

STATE OF NEW YORK

4710

2021-2022 Regular Sessions

IN SENATE

February 9, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to establishing the Alex Jimenez New York state military immigrant family legacy program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The executive law is amended by adding a new section 354-f
2 to read as follows:

3 § 354-f. Staff sergeant Alex R. Jimenez New York state military immi-
4 grant family legacy program. 1. For the purposes of this section, the
5 following terms shall have the following meanings:

6 (a) "Service member" shall mean a member of the uniformed services,
7 consisting of the army, navy, air force, marine corps, coast guard,
8 public health service commissioned corps, or national oceanic and atmo-
9 spheric administration commissioned officer corps.

10 (b) "The program" shall mean the staff sergeant Alex R. Jimenez mili-
11 tary immigrant family legacy program.

12 (c) "Coordinator" shall mean a military immigrant family legacy
13 program coordinator appointed pursuant to subdivision three of this
14 section.

15 (d) "Veteran" shall mean those serving on active duty in the United
16 States armed forces, in the selected reserve of the ready reserve or who
17 previously served in the United States armed forces or selected reserve
18 of the ready reserve.

19 2. There is hereby established within the division of veterans'
20 services, in conjunction with the division of military and naval
21 affairs, the staff sergeant Alex R. Jimenez New York state military
22 immigrant family legacy program which shall be jointly developed and
23 implemented by the director of veterans' services and the adjutant
24 general of the division of military and naval affairs, in consultation

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07199-02-1

1 with the veterans resource center, and in accordance with the provisions
2 of this section. The primary purpose of the program shall be to assist
3 the foreign-born family members of New York state veterans, discharged
4 LGBT veterans, and currently serving service members, as well as non-ci-
5 tizen service members or veterans, to secure legal immigration status in
6 the United States, including but not limited to, citizenship.

7 3. Two military immigrant family legacy program coordinators shall be
8 appointed, one appointed by the director of veterans' services and one
9 by the adjutant general of the division of military and naval affairs,
10 to administer the program. Each coordinator shall be a veteran. The
11 coordinators' duties shall include, but not be limited to:

12 (a) the identification, development, planning, organization, and coor-
13 ordination of all statewide programs and services necessary to assist
14 foreign-born family members of New York state veterans, discharged LGBT
15 veterans, and currently serving service members, as well as non-citizen
16 service members or veterans, who may qualify for adjustment of status,
17 special immigration status through the federal Parole in Place program
18 authorized by section 1758 of the 2020 National Defense Authorization
19 Act, or any other sort of relief that can lead to citizenship;

20 (b) communication with the director of veterans' services and the
21 adjutant general to ensure compliance with all existing policies and
22 regulations pertaining to the needs of veterans, LGBT discharged veter-
23 ans, and currently serving service members on the state and federal
24 level and to make recommendations regarding the improvement of benefits
25 and services to such veterans, LGBT discharged veterans, and currently
26 serving service members and their foreign-born family members.

27 (c) serving as liaison between the divisions, the United States citi-
28 zenship and immigration services, immigration and customs enforcement,
29 the United States department of veterans affairs, local veterans'
30 service agencies, state agencies, community groups, advocates, and other
31 veterans and military organizations and interested parties.

32 (d) where necessary, engaging the services of qualified immigration
33 attorneys or duly authorized board of immigration appeals approved
34 representatives to facilitate such coordination with the United States
35 citizenship and immigration services or other appropriate agency.

36 (e) advocating for all veterans, LGBT discharged veterans, and
37 currently serving service members in the state and their foreign-born
38 family members.

39 (f) developing and maintaining a clearinghouse for information and
40 resources relating to the program.

41 (g) promoting events and activities that educate and assist service
42 members and veterans, including but not limited to, seminars required
43 under subdivision four-b of section three hundred fifty-three of this
44 article, veteran human rights conferences, veterans benefit and
45 resources events.

46 (h) including the contributions that foreign-born veterans, LGBT
47 discharged veterans, service members, and their foreign-born family
48 members have made on behalf of the United States and this state on the
49 division's official website.

50 (i) developing informational pamphlets to be distributed either by
51 mail or electronically to currently serving members of the New York
52 state national guard, congressionally chartered veterans' organizations,
53 and local veterans' services agencies to provide a general overview of
54 the program, including but not limited to, its purpose and the eligibil-
55 ity requirements for adjustment of status, citizenship, or any other
56 form of available relief.

1 (j) preparing reports on topics, including but not limited to, the
2 demographics of foreign-born service members, veterans, and their
3 foreign-born family members, the number of such service members, veter-
4 ans, and family members by county, and the unique needs of the foreign-
5 born service members and veterans' population within New York state to
6 the director and the adjutant general of the division of military and
7 naval affairs.

8 4. The coordinators shall submit a report to the director and to the
9 adjutant general of the division of military and naval affairs on Janu-
10 ary first each year following the first full year after the effective
11 date of this section. Such report shall include, but not be limited to,
12 a description of the coordinators' activities for the preceding calendar
13 year and the programs developed pursuant to the provisions of this
14 section. The director and the adjutant general of the division of mili-
15 tary and naval affairs shall each submit the report or a synopsis of the
16 report to the governor, the speaker of the assembly, and the temporary
17 president of the senate within one month of receiving the report from
18 the coordinators.

19 § 2. This act shall take effect immediately.