

111TH CONGRESS
2D SESSION

H. R. 6397

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2010

Received

DECEMBER 22, 2010

Read twice and referred to the Committee on the Judiciary

AN ACT

To amend section 101(a)(35) of the Immigration and Nationality Act to provide for a marriage for which the parties are not physically in the presence of each other due to service abroad in the Armed Forces of the United States.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Marine Sergeant Mi-
3 chael H. Ferschke, Jr. Memorial Act”.

4 **SEC. 2. MILITARY MARRIAGES LACKING PHYSICAL PRES-**
5 **ENCE.**

6 Section 101(a)(35) of the Immigration and Nation-
7 ality Act (8 U.S.C. 1101(a)(35)) is amended by inserting
8 before the period at the end “(except for failure to con-
9 summate the marriage caused by physical separation due
10 to the service abroad of one of the contracting parties in
11 an active-duty status in the Armed Forces of the United
12 States)”.

13 **SEC. 3. COMPLIANCE WITH PAYGO.**

14 The budgetary effects of this Act, for the purpose of
15 complying with the Statutory Pay-As-You-Go Act of 2010,
16 shall be determined by reference to the latest statement
17 titled “Budgetary Effects of PAYGO Legislation” for this
18 Act, submitted for printing in the Congressional Record
19 by the Chairman of the Committee on the Budget of the

- 1 House of Representatives, provided that such statement
- 2 has been submitted prior to the vote on passage.

Passed the House of Representatives November 15,
2010.

Attest: LORRAINE C. MILLER,
Clerk.