

HR 3823

ARMS Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Jan 24, 2012

Current Status: Referred to the Subcommittee on Military Personnel.

Latest Action: Referred to the Subcommittee on Military Personnel. (Feb 23, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/3823>

Sponsor

Name: Rep. Rivera, David [R-FL-25]

Party: Republican • **State:** FL • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Filner, Bob [D-CA-51]	D · CA		Feb 8, 2012

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Feb 23, 2012
Homeland Security Committee	House	Referred to	Jan 31, 2012
Judiciary Committee	House	Referred to	Feb 16, 2012
Ways and Means Committee	House	Referred To	Jan 24, 2012

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Summary (as of Jan 24, 2012)

Adjusted Residency for Military Service Act or the ARMS Act - Authorizes the Secretary of Homeland Security (DHS) to cancel the removal of, and adjust to conditional nonimmigrant status, an alien who: (1) entered the United States before his or her 16th birthday and has been present in the United States for at least five years immediately preceding this Act's enactment; (2) is a person of good moral character; (3) is not inadmissible or deportable under specified grounds of the Immigration and Nationality Act; (4) has not participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; (5) has not been convicted of certain offenses under federal or state law; (6) has been admitted to an institution of higher education or has earned a high school diploma or general education development certificate in the United States; (7) has never been under a final order of exclusion, deportation, or removal unless the alien has remained in the United States under color of law after such order's issuance, or received the order before attaining the age of 16; and (8) was under age 30 on the date of this Act's enactment.

Authorizes the Secretary to waive specified grounds of inadmissibility or deportability for humanitarian, family unity, or public interest purposes.

Provides for a \$525 application surcharge (in addition to other applicable application fees).

Requires an alien to apply for cancellation of removal and conditional nonimmigrant status within one year after the later of: (1) earning a high school diploma or general education development certificate in the United States, or (2) the effective date of related interim regulations.

Requires prior to cancellation of removal or granting of conditional nonimmigrant status: (1) an alien to submit biometric and biographic data, and (2) completion of security and law enforcement background checks.

Requires an alien applying for relief to: (1) register under the Military Selective Service Act if so required, and (2) undergo a medical examination.

Prohibits the Secretary from removing an alien with a pending application who establishes prima facie eligibility for cancellation of removal and conditional nonimmigrant status.

Establishes an initial five-year period of conditional nonimmigrant status which shall include employment and military enlistment authorization.

Terminates such status if the alien: (1) fails to be accepted for enlistment within nine months of receiving conditional nonimmigrant status; (2) becomes a public charge; (3) receives a dishonorable or other than honorable military discharge; or (4) ceases to be a person of good moral character, becomes inadmissible or deportable under specified grounds, has participated in racial, religious, social, or political persecution, or has been convicted of certain federal or state offenses.

Extends such conditional status for an additional five-year period if the alien: (1) has demonstrated good moral character; (2) is not inadmissible or deportable under specified grounds, has not participated in racial, religious, social, or political persecution, and has not been convicted of certain federal or state offenses; (3) has not abandoned U.S. residency; and (4) has served as a member of a regular or reserve component of the Armed Forces on active duty for at least two years or as a member of a reserve component in active status for at least four years, and, if discharged, received an honorable discharge.

Provides for a \$2,000 extension application surcharge (in addition to other applicable application fees).

Authorizes a conditional nonimmigrant to file an application to adjust his or her status to that of an alien lawfully admitted for permanent residence. Requires such application to be filed during the period beginning on the date of extension and ending on either the date that is 10 years after the date of the granting of initial conditional nonimmigrant status or any other expiration date as extended by the Secretary.

Requires such application to show that the alien: (1) has demonstrated good moral character; (2) is not inadmissible or deportable under specified grounds, has not participated in racial, religious, social, or political persecution, and has not been convicted of certain federal or state offenses; (3) has not abandoned U.S. residency; and (4) if granted a hardship exception with respect to extension of conditional status, has subsequently complied with the appropriate requirements.

Requires an alien, prior to adjusting from conditional to permanent resident status, to: (1) satisfy citizenship and federal tax requirements, (2) submit biometric and biographic data, and (3) have had security and law enforcement background checks completed.

Authorizes an alien who adjusts to permanent resident status (and meets other specified requirements) to apply after three years in such status for naturalization.

Authorizes: (1) the Secretary to cancel removal and grant conditional nonimmigrant status to an alien who has satisfied the conditional status requirements prior to enactment of this Act, and (2) an alien who has met the appropriate requirements during the entire period of conditional nonimmigrant status to apply for permanent resident status.

Sets forth provisions regarding: (1) jurisdiction of the Secretary and the Attorney General (DOJ), (2) penalties for false application statements, (3) confidentiality of information, (4) military enlistment, and (5) a Government Accountability Office (GAO) report respecting the number of aliens adjusted under this Act.

Actions Timeline

- **Feb 23, 2012:** Referred to the Subcommittee on Military Personnel.
- **Feb 16, 2012:** Referred to the Subcommittee on Immigration Policy and Enforcement.
- **Jan 31, 2012:** Referred to the Subcommittee on Border and Maritime Security.
- **Jan 24, 2012:** Introduced in House
- **Jan 24, 2012:** Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Armed Services, and Homeland Security, 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.