

Durbin-Harris amendment would keep non-citizen military personnel from discharge due to immigration status

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WASHINGTON - U.S. Senate Democratic Dick Durbin, vice chairman of the Defense Appropriations Subcommittee, and U.S. Senator Kamala Harris (D-CA) today filed an amendment to the National Defense Authorization Act (NDAA) to retain military personnel in the Military Accessions Vital to National Interest (MAVNI) program until their background screenings are completed. Because of a backlog in the screening

process, it is estimated that between 1,000 and 1,800 MAVNI recruits have lost their legal immigration status while awaiting their results.



“When the military can’t find American citizens with the skills it needs to help defend our country, they turn to the MAVNI program,” said Durbin. “Right now, there are patriots prepared to lay down their lives for ours who are losing their immigration status

while waiting for their background checks to clear. With all the threats facing the United States today, we simply cannot afford to lose these brave men and women because of a technicality.”

“Men and women who have volunteered to serve our country in the Armed Forces deserve respect, not deportation. It is wrong and makes no sense,” said Harris. “These servicemembers have skills and talents that are vital to our national security and we must ensure they aren’t victims of a slow bureaucratic process.”

The MAVNI program allows immigrants with skills deemed vital to the national interest to enlist in the Armed Forces. More than 800 Deferred Action for Childhood Arrivals (DACA) recipients with these critical skills have joined the military through MAVNI.

Cosponsored by U.S. Senators Michael Bennet (D-CO), Cory Booker (D-NJ), Dianne Feinstein (D-CA), Bob Menendez (D-NJ), Jeff Merkley (D-OR), Jeanne Shaheen (D-NH), and Mark Warner (D-VA), the amendment requires MAVNI recruits to remain in the Armed Forces until the completion of background checks and security screenings, regardless of how long the screenings take. Under current law, recruits are automatically separated from the Armed Forces at 730 days if they have not yet completed basic training—which no MAVNI recruit can do until they pass the extensive security screening.

If these recruits are separated from the military because of delays or potential cuts to the program, they face the threat of deportation, as well as possible persecution from many of their home countries for joining the military and swearing allegiance to the United States.