

Eduardo Gonzalez

Second Class Petty Officer Air Warfare
United States Navy

Testimony before the House Judiciary
Committee's Subcommittee on Immigration,
Citizenship, Refugees, Border security
and International Law

September 6, 2007
1:00pm

Chairwoman Lofgren, Ranking Member King, Members of the Committee, Special Guests: Good afternoon. My name is Eduardo Gonzalez. I am enlisted in the United States Navy and my rank is Petty Officer Second Class Air warfare. I enlisted in the Navy in 2003. I graduated high school in 2001, and then continued my education by earning my Associate's degree in occupational studies. I had many choices, but after September 11, 2001, I decided to make this a better country for my family. Since my enlistment, I have been deployed 2 times: first on June 7th, 2004 on board the U.S.S. John F. Kennedy, in support of Operation Enduring Freedom. The second time was on November 28, 2005, when I was deployed to Camp Beuhring Kuwait in support of Operation Iraqi Freedom. I am now preparing for my third deployment, to begin this November on board the U.S.S. Harry S. Truman for a tour of the Gulf region. I am proud of my service to this country and have enjoyed every second of my four-year enlistment. In fact, I plan to re-enlist when my current commitment is up.

I met my wife, Mildred Gonzalez, in November 2001. On May 28, 2004, we decided to get married. Mildred's mother had come to the United States from Guatemala in 1989, without documents, when Mildred was only 5 years old. Mildred's mother applied for asylum/NACARA in September of 2000 and included Mildred on her application. Her mother was eventually granted legal status in July 2004. Because Mildred was included on her mother's application, Mildred also should have been granted lawful status in July of 2004. However we were unaware of the repercussions of our decision to get married six weeks earlier – our marriage cancelled out Mildred's ability to obtain status through her mother because she was no longer an unmarried daughter under 21 years old. At the time we got married, we did not know that Mildred and her mother would have an appointment with immigration in July of 2004. After all, they had already been waiting for 4 years for an appointment at that time.

Mildred attended the immigration appointment, with her mother and brother. Mildred's was denied her request to obtain legal status, solely due to her change in marital status. At the time of her immigration interview, I was deployed and only being able to communicate once in a while, I found out that she didn't get approved.

Mildred's case was then sent to an immigration court for removal proceedings and her first court appearance was on September 16, 2004. The judge was generous

because of our situation and decided to reset her court date to June 14, 2007. We were all hoping for immigration reform by that time, hoping that the law would change. However, that did not happen and on June 14, 2007, Mildred and I appeared in court fully expecting that Mildred was going to have to leave the United States within 120 days, maximum. I was in uniform and the judge, knowing that I was about to deploy and knowing that we have a 20-month old son, gave Mildred a 12-month extension. We recognize that Mildred has been fortunate to get extensions. These extensions do not solve our problem, but only prolong it. On June 8, 2008, if Mildred's legal status does not change she will have 60 days to voluntarily depart the United States or she will be deported.

Since she has not been to Guatemala since she was 5 years old, she is not familiar with the culture, language or society. She has no family there and I feel this would be very difficult for us and perhaps even dangerous for Mildred. Mildred has spent 18 years of her life in this country, and to us and our child, the United States is her home.

Our son Eduardo Gonzalez, was born on December 9th, 2005, two weeks after I was deployed to Kuwait on my second tour. Missing my first-born child's birth, was a sacrifice in itself. Yet, I had to perform my duties as a member of a team of helicopter mechanics. We are in charge of maintaining and repairing a squadron of eight helicopters, whose mission is to transport personnel, cargo, and injured people. I consider my job very crucial in maintaining the Navy's mission readiness and I readily made the sacrifice.

I am about to go on deployment once again, knowing that my wife might not be here when I return, or where my son might end up if Mildred has to leave before I return. Sometimes I find it difficult to concentrate on my duties. As a citizen of the United States of America, it makes me wonder "If I can die for my country, then why am I not allowed to just be with my family?" Every time I go somewhere with my squadron, my wife worries about me not coming home one day, but now she also has to worry about leaving a home, a country, where she feels safe.

I want to serve my country one hundred percent. But with this issue in the back of my mind, I feel I can't do that. I am not asking for anything, I am just bringing this

issue to your attention. As you may already know, my family is not the only one going through the same situation. Many will not come forward and speak about it because they fear they might have to pay the consequences. Mildred and I also worry that this might have a negative impact on us, but given this opportunity, we feel that if we tell our story we might be helping out others in same situation. I come before you not only as a United States Navy sailor, but as a husband, a father and an American citizen. I am hoping that my testimony helps, and something positive will come out of this. Thank you.