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MILITARY TACKLES IMMIGRATION IN RECRUIT POLICY

By Miriam Jordan
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A few years ago, Beatriz Madriz enlisted in the Marine Corps. Then, just before heading to boot camp, a recruiter told her that she had to divorce her husband if she still wanted to join the Marines – because he was an illegal immigrant.

"They told me they would even pay for the divorce," said the 22-year-old Portland, Ore., resident. "I wasn't going to do that."

Amid an increase in complaints from U.S. citizens who, like Ms. Madriz, have been denied the right to enlist, the Department of Defense has begun reviewing a policy that bars individuals from joining the military if a spouse or child is in the U.S. illegally, according to immigration attorneys.

The review was initiated in response to challenges to the policy raised by Reps. Mike Coffman (R., Colo.) and Luis Gutiérrez (D., Ill.) in a Nov. 21 letter to the secretaries of the Army, Navy and Air Force that was signed by 33 lawmakers.

The army's personnel-management director, Maj. Gen. Thomas C. Seamands, responded in a Dec. 5 letter that the office of the undersecretary of Defense "has initiated a policy review in this area, in coordination with all the Military Services." He said the review would take about 60 days.

Mr. Gutiérrez said Monday he was pleased the Pentagon is taking the bipartisan request seriously. "We should not be excluding U.S. citizens from serving their country, and we should be protecting their families from deportation while their sons and daughters and spouses are off to war," he said.

The policy, which has been outlined in recruitment manuals for four years, hasn't been applied consistently by the various branches, reflecting the confusion at the federal level over how the armed forces should deal with immigration issues. This policy concern has arisen at the same time as efforts to overhaul laws to address illegal immigrants have stalled in Congress.

Acknowledging some troops have dependents who are illegal immigrants, the Department of Homeland Security last month formalized a policy that enables such relatives to remain in the country and apply for legal residency. In announcing the "parole in place" policy, the department said its goal was to "reduce the uncertainty our active-duty and retired military personnel face because of the immigration status of their family members."

Following the announcement, discussions flared on social media among service members about individuals denied the chance to enlist or whose contracts had been cancelled over the immigration status of a dependent.

Margaret Stock, a retired Army Reserve lieutenant colonel and immigration attorney in Anchorage, Alaska, said she has been contacted about problems for individuals trying to join

the Army, Marine Corps and Navy. An Army recruiter told one of her clients that he couldn't enlist "unless he sent his unauthorized spouse out of the U.S."

But "it's no problem if your spouse lives outside the U.S. and has no immigration status or even has been deported for being an aggravated felon," she said. "This makes no sense."

There is no official Pentagon policy that bars enlisting an applicant who has an undocumented dependent, said Lt. Cmdr. Nate Christensen, a Department of Defense spokesman.

"The services have established policies . . . based on administrative and security concerns," he said. In particular, he said, undocumented dependents can't obtain military identification cards.

Navy spokeswoman Cmdr. Wendy Snyder said documentation of dependents is "critical" to a recruit's ability to obtain "required security clearances." The Navy has refused to enlist individuals with undocumented dependents since 2009, she said.

The Marine Corps' regulation against enlisting applicants with undocumented dependents is in the 2011 recruiter manual. "This policy ensures we effectively accomplish our recruiting mission . . . so Marine Corps Recruiting Command maintains a quality force," the Marine Corps said.

The Air Force doesn't have a policy against enlisting individuals with undocumented dependents.

A spokeswoman for the Army said current policy doesn't bar enlistment based on the immigration status of a family member.

The armed forces' 2,824 recruitment offices across the country don't track how many individuals are denied the chance to enlist under the exclusionary policy, according to the Pentagon.

Portland, Ore., attorney Teresa Statler represented a soldier whose security clearance and promotion were placed on hold when the military discovered he had married an illegal immigrant. Last month, the attorney helped his wife get legal residency.

Ms. Statler also represented Ms. Madriz who, instead of joining the Marines, ended up going to college. "My plan is to go to medical school," said Ms. Madriz, whose husband recently became a legal permanent resident.

Ms. Statler said, "The military lost an accomplished person."

A representative for the Marines said it wouldn't comment on specific cases.