

**RESEARCH**

# How We Fail US Foreign-Born Veterans: A Scoping Study of the Literature

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Many foreign-born US service members have taken advantage of expedited naturalization provisions for them to obtain US citizenship through military service. However, while citizenship was almost automatic for veterans in centuries past, today this is more difficult to achieve, and some veterans may even be at risk of deportation because they did not or were not able to naturalize. This scoping study synthesizes academic articles and grey literature, focusing on data, naturalization laws, and executive orders that have an impact on foreign-born veterans and foreign-born service members alike. This group has sacrificed much like their native-born veteran counterparts, yet do not always receive the same honor as them. Findings indicate a need for more research to drive policy that would address the country's significant debt to its foreign-born veterans.

**Keywords:** foreign-born; immigrant; service members; veterans; US military; deportation; naturalization; citizenship

Immigrants come to the United States (US) from many backgrounds, cultures, and walks of life. To the general population, those who serve in the US military may be less evident than those who work in jobs that serve the civilian population. However, estimates indicate that at least a million service members have naturalized through provisions designed to encourage military service among the foreign-born since the Revolutionary War (Wong, 2007). Approximately two-thirds of those that received citizenship for military service did so after the close of the Civil War (Chu, 2006; Cunha et al., 2014). Today foreign-born recruits include legal permanent residents (also known as green card holders) and residents of the three nations that are a party to the 1986 Compact of Free Association<sup>1</sup>, as well as visa holders who have key medical or language skills of use to the military (Copp, 2019).

This scoping study assembles academic articles and grey literature to consider the treatment of foreign-born veterans who served in the US military. How do current naturalization laws and executive orders for service members contribute to their treatment? How does the risk of deportation for approximately 100,000 veterans contribute to the perpetual mistreatment of the undocumented? This scoping study seeks to answer these questions by showing that recent changes in naturalization laws and executive orders for service members, including deportations and the threat of deportation of foreign-born veterans contributes

to an unfair and unethical treatment of this group by the US government and military. The authors show the harmful effects of recent naturalization laws and executive orders for foreign-born service members and how they are treated differently from their US-born comrades post-service with veteran status, despite making the same oath and sacrifice.

Although they may be few in number, it makes them no less proud of their service. Foreign-born veterans represent about 3% of US veterans, over half a million individuals of the 18.6 million veterans in the United States (Zong & Batalova, 2019) and approximately 200,000 military members, both foreign-born and native-born, become veterans each year (Aronson et al., 2019; National Center for Veterans Analysis and Statistics, 2016). Of the half a million foreign-born veterans, as of 2018, 83% had naturalized. Yet, these numbers do not tell the full story of civilian, military, and return to civilian life of these foreign-born service members. What follows is our attempt to tell a more complete story by using a scoping study approach for our methodology and the research questions we sought to answer. Then, is a discussion of the findings, as well as the limitations and opportunities for future research on foreign-born service members in the US military.

## **Methodological Approach: A Scoping Study**

Arksey and O'Malley (2005) described a scoping study as one that "tends to address broader topics where many different

study designs might be applicable...and is less likely to seek to address very specific research questions nor, consequently, to assess the quality of included studies" (p. 20). The reasons cited that researchers should undertake a scoping study include:

To summarize and disseminate research findings: this kind of scoping study might describe in more detail the findings and range of research in particular areas of study, thereby providing a mechanism for summarizing and disseminating research findings to policy makers, practitioners and consumers who might otherwise lack time or resources to undertake such work themselves (Antman et al., 1992; Arksey & O'Malley, 2005, p. 21).

This scoping study's goals are three-fold: to contribute to the literature on foreign-born veterans from the US military, encourage further research on the topic, and aid policy makers in crafting policies to deal justly with non-citizens who put themselves at risk and served the country as members of the US military.

The research for this scoping study covers the years between 2005 and 2019 and was completed in fall 2019. The authors used the Kennesaw State University Library System to search databases with the following terms, and their various permutations: "military" and "immigrants." This process revealed that seven databases had articles with keywords that included "military" and two databases had articles with keywords that included "immigrants." The two databases regarding "immigrants" were not relevant to the study. Among the seven databases, only the Military Database (ProQuest) and the Military and Intelligence Database were relevant and returned articles with keywords like "immigrants"; "veterans"; "US military"; "citizenship"; and "naturalization" both individually and collectively. Upon reading the articles, other terms were prevalent among the articles including noncitizen, alien soldier, and foreign-born service member. For the purposes of this study, we use the term foreign-born (except in direct quotes) for consistency and to be inclusive of those service members who became naturalized citizens.

This search produced 73 academic articles and grey literature and after a detailed review, it was revealed that roughly 35 were not about foreign-born service members or were published before 2005. The literature that remained was read, annotated, and summarized. It was coded using a Microsoft Excel spreadsheet and then synthesized in this study. **Table 1** provides an excerpt of entries and columns used to construct the final literature review matrix for the scoping study.

## **Foreign-Born Veterans: Who They Are and the Obstacles They Face**

### ***Foreign-Born Veterans as a Group: A Background***

Barry (2008) looked at foreign-born veterans and foreign-born nonveterans aged 22–27 by using the US Census'

Public-Use Microdata Samples (PUMS), which consisted of a 1 in 20 national random sample and included 11,337,000 individuals. After removing native-born individuals and those without a high school diploma, since this is required for military service, there were 2,481 foreign-born veterans and 47,770 foreign-born nonveterans (Barry, 2008). Barry's (2008) study of the after-service earnings of foreign-born veterans found that they earned more than their non-veteran counterparts did by at least 20%. She attributed this finding to the human capital they build in the military. Specifically, their exposure to a large institution, like the military, coupled with the training received is conducive to the predictions associated with human capital theory.

The Migration Policy Institute (MPI), a nonpartisan think tank that seeks to improve immigration and integration policies, in their grey literature provided statistics on foreign-born veterans and compared them to native-born. In their study a decade later, MPI found similar evidence to Barry (2008). MPI researchers found that in 2018 foreign-born service members were slightly more likely to be female (11% versus 9%), to hold a bachelor's degree (37% versus 31%), and are also on average five years younger [57 versus 62 (Zong & Batalova, 2019)]. Foreign-born veterans are significantly more likely to hold jobs in the civilian labor force (58% versus 46%) and over the life of their employment, out-earn native-born veterans by about 8% (Zong & Batalova, 2019).

### ***Naturalization Provisions and Executive Orders for Service Members and Hindering Policy Changes Made Recently***

As Chishti, Rose, and Yale-Loehr (2019) noted, "Since at least the Civil War, expedited naturalization has been the norm during periods of war. And since at least 1952, this has also been true in peacetime" (p. 4; see also Plascencia, 2015). The date, 1952, is significant because this is the same year the Immigration and Nationality Act (INA) was enacted by Congress. The INA had two provisions giving service members priority for naturalization: the peacetime statute, Section 328, and the wartime statute, Section 329 (Chishti et al., 2019). Section 328 of the INA specified that after one year of military service foreign-born service members could naturalize (Stock, 2013). Section 329 allowed immigrants to commence the naturalization process as soon as their service began if it was during a time of declared conflict (Stock, 2013). As Sexton (2008) emphasized, naturalization nonetheless depended on action by the service member initiating a bureaucratic process.

In 2002, Executive Order (EO) 13269 was implemented. It modified Section 329 of the INA and stipulated that foreign-born service members could apply for naturalization after their first day of duty (Cunha et al., 2014). Cunha et al. (2014) found that this measure had "little to no effect" on the number of foreign-born service members, although this was ostensibly because the number joining non-combat intensive services (i.e., Navy, Air Force, and Coast Guard) increased while the number who joined combat

**Table 1:** Excerpted Findings on Academic & Grey Literature Pertaining to U.S. Military Foreign-Born Veterans.

	<b>Author and Year</b>	<b>Study Type</b>	<b>Service Status</b>	<b>Summary</b>
1.	Barry (2008)	Academic/ Quantitative	Veterans	This study analyzed after-service earnings of young (22–27) foreign-born veterans and compared the findings against young (22–27) foreign-born nonveterans. The study found that foreign-born veterans earn at least 20 percent more than their nonveteran counterparts. The author contributed the findings to the human capital the veterans built while in the military based on the training and experience they received.
2.	Chishti et al. (2019)	Policy Paper	Service members	This policy paper highlighted many topics, primarily focusing on the MAVNI program and foreign-born recruits in general. It discussed the shortage of Army recruits and how the foreign-born could fill those gaps. It laid out policy changes under the Obama and Trump administrations concerning MAVNI and how those changes made it difficult for foreign-born to enlist in the military. Finally, it offered solutions and steps forward for handling the MAVNI recruits.
3.	Copp (2018)	Grey Literature	Service members	This grey literature mentioned MAVNI and how the enhanced security and background checks put in place under the Obama and Trump administrations could leave some current foreign-born recruits out of military service since their immigration status can change while waiting for the checks to clear. The recruits must start basic training within three years of signing their contract, yet the background checks can take longer than that; they cannot start basic training until the checks are completed. This essentially times them out from being able to enlist and fulfill their contract.
4.	Copp (2019)	Grey Literature	Service members	This grey literature highlighted the decline in naturalizations for both military and civilian foreign-born from 2017-2019. During this period, there was a seventy-nine percent decrease in naturalization requests through the military by foreign-born personnel. Also, during this same period, there was a thirty-four percent decrease in foreign-born civilian naturalization requests. Finally, the piece discussed how some foreign-born had their visas expired while waiting to pass the background checks. They were then sent back to their home country and had to reapply for a visa all over again.
5.	Gambler (2019)	Government Report	Veterans	This government report considered ICE and its removal procedures of foreign-born veterans. Data was gathered from the Office of Principal Legal Advisor's electronic alien file database [PLANet] from the years 2013–2018. The Philippines and Mexico were the most represented nationalities during this period. The report found that ICE did not always follow protocol when dealing with this group of veterans when placed in removal proceedings. There was inconsistency in ICE's handling of foreign-born veterans. The report discussed reasons why some foreign-born veterans were being deported, aggravated felonies being the main cause.
6.	Horton (2019)	Grey Literature	Veterans	This grey literature tied in with the Government Report produced by Gambler. It discussed ICE and its lack of fully enforcing background checks on foreign-born veterans when undergoing deportation proceedings. It highlighted the confusion by many involved in the naturalization process. Commanders who were to sign off on naturalizations were sometimes unaware of the process and made mistakes. ICE seemed to be confused on proper protocols for handling foreign-born veterans. Finally, the foreign-born themselves seemed to be confused as to how the naturalization process worked.
7.	Jordan (2017)	Grey Literature	Veterans	This grey literature mentioned the return of a deported veteran. This may have been the first time a foreign-born veteran was allowed to return to the U.S. after being deported. Marco A. Chavez, a Marine veteran, was deported after spending time in prison for animal cruelty. He spent fifteen years in Mexico before returning to the US. However, he had been raised in the US and did not know Spanish or the culture when he was deported. Deportation also brought a divorce and no time spent with his children. The piece mentioned that the U.S. does not keep track of the exact number of deported veterans; however, it is believed to be well over 200 cases.

(Contd.)

	<b>Author and Year</b>	<b>Study Type</b>	<b>Service Status</b>	<b>Summary</b>
8.	Sexton (2008)	Administrative and Civil Law Note	Service members	This civil law note stressed that foreign-born service members should not have to die in order to become U.S. citizens. The author discussed the importance of the foreign-born service member knowing their rights to naturalize quickly through the military. The key way to ensure that foreign-born service members know their options is through information provided by the military, especially Judge Advocates who provide legal assistance.
9.	Shagin (2013)	Legal Note	Veterans	This legal note was written to educate readers on the deportation of foreign-born veterans and how it can cause a breakup in families. The author argued that the loyalty shown by these veterans should be enough to warrant citizenship and that foreign-born who serve in the military should automatically be naturalized as citizens once they take the oath to serve. The author also argued that certain felonies are unjust for causes of deportation, especially sale of a small amount of marijuana, which classifies as an aggravated felony.
10.	Shapiro (2019)	NPR Broadcast	Veterans	This NPR broadcast shed light on PTSD and how that might cause veterans to commit crimes. Jose Segovia came to the U.S. as a baby and served in the Marines. After serving, he committed crimes involving drugs and assault. After spending four years in prison, he was detained by ICE upon his release. He waits in a detention center currently awaiting his fate on deportation. If deported he would be returning somewhere he has not been since the age of three.
11.	Stock (2013)	Informational Piece	Service members	This informational piece laid out issues foreign-born service members and their families encounter in their military service. The author is an immigration lawyer and retired Lieutenant Colonel from the Army Reserve and is often cited in many of the sources used in this scoping study. The author provided the requirements for enlistment of foreign-born service members, the naturalization procedures of these individuals and highlighted many laws that affect them specifically.
12.	Ward (2018)	Grey Literature	Service members	This grey literature shed light on the history of the increasing background checks regarding MAVNI recruits. The author noted that both President Obama and Trump were to blame for these enhanced checks. Many MAVNI personnel came from Africa and Asia and because of the lack of record keeping in certain countries and the more stringent background checks; recruits were not always able to start basic training on time.
13.	Zong & Batalova (2019)	Policy Paper	Veterans	This policy paper produced by the Migration Policy Institute gave statistics on foreign-born veterans using census data. The authors found that foreign-born veterans were doing better in most census categories compared to native-born veterans. Nonveteran foreign-born, however, were not doing better than nonveteran native-born. About three percent of all veterans in the U.S. are foreign-born. There has been a one percent increase in foreign-born veteran representation since 1995. Eighty-three percent of foreign-born veterans in 2018 were naturalized. Foreign-born veterans were younger, held a higher percentage of the civilian labor force and had higher income when compared to native-born veterans. Finally, a higher percentage of foreign-born veterans held at least a bachelor's degree compared to native-born veterans.

intensiveservices(i.e.,ArmyandMarines)decreased(p. 1292). These findings have an impact on Section 329's naturalization provision because the intent of EO 1329 was to increase military recruitment by providing an expedited pathway for naturalization through the military after 9/11. Although this may have been the intent, the reality is that EO 13269 had minimal influence in achieving its purpose.

The National Defense Authorization Act of 2004 attempted to provide more pathways for naturalizations of foreign-born service members, permitting the process to occur overseas

(Sexton, 2008). Two years later, it became feasible for holders of student, work, or asylum visas to serve in the US military if their services and skills were vital to US interests (Chishti et al., 2019). This provision became the Military Accessions Vital to the National Interest (MAVNI) program in 2008 (Chishti et al., 2019; Mendez et al., 2018). As the program dictated, it made military service accessible based on "skills in certain healthcare professions" and "language skills such as fluency in Farsi, Arabic, Russian, Chinese, or Punjabi" (Callan, 2019, p. 11) for those who had held their visa for at least two years (Chishti et al., 2019).

However, the historical trend of supporting foreign-born service members began to change. Recent history indicates a change in US policy whereby service members are no longer granted an easier pathway for naturalization in exchange for their military service. Since 1952, and increasingly during the latter part of the Obama Administration and the current Trump Administration, policy changes have hindered the naturalization process for these individuals. These curtailing options have contributed to the unfair and unethical treatment of foreign-born service members (Chishti et al., 2019).

For example, there are only four locations, one in each of the following countries: Germany, Italy, Japan, and South Korea, which assist service members stationed overseas with the US naturalization process. This is a reduction from previous years and presidential administrations (US Citizenship and Immigration Services, USCIS, 2019). Therefore, military personnel stationed overseas without access to one of these sites will find it much more burdensome to naturalize.

After two Army recruits were arrested because they enlisted under the MAVNI program with fraudulent visas (Chishti et al., 2019; Department of Justice, 2016), President Obama temporarily halted the program altogether on the grounds that it could provide access to military service and citizenship to people with connections to foreign enemies (Ward, 2018). To address this concern, starting in September 2016, the military required enhanced security checks for MAVNI recruits, including the background check obligatory for top-secret clearance (Chishti et al., 2019). Chishti et al. explained, "The decision to block access to enlistment appears to be the result of recent events and discoveries that provoked suspicion of foreign infiltration of the US military" (2019, p. 6).

In 2017, the Trump Administration further increased the number of background checks required for MANVI (Zong & Batalova, 2019), which effectively abolished the program (Ward, 2018). Limitations on the time between signing an enlistment contract and the start of basic training conflicted with the amount of time required by background checks such that it is impossible to fulfill both requirements (Chishti et al., 2019; Copp, July 6, 2018). Because of how the Trump Administration structured the screening process, it rendered the MANVI Program defunct. Consequently, the abolition of MANVI would mean "1,800 enlistment contracts for immigrant recruits would be cancelled, putting roughly 1,000 at risk for deportation" because their "visas expired while waiting for the military's travel orders" and "[a]n additional 2,400 part-time troops would also be removed from service" (American Immigration Council Staff, 2017, n.p.).

In keeping with the Trump Administration's overall restrictionist approach to immigration, in 2017, additional restrictions on service members were put in place. Most limiting was the capability of foreign-born service members' ability to receive the "Certification of Honorable Service" form required for naturalization through military service (Chishti et al., 2019). These new restrictions required the withholding of these certificates until the recruit completed

basic training and served for either 180 days or one year, depending if the service member was active or reserve duty, respectively (Chishti et al., 2019). Many service members who were given "Certification of Honorable Service" before the new rules were enacted, found that the government had annulled their certifications and halted their applications completely (Chishti et al., 2019). This has a direct impact on those in the military who are not able to naturalize yet are US veterans because of their service.

The impact on the number of foreign-born future veterans who will not naturalize as a result is not entirely clear, but the changes have affected those already serving and seeking citizenship (Chishti et al., 2019). Copp (2019) provided data by explaining:

In the first quarter of the Trump Administration, January to March 2017...there were 3,069 foreign-born members of the military who applied to become naturalized citizens... In the first quarter of fiscal year 2019, USCIS reported it received only 648 military applications for citizenship, a 79 percent drop (n.p.).

This drop in applications, and other hindrances created by new policies under the Obama and Trump Administrations, made it more difficult for military service-based naturalization. Moreover, increased numbers of non-naturalized foreign-born service members, results in a cadre of US veterans to confront another danger: deportation.

#### ***Risk of Deportation to Foreign-Born US Veterans***

Copp (July 5, 2018) reported, "As part of the Trump Administration's crackdown on immigration, the government is rejecting more requests from veterans and their dependents for protection from deportation," leading to a rejection of about twenty percent, up from ten percent under the Obama Administration (n.p.). Specifically, "In fiscal [year] 2016, the Obama Administration denied 140 veteran requests for deportation protection and approved 1,304 requests. In fiscal [year] 2017, the Trump Administration denied 250 veteran requests for deportation protection and approved 1,449 requests" (Copp, July 5, 2018, n.p.). Such deportations may involve family members of US veterans who may not be US citizens. Thus, causing additional stress due to family separation that further exacerbates the existing challenges mixed-immigrant status families must confront.

The number of foreign-born convicted veterans is lower than the total number of foreign-born veterans, but this group is more susceptible to deportation because of their convicted status (Popescu, 2017). This increases their likelihood of having an encounter with US Immigration and Customs Enforcement (ICE). A Government Accountability Office (GAO) report addressing the years 2013–2018 found that ICE did not always follow procedures when dealing with foreign-born veterans placed in removal proceedings (Gambler, 2019). It recommended that ICE be consistent in

implementing policies concerning US foreign-born veterans, identify and document these veterans better, as well as gather and maintain accurate data on those who were being removed or had been removed (Gambler, 2019). A report in the *Washington Post* found similar inconsistencies and found that ICE could not give a specific number for how many foreign-born US veterans had been deported (Horton, 2019, n.p.). According to the *Washington Post*, "ICE said '100 percent' of veterans removed [who were mentioned in the GAO report] were deported because of drugs, sexual abuse, firearms, explosives, kidnapping and other charges," but pointed out that the letter from ICE did not address veterans deported who were not mentioned in the report (Horton, 2019, n.p.).

The GAO report examined 87 files of foreign-born veterans ICE had deported and found that all had felony convictions, including 68 who had at least one aggravated felony conviction (Gambler, 2019). However, as Shagin (2013) noted, drug trafficking offenses are aggravated felonies "whether [they involve the sale of] 100 pounds of heroin or a small amount of marijuana" (p. 48). The *New York Times* further noted, "The overwhelming majority of [US veterans] deported have been convicted of drug-related crimes, including possession and trafficking" (Jordan, 2017, n.p.). Shagin, an immigration attorney, argued:

The purging of these veterans from the country they served, [for drug-related crimes]...will have no practical effect on the crime rate in the United States. It will not make us a safer society in any meaningful way. It will, however, make us a colder, less compassionate, and less appreciative one (2013, p. 50).

A National Public Radio (NPR) interview with Jose Segovia, a Marine Corps veteran awaiting deportation to El Salvador, indicated that military service, and the resulting post-traumatic stress disorder (PTSD), may be a cause of more serious crimes (Shapiro, 2019). After serving in Iraq, he was diagnosed with PTSD, and research supports his claim that his crimes, drug possession, and domestic violence, can be linked to PTSD caused by his military service (Shapiro, 2019). Specifically, Sherman et al. (2014) "found a small but statistically significant, association between PTSD and having a criminal record mostly related to violence" (p. 146). Segovia spent four years in prison for his crimes and was consigned to an ICE detention center in California whereby the Inspector General of Homeland Security knew that this particular facility lacked mental health care services (Shapiro, 2019).

Segovia came to the US as a toddler and has no ties to El Salvador. As his mother told NPR, "You know, after my son served this country, it's not fair, you know, what he's been through" (Shapiro, 2019, n.p.). Failing to factor in PTSD and its links to crime committing is a failure to understand the plight veterans experience, foreign-born and native-born alike. The disregard for the problematic situation US veterans suffering from PTSD find themselves in, coupled with

their undocumented status, perpetuate the unfair treatment of this population, despite serving a country that seemingly denigrates their military contributions.

While it is not feasible to state in absolute terms that all crimes committed by foreign-born veterans are due to PTSD induced by their military service, evidence suggests there is a strong connection. Despite the evidence, Shagin (2013) contends that the US Congress has not considered provisions to protect foreign-born veterans from deportation. "Particularly absent from the congressional debates has been any consideration of providing veteran noncitizens any special protection from deportation. Congress appears to have concluded that a necessary and sufficient reason for removing non-nationals is...because it can" (Shagin, 2013, p. 49). Perhaps reflecting a change over the course of the ensuing years are the draconian policies associated with President Trump and his administration, despite bipartisan support to work with foreign-born service members. In fact, the *Washington Post* found members of Congress who were advocating for the elimination of the deportation of foreign-born veterans by advancing an argument that it is a veterans' issue and not an immigration one (Popescu, 2017). There have been bills introduced in Congress concerning deported foreign-born veterans to allow them to temporarily return to the US for health care access, making sure foreign-born service members received information about the naturalization process, and preventing the deportation of foreign-born veterans whose crimes were non-serious (Popescu, 2017). However, these have only been calls to action. The lack of concrete commitments to follow through on these proposed actions has resulted in the continuation of unfair and unethical treatment of this population.

Another *Washington Post* article about California's state-level measures indicated that its legislature had "taken steps to assist foreign-born veterans, including allocating funds in the 2018 budget to pay for legal representation for those facing deportation or already removed" (Horton, 2017, n.p.). But these state-by-state cases only privileged those foreign-born veterans who lived in the accommodating states and still fall short of Shagin's (2013) call for the US to grant veterans citizenship outright. As he declared, "The preferred solution is to make all those who serve in an American uniform United States citizens upon taking the oath of service. Short of that, noncitizens could be made nationals upon their oaths" (Shagin, 2013, p. 50). Indeed, foreign-born service members are typically not fully knowledgeable about the naturalization process (Horton, 2019; Popescu, 2017). "Assumptions that the process is automatic has left some veterans unaware that they need to apply themselves. That has partially led to deportations for an unknown number of veterans" (Horton, 2019, n.p.).

While the numbers are low, deportation of foreign-born US veterans has a substantial cost. An article in the *New York Times* about Marco A. Chavez, a Marine veteran who was deported after serving time in prison for animal cruelty, who was able to return to the states because California's

governor pardoned him, shed light on the individual cost (Jordan, 2017). Mr. Chavez's parents had moved to the US when he was one. Upon his return to Mexico the reporter noted, "his first several years ... were extremely difficult, [as he] spent [his time] learning Spanish and trying to find work" (Jordan, 2017, n.p.). This may have been the first time a veteran deported for a criminal conviction was able to return to the US legally. However, at the time of his return, Chavez had only seen his three children one time in over 10 years, and his marriage had failed during his 15 years in exile (Jordan, 2017). As Shagin (2013) noted, "The deportation of one person shatters many lives. It either banishes families altogether or separates spouses, and separates mothers and fathers from their children" (p. 50).

### Discussion and Implications for US Foreign-born Veterans

As Shagin (2013) wrote, "A noncitizen service member in an American uniform is subject to American command, American discipline, and, if captured, would be treated as an American as a prisoner of war" (p. 47). Once the uniform comes off, the US should continue to treat the foreign-born like they do their own citizens. Wong (2007) noted that many US citizens are able to avoid military service, while reaping the benefits of US power on the world stage, because of foreign-born service members. This privilege held by many overshadows the sacrifices made by few, especially foreign-born service members who are treated one way during service but another as veterans. Shagin (2013) rightly calls for enrolling them into a naturalization process automatically, where guidance and next steps are clear and communicated. This is particularly vital as many veterans assume they will achieve naturalization through service *without* taking any additional action (Horton, 2019; Popescu, 2017). Failure to do so essentially constitutes a breach of implicit contract with individuals serving in the US military. In the absence of such a change, the US military must articulate policies and procedures about naturalization as readily as they instill drill commands. In this way, the US military can be fairer and more ethical in its treatment of the foreign-born prior to enlistment as well as during and after their military service.

However, recent changes to the military naturalization process have made it more difficult for the foreign-born to naturalize. This in turn increases the likelihood of a foreign-born veteran to be detained and deported, thus losing out on the benefits that are afforded to US veterans. While the military has made clear the importance of diverse language and job skillsets among its recruits (Chishti et al., 2019), policy changes to foreign-born military service and naturalizations under the Obama and Trump Administrations have limited the military's ability to meet these needs. This is because they cannot recruit whom they need, or the burdensome naturalization process turns off potential viable recruits. In a sense, the unfair treatment begins before one even joins the military, if they even can.

There is also evidence that ICE is not abiding by established protocols with respect to this special category. Such protocols need to be addressed and expanded in favor of offering greater protections to veterans. Deportation based on outdated felony laws, for example regarding marijuana use, should also be addressed. Deportation because of marijuana use or possession is out of step with many state laws evolving about the use of this substance. Policy makers can have a direct impact regarding ICE protocols and outdated felony laws, both of which directly affect foreign-born veterans. Failing that, the US should train veterans for new cultures and languages, if the government is not willing to automatically naturalize them prior to their deportation. Otherwise, the unethical treatment will continue. Further, foreign-born veterans have earned the right to a second chance. As stated earlier, those who incur PTSD in the line of duty should not be treated with less consideration than native-born veterans. Policy makers should do a better job of addressing PTSD issues among all types of veterans and provide the proper treatment, including when in detention or in prison to ensure their safety and overall community wellbeing.

Much grey literature exists on foreign-born veterans, but academic literature on this topic is scarce. Future research should consider this group as a crucial area for policy, as it is likely an area in which it would be relatively easy to make changes. For example, researchers should study foreign-born veterans from the different branches of the US military individually and collectively. They could also research service members based on their country of origin or duration of residence in the US to explore their likelihood of successfully naturalizing in the current policy environment. Likewise, research can be done on PTSD and the experience of detention and deportation on US service members.

### Conclusion

This scoping study has synthesized academic and grey literature regarding foreign-born US service members and veterans. It presents data on foreign-born veterans, naturalization laws, and executive orders affecting foreign-born individuals intending to join the military, foreign-born veterans once they have completed their service, and deportation issues surrounding foreign-born veterans after they return to civilian life. Foreign-born veterans have served *their* country, sacrificing their time, energy, and family obligations, and have stepped up to the call to service when others have not. Some risk their lives. The US can and should do a better job in acknowledging its debt to them. Automatic naturalization of the foreign-born serving in the military, reconsidering the deportation of foreign-born veterans, and protecting the families of foreign-born veterans from deportation are just some ways we should be treating them with more gratitude and grace. This issue should be seen through the lens as a veteran's issue and not an immigration one. The honorable treatment of foreign-born service members is the least a country can do for those who have fought for and protected it.

## Note

<sup>1</sup> The three Pacific Island sovereign states are the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

## Acknowledgements

This manuscript is dedicated to foreign-born service members and their families. The Oath of Enlistment is something every service member must promise and adhere to for their entire military career. Thank you for defending the US Constitution, may it one day wholly defend you.

## Competing Interests

The authors have no competing interests to declare.

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