

United States Senate

WASHINGTON, DC 20510

January 23, 2020

The Honorable Gene Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

We respectfully request that the Government Accountability Office (GAO) conduct a review of military naturalization in light of the concerns outlined below.

Throughout U.S. history, noncitizens have served in the U.S. Armed Forces. From 2010 to 2018, over 76,000 noncitizen members of the U.S. military became naturalized U.S. citizens, with over 4,000 of those servicemembers naturalized abroad. However, the annual number of naturalizations for noncitizen servicemembers has decreased, from 11,230 in fiscal year 2010 to 4,135 in fiscal year 2018. Within the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) is responsible for adjudicating naturalization applications from U.S. military servicemembers and Veterans seeking U.S. citizenship, while the Department of Defense (DOD) establishes policies governing noncitizens' eligibility to join the military and assists noncitizen servicemembers who wish to naturalize.

After the United States began its military response to the September 11, 2001 attacks, Congress worked to expedite the process by which noncitizen servicemembers were granted U.S. citizenship through naturalization. Specifically, in June of 2008, the Kendell Frederick Citizenship Assistance Act (Kendell Frederick Act) was enacted to expedite military naturalizations. Among other things, the Kendell Frederick Act required DHS to use an individual's fingerprints taken at the time of enlistment in the Armed Forces to satisfy background check requirements in connection with an application for naturalization. The law also directed agencies to ensure that military naturalization applications filed by those on active duty abroad are adjudicated within 180 days of receipt of responses to all background checks.

In addition, Congress through the annual National Defense Authorization Act (NDAA) established policies to ensure noncitizen servicemembers are provided information and counseling on the naturalization process. The 2018 NDAA included provisions requiring the Secretary of Defense to inform permanent resident servicemembers of the availability of, and process to pursue naturalization through military service. It also ensured that resources are available to assist qualified servicemembers in navigating the application and naturalization process. The 2020 NDAA requires the Secretary of Defense to modify the pre-separation counseling checklist to include a specific block for servicemembers to indicate a desire to receive information on their immigration status and the expedited naturalization process. The military branch secretaries are also directed to provide counseling to noncitizen service members regarding how to apply for naturalizations.

Both DOD and DHS have independently originated policies and initiatives affecting military naturalizations. In 2008, USCIS opened the Naturalization at Basic Training Initiative for enlistees at military installations including, Fort Benning in Georgia, Fort Sill in Oklahoma and Fort Jackson in South Carolina. Graduates of basic training received the opportunity to naturalize through this initiative and request expedited processing of their application. Each military installation was equipped with designated personnel to help members prepare their naturalization documents.

However, recent policy changes by DOD and DHS regarding military naturalizations may potentially impact the scope and effectiveness of these programs. In October 2017, DOD issued a policy changing the eligibility for expedited military naturalizations. USCIS in response ended the Naturalization at Basic Training Initiative in January 2018. Additionally, USCIS is closing 13 of 20 international field offices that provide immigration services to servicemembers and other individuals located overseas. In response to field office closures, USCIS will conduct quarterly naturalization services at four military installations: Camp Humphreys in South Korea, Commander Fleet Activities Yokosuka in Japan, U.S. Army Garrison Stuttgart in Germany and Naval Support Activity Naples in Italy. However, we are still concerned that these closures may make naturalization more difficult for eligible servicemembers abroad and contribute to an already declining rate of military naturalizations. The United States must help the brave men and women in uniform attain citizenship that they are willing to sacrifice for and defend.

While DOD and USCIS have made policies to help noncitizen servicemembers naturalize in the past, we urge GAO to evaluate the effectiveness of these initiatives. GAO last completed work on the USCIS military naturalization process in July 2010. We request that GAO evaluate USCIS's military naturalization process and address the following questions:

1. To what extent has USCIS taken actions to address provisions of the Kendell Frederick Act since fiscal year 2010?
2. To what extent have DOD and USCIS taken action to facilitate the processing of military naturalization applications, and what challenges, if any, has USCIS faced in processing these applications in a timely manner since fiscal year 2010?
3. To what extent have DOD and USCIS assessed the effects of their efforts to facilitate military naturalizations?
4. What Federal guidance exists in adjudicating naturalization applications from servicemembers and Veterans residing outside the United States?
5. To what extent have DOD and USCIS implemented policies, guidance and programs that inform and assist servicemembers of the naturalization process since fiscal year 2010?

Thank you for your help in addressing these issues. Please consider including recommendations for agency or congressional action in your evaluation. We would appreciate ongoing briefings as

you conduct your work. If you have any questions concerning this request, please contact Joshua Thomas at Joshua_Thomas@duckworth.senate.gov.

Sincerely,



Tammy Duckworth
United States Senator



M. Michael Rounds
United States Senator



Richard J. Durbin
United States Senator