

HOUSE MEMORIAL 41

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Rodolpho "Rudy" S. Martinez and Raymundo Lara and  
Eliseo Lee Alcon and Harry Garcia and Joseph L. Sanchez

A MEMORIAL

URGING NEW MEXICANS TO STAND BY NON-CITIZEN VETERANS AND URGING  
UNITED STATES DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND  
CUSTOMS ENFORCEMENT TO IMPROVE ITS STANDARDS FOR PROTECTION OF  
VETERANS WHO ARE SUBJECT TO DEPORTATION.

WHEREAS, throughout history, non-citizens have served in  
the United States armed forces; and

WHEREAS, from the time of the Revolutionary War, America  
has relied heavily on immigrants to shoulder its military  
duties; and

WHEREAS, part of the appeal of military service for  
immigrants is that special provisions of the federal  
Immigration and Nationality Act of 1965 allow non-citizens who  
serve in the military to acquire United States citizenship or  
legal residence and gives veterans more protection from

.217229.1

underscored material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

1 deportation; and

2 WHEREAS, the United States house committee on veterans'  
3 affairs found that, while the military has enlisted more than  
4 forty-four thousand non-citizens since 2013, the number of non-  
5 citizens applying for and receiving United States citizenship  
6 has fallen; and

7 WHEREAS, the United States department of defense  
8 establishes policies governing non-citizens' eligibility to  
9 join the military and assists non-citizen service members who  
10 wish to naturalize; and

11 WHEREAS, the United States department of veterans affairs  
12 administers benefits and services such as health care and  
13 disability benefits to veterans of the United States military;  
14 and

15 WHEREAS, the United States department of homeland security  
16 immigration and customs enforcement is responsible for  
17 identifying, arresting and removing aliens who present a danger  
18 to national security or are a risk to public safety and in the  
19 United States in violation of immigration law; and

20 WHEREAS, immigration and customs enforcement policies  
21 clearly state that its agents must take additional special  
22 steps to proceed with cases of a potentially removable veteran;  
23 and

24 WHEREAS, a June 2019 report, *Immigration Enforcement -*  
25 *Actions Needed to Better Handle, Identify and Track Cases*

.217229.1

underscoring material = new  
~~[bracketed material] = delete~~

1 *Involving Veterans*, was issued to congressional requesters by  
2 the United States government accountability office; and

3 WHEREAS, the report found that immigration and customs  
4 enforcement did not consistently adhere to agency policies for  
5 the handling of non-citizen veterans who may be subject to  
6 removal from the United States; and

7 WHEREAS, the report also found that immigration and  
8 customs enforcement has never developed a policy to identify  
9 and document all military veterans it encounters and does not  
10 maintain complete electronic data; and

11 WHEREAS, therefore, immigration and customs enforcement  
12 does not have reasonable assurance that it is consistently  
13 implementing its policies for handling veterans' cases; and

14 WHEREAS, the report also found that deported veterans have  
15 severe difficulties accessing veterans benefits they are  
16 entitled to even after deportation;

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
18 REPRESENTATIVES OF THE STATE OF NEW MEXICO that New Mexicans be  
19 urged to stand by non-citizen veterans; and

20 BE IT FURTHER RESOLVED that the United States department  
21 of homeland security immigration and customs enforcement be  
22 urged to improve its standards for protection of veterans who  
23 are subject to deportation; and

24 BE IT FURTHER RESOLVED that copies of this memorial be  
25 transmitted to the president of the United States, the acting

.217229.1

underscoring material = new  
~~[bracketed material] = delete~~

1 director of the United States department of homeland security,  
2 the secretary of the United States department of defense, the  
3 president pro tempore of the United States senate, the speaker  
4 of the United States house of representatives and members of  
5 the New Mexico congressional delegation.

6 - 4 -  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25