



U.S. Citizenship and Immigration Services

STATEMENT

OF

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REGARDING A HEARING ON

“Contributions of Immigrants to the U.S. Military”

BEFORE THE

SENATE COMMITTEE ON ARMED SERVICES

July 10, 2006

11:00 AM

Chapman Conference Center
Miami-Dade Community College, Florida

Mr. Chairman and Members of the Committee:

My name is Emilio Gonzalez and I am the Director of U.S. Citizenship and Immigration Services (USCIS). Thank you for the opportunity to appear before the Armed Services Committee today to testify about the contributions of immigrant soldiers to our Nation's armed forces, and describe improvements to USCIS processes and operations designed to facilitate the expedient naturalization of immigrant service members as new American citizens.

As an immigrant to our country, and a veteran of her Army, I could relate countless stories of what my service means to me, how it affected me personally and positively shaped my life. However, my story is only one of many when compared to the more than 45,000 non-citizen immigrant soldiers (active and reserve) currently serving across the world, and the hundreds of thousands of immigrants who have served under the Stars and Stripes throughout our history.

The common bond that unites every soldier, sailor, airman and Marine is a commitment to duty, honor, and country. Whether native born, naturalized, or not U.S. citizens at all, service members are unified not by a common heritage, race, religion or creed, but rather by this universal code that builds character, breeds conviction and encourages valor. The code has a way of superceding nationalities. The placement of foreign-born and native soldiers together within a platoon, on a ship at sea, attached to an air squadron or a fire team, ensures that the only true measures of a fighting man or woman is their steadfast dedication to the mission and reverence for the chain of command. Under fire, all other considerations are irrelevant.

The battlefield acts as the greatest equalizer amongst men. On the fields of Gettysburg, in the Argonne forest, on the beaches of Normandy, Iwo Jima, and Inchon, on the streets of Hue and along sandy alleyways in Fallujah, heroes were born from men who came to the United States not as mercenaries, but as migrants. Men from Ireland who fought courageously alongside men from Indiana are buried together at Arlington, and each are equally regarded as Americans in memoriam.

By learning from the example of their honorable service, our nation has graciously welcomed immigrants from every corner of this earth and come to assign a high value to their aptitude for military service. This is not a new phenomenon. Soldiers of the Continental Army, whether native or immigrant, swore "to be true to the United States of America and to serve them honestly and faithfully."

A Polish and French-trained artillery and engineering officer, Thaddeus Kosciusko came to the United States to enlist in the fledgling Continental Army. According to a wonderful legend, Kosciusko presented himself before a tired General Washington, who was not quite sure what to do with another foreign volunteer lacking English skills.

“I’ve come to fight for American independence,” Kosciusko told Washington, so the legend goes. “What can you do?” Washington asked. The response was simple and profound. “Try me,” responded the foreigner. Kosciusko served with distinction throughout the Revolutionary War making significant contributions to the successful American retreat from the battle of Ticonderoga and victory at Saratoga in 1777.

He later became a naturalized American and was promoted to Brigadier General by Congress. Thomas Jefferson would write of this soldier, “He was as pure a son of liberty as I have ever known.”

It is this same “Try me” spirit seen again and again through the years that has brought us other immigrant veterans, anxious for the chance to prove themselves and contribute to their adopted nation. One of the founding fathers of our Navy, Admiral David Farragut, was the son of Jordi Farragut Mesquida, a Spanish–Catalan merchant captain from Minorca, who had joined the American Revolutionary cause and was a cavalry officer in the Tennessee militia. By the 1840s, almost half of all U.S. military recruits were not U.S. citizens, but rather immigrants enlisted right off the boat they came in on.

At the battle of the Alamo, 28 men, hailing from Ireland, Scotland, Wales, England, Germany and Denmark, lost their lives on a barren Texas battlefield, thousands of miles from their European homelands. They crossed a line in the sand that day and chose to fight and die for their adopted land and independent rights. Today, their memory lives on, and has come to represent the strength of character and fighting spirit that defines our American identity.

During the Civil War, non-citizens constituted as much as 20 percent of the 1.5 million-man Union Army. Three hundred sixty-nine immigrant soldiers were awarded the Medal of Honor for their heroism in the Union cause, including Captain William Joyce Sewell of Ireland, who would later go on to become Senator Sewell of New Jersey, and was elected to two terms in office by his peers.

Through their military service, immigrants gain valuable insight into the purest forms of our democracy and learn an appreciation for the truly American values that allow any man, regardless of social class or family pedigree, to achieve whatever heights he sets for himself. Immigrant service members experience first hand that the same standards applying to combat, those of tenacity, grit and toughness, are transferable to the pursuit of prosperity and success in the civilian world as well.

This concept of the American Dream is alive and well today within the U.S. Armed Forces. Record numbers of lawful permanent residents continue to enlist, spurred on by the promise of expedited citizenship, a desire to earn their place in their new communities and the prospect of a secure, stable and well compensated military career.

One hero who followed this distinctly American path was born in a Balkan village called Prolog, now in western Bosnia. Peter Tomich was twenty years old when he came here in 1913, with nothing but opportunity in his pocket.

He decided to join the Navy, and on December 7, 1941, Chief Watertender Peter Tomich was below deck on the USS Utah, stationed at Pearl Harbor. At the age of 48, he had 22 years of Naval experience, having served longer than many of the senior officers he served under. The Navy was his life, and Chief Watertender Tomich forged his own American identity in the literal melting pot of the engine boiler rooms aboard the steam-propelled dreadnoughts of the Pacific Fleet.

Just before 8 a.m. on that fateful December morning, two Japanese torpedoes struck the Utah and the ship began to list heavily to port. Below deck, in the engineering plant, water rushed towards the huge boilers. Tomich, ever mindful of his crew, ran in to warn them of the danger and relayed the order to evacuate. Knowing that the boilers would explode if not properly secured, he ignored his own evacuation order and set himself to the job that had to be done.

As the crewman began up the ladders and headed for daylight above, they turned one last time to watch their Chief. He calmly moved from valve to valve, setting the gauges, releasing steam pressure, stabilizing and securing the huge boilers that otherwise would have turned the entire ship into a massive inferno. His time for escape had run out. But before the ship rolled over, he completed his mission and prevented an explosion that would have killed hundreds of men trying to swim to safety.

For his “distinguished conduct and extraordinary courage” Peter Tomich was awarded the Medal of Honor.

Felix Sosa-Camejo followed a similar path. He came here, to Miami, as a 20 year-old refugee from Castro’s regime and enlisted in the Army in 1963. Serving for five years, Captain Sosa-Camejo earned 12 citations, including the Bronze Star, three Silver Stars and two Purple Hearts. On February 13, 1968, in the heat of the Tet Offensive on the streets of Hue, his platoon was pinned down by enemy fire and unable to reach a wounded comrade. With disregard for his safety, Captain Sosa-Camejo ran through the intense enemy fire and pulled the wounded man to safety. This action would earn Captain Sosa-Camejo his second Bronze Star and would cost him his life.

Fast forward to Iraq. November 15, 2004. A platoon scout assigned to perimeter security, 25-year-old Marine Sergeant Rafael Peralta of Alpha Company, 1st Battalion, 3rd Marine Regiment, 3rd Marine Division volunteered to go door to door through the streets of Fallujah with an assault team. Peralta could have stayed back, as this was not his assignment, but it wasn’t in this hero’s nature to let his brothers fight without him.

Peralta was born in Mexico, joined the Marines the day after he became a lawful permanent resident and earned his citizenship while on active duty. He was serving his first tour in Iraq on that day in November, when he led a stack of six Marines through a suspected terrorist hide out.

In the ensuing fire-fight, Sergeant Peralta was shot in the face and chest as he burst into a closed room and fell into the line of fire. When four Marines maneuvered into the room where he lay wounded, one of the terrorists tossed a grenade landing close to Peralta.

In his final moments, he pulled the grenade close to him, smothered its blast with his body, and saved the lives of his fellow Marines.

“Be proud of being an American...I'm going to do something I always wanted to do,” Peralta wrote to his brother Ricardo, 14, in a letter that arrived home the day after he died. A true American hero, Sergeant Rafael Peralta has been recommended for the Medal of Honor.

General Douglas MacArthur said, “The soldier, above all other men, is required to perform the highest act of religious teaching - sacrifice.” Peter Tomich and Rafael Peralta made the ultimate sacrifice in the name of their adopted country, giving their lives to save those of their fellow countrymen. Their heroic actions are testimony to the profound patriotism of those immigrants who chose to serve, and die, for our great Nation.

By fighting to defend the Constitution, immigrant service members gain an added respect for the enduring civic principles it guarantees: those of freedom and opportunity for all men, equality before the law, respect and tolerance for difference, and the primacy of individual citizens and their rights to govern the nation.

Assimilation, or the patriotic integration of immigrants into the civic fabric of our nation, is one of the most complex challenges we face as a nation and also represents one of our most essential objectives. Citizenship is not a simple benefit. The Certificate of Naturalization is not a hand out. American Citizenship is an invaluable distinction and privilege that involves much more than stamped paperwork and a printed certificate. Rather, Citizenship is an identity that must be cultivated and nurtured by the individual. It is a life-long journey that begins with the first step an immigrant takes on American soil and ends with their last breath.

It is quickly understood that those immigrants who volunteer to serve in our armed forces are more easily integrated into our Nation, foster a greater attachment to our national and political institutions, and are transformed into committed and loyal Americans who voluntarily accept the obligations and responsibilities of citizenship.

Before turning to what we at USCIS are doing in the area of military naturalization, it may be useful briefly to summarize our current authorities. Congress recently clarified, in section 504 of title 10, U.S. Code, the eligibility of noncitizens to enlist for military service. In brief, lawful permanent resident aliens, certain nationals of three Pacific nations in free association with the United States (the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau), and any other person “if the Secretary [of the armed service] concerned . . . determines that such enlistment is vital to the national interest”, are eligible to enlist in the armed forces.

Once in the military, there are a number of special provisions of the Immigration and Nationality Act (INA) for service members and veterans that modify the eligibility requirements for naturalization as a U.S. citizen that otherwise apply. The most relevant

of these currently is section 329 of the INA, which authorizes the naturalization of any person who is honorably serving, or has honorably served during any period of armed conflict designated by the President without having previously to be a lawful permanent resident alien or to satisfy any requirements relating to period of residence or physical presence in the United States (in particular, the general requirement otherwise in the INA that a person has to have been a lawful permanent resident for five years before being eligible for naturalization). By Executive Order on July 2, 2002, President Bush designated the period beginning on September 11, 2001 and continuing until further notice as such a period of armed conflict for the purposes of INA section 329. In November 2003, Congress provided us with some additional useful military naturalization authorities, in particular, the authority to naturalize service members outside the United States. Additionally, the statute provided for the waiver of processing fees for military naturalization.

Under the direction of the President, USCIS is taking steps to ensure that the application process for immigrant service members is convenient, quick and secure. In order to expedite processing, we established a specialized unit at our Nebraska Service Center where all up-front processing on military naturalization takes place. Specialists within USCIS Field Offices and Headquarters have been selected to handle military naturalization packets. Many consider this responsibility a privilege and an honor, and do all that they can to ensure that applications are processed and completed, in as many cases as possible, before these brave men and women are deployed to combat zones overseas. In all of our military naturalization efforts, we work very closely with our Department of Defense counterparts.

The most recent improvement to the military naturalization process became effective May 1, 2006. In collaboration with the Federal Bureau of Investigation and the Department of Defense, USCIS instituted a change in our fingerprint process to better serve U.S. military personnel applying for naturalization. Under this improved process, military members applying for naturalization may sign a Privacy Act Statement and Release Authorization Form, explicitly consenting to the use of the fingerprints provided at time of enlistment for immigration benefits purposes, rather than having to appear at one of our Application Support Centers post-deployment to provide a new set of fingerprints. Furthermore, if we are aware of an impending deployment, we expedite FBI name checks for soldiers.

This new procedure applies to all non-citizen members of the U.S. Armed Forces seeking naturalization and eliminates a significant obstacle that previously delayed some military naturalization cases. But sometimes, we can't process the applications quickly enough.

I do not possess the ability to comprehend the suffering of losing a spouse, child or parent to war, nor the eloquence to accurately describe the emotion I feel when signing a posthumous naturalization certificate. When I put pen to paper, the reality hits me that they are no longer with us because they have made the ultimate sacrifice for this nation. The experience leaves me without words. As a veteran, a husband, a parent and the

Director of USCIS, I am proud and extremely honored to serve this agency in supporting our military men and women and their families.

As such, I am committed to exhausting every effort to ensure that all military naturalization applications are processed expeditiously so that service members receive this honor on behalf of a grateful nation. I recently traveled to Fort Hood, Texas to swear in 39 members of III Army Corps, and joined 150 sailors and Marines on the USS George Washington for their naturalization ceremony while stationed at Norfolk. Many of these brave men and women had recently returned from service in Iraq, and had re-enlisted for a second tour.

When deployments don't allow for stateside naturalization, USCIS conduct overseas ceremonies for men and women serving at U.S. installations abroad. Under authority granted by the 2003 Amendment, USCIS officials have volunteered to travel to Camp Anaconda in Afghanistan and Camp Victory in Iraq, stood on the deck of the USS Kitty Hawk during exercises in the Sea of Japan, along the DMZ in South Korea, and traveled from Iceland to Nairobi to naturalize almost 2,400 service men and women who have earned the right to share in the liberties and freedoms they help to preserve. In fact, 176 soldiers from almost two dozens different countries took the oath of allegiance to become US citizens at July 4th ceremonies in Afghanistan and Iraq.

In total, USCIS has naturalized more than 26,000 service men and women since September 11, 2001 in the U.S. and overseas.

USCIS also actively engages in conducting outreach to military personnel interested and eligible in becoming citizens. USCIS Community Liaison Officers regularly visit military installations to answer questions and help with citizenship paperwork. At the national level, USCIS is launching an extensive public outreach effort targeting servicemen and women who may be eligible to naturalize. The efforts include local outreach initiatives, the development and dissemination of educational materials, a USCIS military brochure and media efforts designed to reach this constituency both in the United States and overseas.

During my time in the Army, I served under three Chairmen of the Joint Chief's of Staff with immigrant roots. General John Shalikashvili, Chairman from 1993 to 1997, was an immigrant from Poland, born of Georgian parents. General Colin Powell and our current Chairman, General Peter Pace, are first-generation Americans themselves.

America gave these men, and their families, home and hope and they reciprocated with distinguished service, exceptional leadership and boundless patriotism. Their success proves that our Nation is a land of unlimited opportunity, and their loyalty and valor prove that immigrants deserve every opportunity to contribute to our national defense.

It is the promise of equality and the hope for a better future that has encouraged immigrants over the years to enlist in our armed forces. The prospect of gaining citizenship has increased these ranks of brave men and women. But it is the life-long

commitment to Duty, Honor and Country that has shaped the will of men to lay down life and limb, and sacrifice for their adopted country and comrades in arms. These are qualities that can only be gained through military service.

Thank you for the opportunity to be here today to testify about this important subject. This concludes my prepared statement, and I would be pleased to take any questions you may have at this time. Thank you.