



Home / In-Depth Reporting / When things go wrong, immigrants serving...

MEMBERS WHO INSPIRE

When things go wrong, immigrants serving in the military look to Margaret Stock

BY LORELEI LAIRD ([HTTP://WWW.ABAJOURNAL.COM/AUTHORS/27616/](http://www.abajournal.com/authors/27616/))

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Photo of Margaret Stock by John D. & Catherine T. MacArthur Foundation

When Margaret Stock first received the Pentagon's September 2016 memo, she thought someone had made an amateur mistake.

"I'm an attorney, and I taught constitutional law, so I obviously recognized immediately [that], hey, somebody at the Pentagon didn't do their job; they're putting out an unconstitutional memo," Stock says.

But it wasn't an error. The memo essentially shut down the Military Accessions Vital to the National Interest program, which recruited immigrants with certain highly desired skills. The program had more than 10,000 participants, and the memo ordered extra background checks on all of them. To Stock's eye, the implication was that noncitizens posed a threat to national security. She thought that was ludicrous and obvious national-origin discrimination.

But until the checks were completed—and Stock says the military had no capacity to complete them—the recruits were grounded, ineligible for orders even to basic training. Furthermore, the memo said MAVNIs, as people enlisted through the program are known, were ineligible to be officers for six to eight years. Because all doctors are officers, that instantly eliminated all the doctors the program had intentionally recruited. Individual services were welcome to continue MAVNI but only after meeting requirements that Stock says were impossible to meet.

Word got around, and soon messages started coming in from MAVNIs to Stock's Anchorage, Alaska, law firm, Cascadia Cross-Border Law. They still come in, and Stock is doing what she can to help.

"It's been just a flood of people with problems calling me," she says. "People in America would be appalled if they knew what the Pentagon was doing."

SERVICE TO THE COUNTRY

If Stock seems passionate about MAVNI, that might be because she helped create it. For 28 years, she balanced her career as an immigration lawyer with another as a soldier in the U.S. Army Reserve, retiring as a lieutenant colonel when she reached the statutory maximum service. As an immigration lawyer, she's served on the ABA Commission on Immigration (and served as a state co-chair for the American Bar Foundation Fellows); spoken at ABA meetings; and created the American Immigration Lawyers Association Military Assistance Program, which connects military families to pro bono immigration lawyers.

As a soldier, Stock says she "had an exciting time for 28 years" deploying to Japan, Korea and around the United States. The Army was what brought her to Anchorage, where she was stationed at Fort Richardson in the mid-1980s. It also gave her the

flexibility to earn graduate degrees from Harvard University and the U.S. Army War College and later teach at the U.S. Military Academy at West Point, New York. She's been vocal about her belief that immigrants benefit the military.

That may be why, in 2006, Sen. John McCain, who died last year, called Stock and asked her to testify before the Senate about recruiting more immigrants to the military. Soon, she was ordered to active duty to help create a program for recruiting immigrants with vital skills—medical skills and certain languages—who the military was having a hard time finding through ordinary recruitment. In exchange for their service, these recruits would be able to jump to the front of the line for naturalized citizenship.

Initially, MAVNI seemed successful; it was approved under then-President George W. Bush and implemented under former President Barack Obama. When Stock hit her statutorily required retirement date in 2010, the government kept calling for advice. But Naomi Verdugo, who worked with Stock on MAVNI before her own retirement, says certain people at the Pentagon didn't trust the foreign-born, and they kept adding more screenings.

"It seems like an appetite that can never be satisfied," Verdugo says. "Eventually the program becomes nonviable."

That moment came with the memo, issued just before the 2016 election. Stock quickly sent out an email.

"The memo has created complete chaos within the Army," she wrote. "Many will be 'painting rocks' on various bases around the U.S. for the next six months or longer."

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1	2	Next Page
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