

United States Senate

August 29, 2019

VIA ELECTRONIC DELIVERY

The Honorable Kevin K. McAleenan
Acting Secretary
U.S. Department of Homeland Security
301 7th Street, SW, Mail Stop 0150
Washington, DC 20528

Mr. Kenneth T. Cuccinelli
Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, 4th Floor
Washington, DC 20529

Dear Acting Secretary McAleenan and Acting Director Cuccinelli:

I write in strong opposition to the harmful policy alert (PA-2019-05) U.S. Citizenship and Immigration Services (USCIS) released yesterday and urge USCIS to immediately rescind its harmful update to the USCIS Policy Manual.

The Trump administration's decision to reinterpret statutory authority under the Immigration and Nationality Act (INA) so that children of certain U.S. servicemembers and U.S. Government employees are denied eligibility to automatically acquire citizenship under Section 320 of the INA represents the worst type of policy: it is confusing, cynical, unnecessary and unfair. Worst of all, this policy update harms our national interest and disrespects the service of certain U.S. servicemembers and civil servants.

Forcing certain U.S. servicemembers, military families and civil servants to pay an application fee of \$1,170 and to jump through bureaucratic hoops to "prove" their children are worthy of citizenship is disgusting and disgraceful. As are attempts to minimize the harm caused by the USCIS Policy Manual update, which according to one U.S. Department of Defense official, could affect the children of approximately 100 members of the U.S. Armed Forces per year.

Value judgements concerning a given policy are inherently subjective. However, I must strongly reject any attempt to minimize the abhorrent nature of a policy by noting that the population harmed is relatively small. After all, active duty servicemembers comprise under one percent of our Nation's population. If even one active duty U.S. servicemember deployed overseas is forced to spend \$1,170 to "prove" their child is worthy of U.S. citizenship, that is one too many.

The bottom line is that this offensive policy update will harm members of the U.S. Armed Forces, military families and civil servants who serve our Nation abroad. Americans who choose to serve our country deserve respect and the possibility that their child may be denied citizenship under Section 322 of the INA is insulting. What purpose does this new policy serve other than sending the deeply offensive message that certain children born to Americans serving their Nation abroad are somehow "lesser" individuals and unworthy of automatic citizenship?

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The United States Government should be doing everything in its power to support U.S. servicemembers, military families and civil servants who serve our country abroad. At its best, the U.S. military is a meritocracy that promotes unity, not division. This should not be a controversial policy position. That is why I request USCIS immediately reverse course and undo the harmful Policy Manual updates announced in PA-2019-05.

Sincerely,



Tammy Duckworth
United States Senator

CC:

The Honorable Mark T. Esper, Secretary, U.S. Department of Defense

General Joseph F. Dunford, Jr., Chairman, Joint Chiefs of Staff