

Developments in Naturalization & Military Immigration Issues



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Immigrants & Military Enlistment

Immigrants & Selective Service

“Except as otherwise provided in this Title, it shall be the duty of every male citizen of the United States, and every other male person residing in the United States, who, on the day or days fixed for registration . . . is between the ages of eighteen and twenty-six . . . The provisions of this section shall not be applicable to any alien lawfully admitted to the United States as a non-immigrant under section 101(a)(15) of the Immigration & Nationality Act . . . for so long as he continues to maintain a lawful nonimmigrant status . . .”

From the SSA website

ATTENTION, UNDOCUMENTED MALES & IMMIGRANT SERVICING GROUPS!

If you are a man ages 18 through 25 and living in the U.S., then you must register with Selective Service. It's the law. You can register at any U.S. Post Office and do not need a social security number.

When you do obtain a social security number, let Selective Service know. Provide a copy of your new social security number card; being sure to include your complete name, date of birth, Selective Service registration number, and current mailing address; and mail to the Selective Service System, P.O. Box 94636, Palatine, IL 60094-4636. Be sure to register before your 26th birthday. After that, it's too late!

Selective Service does not collect any information which would indicate whether or not you are undocumented. **You want to protect yourself for future U.S. citizenship and other government benefits and programs by registering with Selective Service. Do it today.**

10 USC §504

- (1) A person may be enlisted in any armed force only if the person is one of the following:
 - (A) A national of the United States . . .
 - (B) An alien who is lawfully admitted for permanent residence . . .
 - (C) A person described in . . . one of the following compacts:
 - (i) The Compact of Free Association between the Federated States of Micronesia and the United States . . .
 - (ii) The Compact of Free Association between the Republic of the Marshall Islands and the United States . . .
 - (iii) The Compact of Free Association between Palau and the United States . . .
- (2) Notwithstanding paragraph (1), **the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) if the Secretary determines that such enlistment is vital to the national interest.**

MAVNI program

- **Announced Nov 25, 2008 by Secretary Gates**
- **1 year pilot program ended Dec 09, since then extended through 2016**
- **Limit of 5000 for FY2016**
- **Immigration eligibility criteria:**
 - **Legally present**
 - **Two years status in the US**
 - **Only certain legal statuses eligible**

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