Citizenship
11 and Immigration Services under the requirements of the
12 Department of Homeland Security policy dated June 15,
13 2012, and entitled ‘Deferred Action for Childhood Arriv-
14 als’ (DACA) or the memorandum dated November 20,
15 2014, and entitled ‘Exercising Prosecutorial Discretion
16 with Respect to Individuals Who Came to the United
17 States and Children and with Respect to Certain Individ-
18 uals Who are Parents of U.S. Citizens or Permanent Resi-
19 dents’ and who otherwise satisfies the requirements for
20 admission to the Academy, other than the United States
21 citizenship requirement, may be—

22 “(A) appointed as a cadet and attend the Acad-
23 emy; and

24 “(B) upon graduation, be appointed as a com-
25 missioned officer in the armed forces.

1 “(2) Nothing in paragraph (1) shall be construed to
2 alter the process prescribed by sections 328, 329, and
3 329A of the Immigration and Nationality Act (8 U.S.C.
4 1439, 1440, 1440) by which a person may naturalize
5 through service in the armed forces.”.

6 (b) NAVAL ACADEMY.—Section 6958 of title 10,
7 United States Code, is amended by adding at the end the
8 following new subsection:

9 “(e)(1) An alien who, at the time of application for
10 admission to the Naval Academy, possesses an employ-
11 ment authorization document issued by United States
12 Citizenship and Immigration Services under the require-
13 ments of the Department of Homeland Security policy
14 dated June 15, 2012, and entitled ‘Deferred Action for
15 Childhood Arrivals’ (DACA) or the memorandum dated
16 November 20, 2014, and entitled ‘Exercising Prosecutorial
17 Discretion with Respect to Individuals Who Came to the
18 United States and Children and with Respect to Certain
19 Individuals Who are Parents of U.S. Citizens or Perma-
20 nent Residents’ and who otherwise satisfies the require-
21 ments for admission to the Academy, other than the
22 United States citizenship requirement, may be—

23 “(A) appointed as a midshipman and attend the
24 Academy; and

1 “(B) upon graduation, be appointed as a com-
2 missioned officer in the armed forces.

3 “(2) Nothing in paragraph (1) shall be construed to
4 alter the process prescribed by sections 328, 329, and
5 329A of the Immigration and Nationality Act (8 U.S.C.
6 1439, 1440, 1440) by which a person may naturalize
7 through service in the armed forces.”.

8 (c) AIR FORCE ACADEMY.—Section 9346 of title 10,
9 United States Code, is amended by adding at the end the
10 following new subsection:

11 “(e)(1) An alien who, at the time of application for
12 admission to the Academy, possesses an employment au-
13 thorization document issued by United States Citizenship
14 and Immigration Services under the requirements of the
15 Department of Homeland Security policy dated June 15,
16 2012, and entitled ‘Deferred Action for Childhood Arriv-
17 als’ (DACA) or the memorandum dated November 20,
18 2014, and entitled ‘Exercising Prosecutorial Discretion
19 with Respect to Individuals Who Came to the United
20 States and Children and with Respect to Certain Individ-
21 uals Who are Parents of U.S. Citizens or Permanent Resi-
22 dents’ and who otherwise satisfies the requirements for
23 admission to the Academy, other than the United States
24 citizenship requirement, may be—

1 “(A) appointed as a cadet and attend the Acad-
2 emy; and

3 “(B) upon graduation, be appointed as a com-
4 missioned officer in the armed forces.

5 “(2) Nothing in paragraph (1) shall be construed to
6 alter the process prescribed by sections 328, 329, and
7 329A of the Immigration and Nationality Act (8 U.S.C.
8 1439, 1440, 1440) by which a person may naturalize
9 through service in the armed forces.”.

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