

Prepared Statement

of

The Honorable Clifford L. Stanley

Under Secretary of Defense (Personnel and Readiness)

Before the

Senate Judiciary Committee

On the

DREAM Act

June 28, 2011

Mr. Chairman, distinguished members of the Committee, I am pleased to be here today to discuss the Development, Relief, and Education for Alien Minors (DREAM) Act and its impact on our Armed Forces. The DREAM Act would provide an opportunity for individuals who came to the U.S. at 15 years of age or younger, and have lived here for the last five years to earn conditional lawful permanent resident status. These young people must meet several further requirements before the conditions on their lawful permanent resident status are removed, including completing two years of honorable military service-or two years of college, demonstrating good moral character, establishing that they have not committed certain crimes, including any that would otherwise make them inadmissible to the US, and remaining in a conditional status for a period of six years.

The Obama Administration strongly supports the DREAM Act. This targeted legislation will allow the best and the brightest young people to contribute to our country's well-being by serving their country in the U.S. Armed Forces or pursuing higher education. I am joined on this panel by the Secretary of Homeland Security, who will discuss the impact of the DREAM Act on immigration and naturalization, and the Secretary of Education, who will discuss the impact on post-secondary education. Accordingly, my remarks today will be limited to the impact of the DREAM Act on military force management.

In my three decades of service in the Marine Corps, I served with many people who have immigrated to our nation looking for a better life. Regardless of their backgrounds, they had – and still have – one core mission in life: to serve others. The Armed Forces of our great nation – a nation of immigrants – have a long and distinguished history of the valor and sacrifices made

by those who call the United States home, but are not yet citizens. The topic for today's hearing, the DREAM Act, expands this opportunity to young people brought to our country as children who are currently in an undocumented status through no fault of their own.

Although the exact size of this population is elusive, current estimates are that about 2.1 million aliens currently in the U.S. without lawful immigration status would meet the age and residency requirements of the DREAM Act. However, because of the stringent and numerous requirements, researchers estimate that a much smaller percentage of this population would eventually apply and qualify for the DREAM Act's conditional status. Additionally, according to a 2003 Pew research study, an estimated 65,000 undocumented students, who have been in the United States for at least five years, graduate from high school each year. These young men and women often mirror the kind of "high quality" youth the Services target for enlistment, but they have difficulty affording college and cannot join the military, legally work in the U. S, or apply for U.S. citizenship, permanent residence, or other legal status. They are scholars, student leaders, and athletes; in fact, many have participated in high school Junior ROTC programs. However, if their parents are undocumented, these young people may have no ready means to gain a status that might lead to U.S. citizenship. These students are culturally American, having grown up in the United States and often having little, if any, attachment to their country of birth. Passage of the DREAM Act would offer this very specific subset of young "Americans" the opportunity to serve the nation in which they grew up and a path to becoming productive citizens and contributing members of our society.

The DREAM Act's primary impact on the Armed Forces would be an increase in the pool of high quality, motivated youth with a potential for military service. This is particularly important since each of the Services seeks only the highest quality recruits from the available market. Of course, candidates enlisting under the DREAM Act would be subject to the same rigorous entrance standards as all other applicants, maintaining the quality and integrity of the force.

However, while non-citizens who currently enter military service are offered an expedited path to citizenship under section 329 of the Immigration and Nationality Act, the provisions in S. 952 limit any person who has gained lawful permanent residence on a conditional basis under the DREAM Act from applying for naturalization for at least six years. If enacted, this provision may limit the career options of DREAM Act recruits, but should not prevent them from being able to make significant contributions as other non-citizens have made and continue to make in today's military.

There is a distinguished history of non-citizens having served in the U.S. Armed Forces. Since the Revolutionary War, certain non-citizens have been eligible to enlist in the military. This continued in the War of 1812, the Civil War, and both World Wars. Almost half of Army enlistees in the 1840s were immigrants (non-citizens), and more than 660,000 military veterans became citizens through naturalization between 1862 and 2000. The Lodge Act of 1950 (and subsequent Acts in 1951, 1955, and 1957), for example, permitted non-citizen Eastern Europeans to enlist between 1950 and 1959.

Another example is the Navy's recruitment of Filipino nationals. The United States officially began recruiting Filipino nationals into the U.S. Navy in the late 1940s, when it signed the Military Bases Agreement of 1947, allowing U.S. military bases in the Philippines. In total, over 35,000 Filipinos enlisted in the Navy through the program between 1952 and 1991.

More recently the National Defense Authorization Act (NDAA) for FY 2006 established a consistent citizenship or residency requirement for enlistment in the Armed Forces of the United States.

Today, more than 25,000 non-citizens serve in the military (active and reserve) and about 9,000 lawful permanent resident aliens enlist each year. They serve worldwide in all Services and in a variety of jobs. They represent the United States both at home and abroad – even on the front lines of our current overseas contingency operations. Since September 11, 2001, over 69,000 have earned citizenship while serving, and over 125 who entered military service after that date have made the ultimate sacrifice in war and have given their lives for this nation.

As you can see, non-citizens have been and continue to be a vital part of our country's military. Those who serve are patriotic, with over 80 percent completing their initial enlistment obligation, compared with 70 percent for citizens. Non-citizen recruits continue to provide the Services with a richly diverse force in terms of race/ethnicity, language, and culture. We would expect DREAM Act enlistees to be no different.

In conclusion, since the birth of our nation, non-citizens have served and continue to serve honorably in the military. Throughout past and current conflicts, those who are not yet citizens, but call the United States of America home, have answered the call to defend their adopted nation. Passage of the DREAM Act would offer eligible youth the opportunity to serve this nation and would continue this tradition, while allowing the Department to expand the market of high-quality youth to the advantage of military recruitment and readiness. I thank you for the opportunity to appear here today and look forward to your questions.