

SB 156 (ANDERSON): MILITARY AND VETERANS: TRANSITION ASSISTANCE: CITIZENSHIP

POSITION: The Defense, Veterans & Military Affairs Committee voted to SUPPORT SB 156 on June 7, 2017. The Public Policy Committee voted to SUPPORT SB 156 on June 13, 2017.

STATUS: SB 156 was introduced by Senator Joel Anderson on January 18, 2017. The bill passed out of the Senate and was referred to the Assembly Committee on Veterans Affairs on June 8, 2017.

AT-A-GLANCE

SB 156 requires that CalVet and California National Guard make available specified assistance to military-affiliated noncitizens, as defined, to support their acquisition of United States citizenship.

SUMMARY

SB 156 requires that CalVet offer information regarding the acquisition of U.S. citizenship to noncitizens to both active-duty personnel leaving their position while stationed in California and those who have been discharged from the military. Moreover, the bill requires that CNG notifies membership regarding their assistance to noncitizens gaining citizenship, in addition to aiding in the paperwork process should they be requested to do so by the noncitizen.

ANALYSIS

The author's office states that laws passed at the state level have implemented programs to assist our nation's veterans in the transition to civilian life after they leave the service. In 2014, Cal-TAP was implemented to address the deficiencies in the state's efforts at military transition (in this case, the military would include the National Guard). A key aspect of Cal-TAP is to aid in outreach efforts and notify veterans of the various benefits they may be eligible to receive.

Service in the U.S. military is seen as a pathway to streamline the citizenship process for noncitizens. The Immigration and Nationality Act permitted that noncitizen personnel have their naturalization process accelerated. The Immigration and Nationality Act, Section 328 allows noncitizens to qualify for naturalization if they've acquired permanent residency, applied for naturalization up to six months after their service ended, and engaged in that service honorably.

Section 328 details eligibility in peacetime, whereas Section 329 discusses eligibility during war. Section 329 was used in President George W. Bush's 2002 executive order granting noncitizens in the military during and after the attacks of September 11 the ability to immediately apply for naturalized citizenship. Veterans of certain wars prior are also qualified under this executive order, which will stay in place until a future president overturns it by executive order.

The author's office asserts that the passage of this bill allows the nation "to keep our promise, to be fair to these men and women who served our country and stood in harm's way." Furthermore, the author's office states that wrongdoings that can lead to deportation are often the result of trauma or debilities stemming from their military service.

SUPPORT

- American Legion – Department of California
- AMVETS – Department of California

- Military Officers Association of America, California Council of Chapters

- American G.I. Forum of California

OPPOSITION

None known