

Congress of the United States

Washington, DC 20515

The Honorable John M. McHugh
Secretary of the Army
101 Army Pentagon
Washington, DC 20310

The Honorable Eric Fanning
Acting Secretary of the Air Force
1670 Air Force Pentagon
Washington, D.C. 20330

The Honorable Ray Mabus
Secretary of the Navy
1000 Navy Pentagon
Washington, D.C. 20305

11/21/2013

Dear Secretary Mabus, Secretary McHugh and Acting Secretary Fanning,

It has recently come to our attention that the U.S. Department of the Navy and Marine Corps has been refusing enlistment to applicants who have dependents (spouses or children) who are undocumented or unauthorized, even if the applicant is a U.S. Citizen. A report posted on the Lexis Nexis website quotes the Navy and Marine Corps regulations as follows:

U.S. Navy - *"Applicants with foreign alien dependents residing in the United States illegally are not enlistment eligible until their dependents become properly admitted into the United States and obtain a social security card, or no longer reside unlawfully in the United States."* - COMNAVCRUITCOMINST 1130.8H – VOLUME II

U.S. Marine Corps - *"Applicants with dependents (spouse and/or children) will not be enlisted ... if any dependent (spouse and/or children) is an undocumented illegal alien. An illegal alien is defined as; an alien who enters and/or remains in the United States without complying with procedures established in Title 8, United States Code, and the USCIS immigration or visitation process."* - MCRCO 1100.1

We are concerned that under these regulations, branches of the U.S. Military are denying U.S. citizens the opportunity to serve their country – an opportunity which is permitted by the current enlistment statute, 8 U.S. Code Section 504(b). For this reason, we request answers to the following questions so that we can understand and be clear about the reasons for this exclusionary policy.

1. When did the U.S. Departments of the Navy, and Marine Corps begin enforcing these regulations?

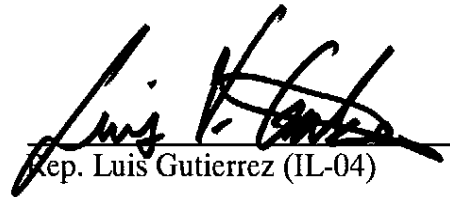
2. Do the U.S. Departments of the Army and Air Force have similar enlistment regulations as the ones above?
3. How many American citizens and green card holders have been denied the opportunity to enlist because their spouses or other family members were determined by a U.S. Department of the Army, Air Force, Navy and Marine Corps recruiter to be "illegal aliens"?
4. How do recruiters in the U.S. Departments of the Army, Air Force, Navy and Marine Corps determine whether a potential enlistee has undocumented dependents?
5. Finally, we request copies of any training materials, instructions, or other implementing guidance put out by the U.S. Departments of the Army, Air Force, Navy and Marine Corps regarding how to determine whether a family member is an "illegal alien."

We appreciate your immediate consideration of this matter and your prompt response.

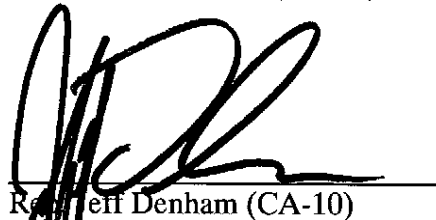
Sincerely,



Rep. Mike Coffman (CO-06)



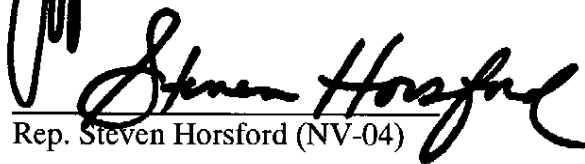
Rep. Luis Gutierrez (IL-04)



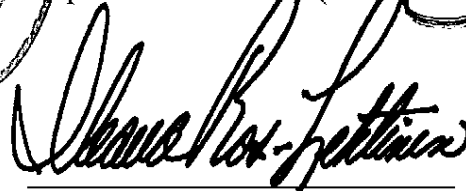
Rep. Jeff Denham (CA-10)



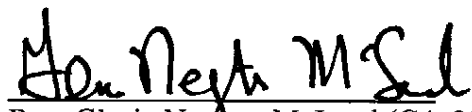
Rep. Jan Schakowsky (IL-09)



Rep. Steven Horsford (NV-04)



Rep. Ileana Ros-Lehtinen (FL-27)



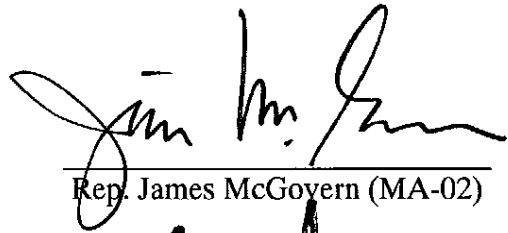
Rep. Gloria Negrete McLeod (CA-35)



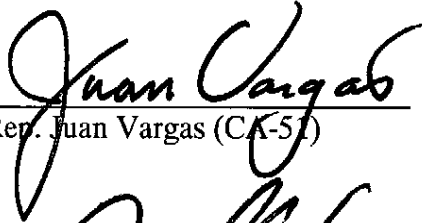
Rep. Zoe Lofgren (CA-19)



Rep. Marc Veasey (TX-33)



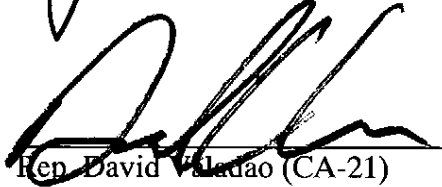
Rep. James McGovern (MA-02)



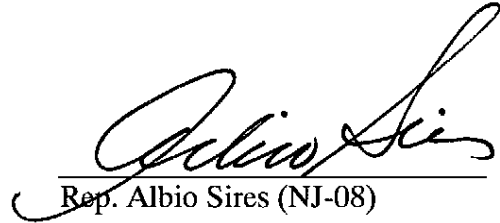
Rep. Juan Vargas (CA-51)



Rep. Jim Costa (CA-16)



Rep. David Valadao (CA-21)



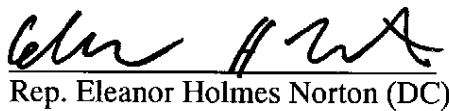
Rep. Albio Sires (NJ-08)



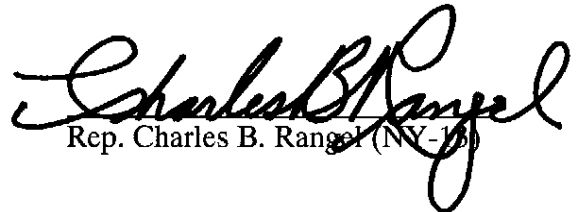
Rep. Dina Titus (NV-01)



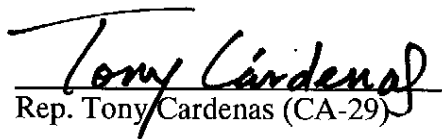
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Rep. Steve Cohen (TN-09)



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Rep. Raul Ruiz (CA-36)

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Rep. Sam Farr (CA-20)

Alan Lowenthal

Rep. Alan Lowenthal (CA-47)
