



Legislation Text

File #: Res 1536-2012, Version: *

Res. No. 1536

Resolution calling on the United States Department of Homeland Security to expedite the adjustment of immigration status of immigrants serving in the United States Armed Forces and to halt deportations of immigrants who are active duty service members or who have been honorably discharged from the United States Armed Forces.

By Council Members Eugene, Williams, Brewer, Chin, Comrie, Fidler, Gonzalez, James, Koppell, Lander, Mendez, Nelson, Palma, Rose, Vann, Wills, Rodriguez, Dromm and Ulrich

Whereas, According to the 2010 United States Census, more than a third of all residents of New York City, approximately three million people, are foreign born, representing countries throughout the world; and

Whereas, In a time in which national military service members are in great need, immigrants who volunteer are an integral part of our country's military; and

Whereas, According to a report by the Immigration Policy Center, entitled *Immigrants in the Military Eight Years After 9/11* ("the Report"), as of 2009, nationally, more than 100,000 immigrants were in active duty in the United States Armed Forces; and

Whereas, Furthermore, of those 100,000 immigrants, approximately 12 percent were undocumented; and

Whereas, According to the United States Citizenship and Immigration Services ("USCIS"), members of the U.S. Armed Forces include those serving in either the Army, Navy, Marine Corps, Air Force, Coast Guard, certain Reserve components of the National Guard, and the Selected Reserve of the Ready Reserve; and

Whereas, Thousands of immigrants join the U.S. Armed Forces each year, serving in Iraq, Afghanistan and other locations across the globe; and

Whereas, Volunteering in the Armed Forces demonstrates a clear commitment and devotion to the

United States, which is deserving of our respect and honor as a city, state, and country; and

Whereas, However, membership in the U.S. Armed Forces does not automatically grant non-citizen immigrants U.S. citizenship status and, like all applicants, active duty service members must meet certain requirements; and

Whereas, Presidential Executive Order No. 13269 of 2002, entitled *Expedited Naturalization of Aliens and Noncitizen Nationals Serving in Active-Duty Status During the War on Terrorism*, allows non-citizens on active duty in the U.S. Armed Forces, who served at any time during a specified period of hostility, beginning September 11, 2001, to immediately apply for naturalization; and

Whereas, According to the Report, despite this expedited citizenship process, many immigrants who served in the U.S. Armed Forces during this period of hostility continue to have long waits for their naturalization applications to be processed; and

Whereas, The Report states it generally takes five years before a legal immigrant can apply to become a citizen, and three years for those immigrants in the military, depending on various circumstances; and

Whereas, Non-citizen immigrants are allowed to serve in the U.S. Armed Forces in order to show their appreciation, support and commitment to this country, even though veterans must wait a lengthy amount of time to be deemed citizens of this country; and

Whereas, According to USCIS, part of the process of granting a person citizenship involves the government identifying an individual as having good moral character, even after being in the service; and

Whereas, The goal of many immigrants is to become naturalized U.S. citizens so they can take advantage of the opportunities available in this country and offer their skills to the nation; and

Whereas, In order to be eligible for certain New York City positions, such as police officers, fire fighters, or other professions, veterans must be U.S. citizens; and

Whereas, Non-citizen immigrants should no longer be denied the rights and privileges of U.S. citizenship after proving their devotion to this nation by serving in the U.S. Armed Forces; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Department of Homeland Security to expedite the adjustment of immigration status of immigrants serving in the United States Armed Forces and to halt deportations of immigrants who are active duty service members or who have been honorably discharged from the United States Armed Forces.

JSM
LS# 3698/3697
9/7/2012