

**AMENDMENT TO H.R.5136, AS REPORTED
OFFERED BY MR. DUNCAN OF TENNESSEE**

At the end of subtitle F of title X, add the following
new section:

1 **SEC. 10xx. RELIEF FOR SPOUSES OF MILITARY PERSONNEL**
2 **KILLED IN ACTION.**

3 (a) **IN GENERAL.**—Section 101(a)(35) of the Immi-
4 gration and Nationality Act (8 U.S.C. 1101(a)(35)) is
5 amended by inserting after “consummated” the following:
6 “or there are other indicia that the marriage was not en-
7 tered into for the purpose of evading any provision of the
8 immigration laws, as determined by the Secretary of
9 Homeland Security in the Secretary’s discretion”.

10 (b) **APPLICABILITY.**—The amendment made by sub-
11 section (a) shall take effect on the date of the enactment
12 of this Act and shall apply to all applications and petitions
13 filed under the immigration laws, as defined in section
14 101(a)(17) of the Immigration and Nationality Act (8
15 U.S.C. 1101(a)(17)), before, on, or after such date.

