

# NYIC IMMIGRATION NEWS

*An update by the New York Immigration Coalition on issues affecting immigrants and their communities.*

**Volume VI, Issue #2, March 4, 2003**

## **Join us Now!**

### **City Advocacy Day Wednesday March 5<sup>th</sup>, 2003**

Join us in urging the City to take action on pressing immigrant community concerns including language access, education, police-community relations, health care, housing, immigrant workers rights and more. It's not too late to join us for an issues briefing, press conference/rally and City Council visits! For more information, please contact Minerva Moya at ext. 238.

## **IMMIGRATION**

*Remember, the **INS** is now the **Bureau of Citizenship and Immigration Services (BCIS)** within the new **Department of Homeland Security**.*

### **Update on Special Call-In Registration**

The BCIS continues to register, fingerprint and photograph thousands of nonimmigrant Muslim and Arab males who were admitted to the U.S. as nonimmigrants prior to certain dates in September 2002. The BCIS has extended the registration deadlines for Group 3 countries (Pakistan and Saudi Arabia) to March 21, 2003 and for Group 4 countries (Bangladesh, Egypt, Indonesia, Jordan, and Kuwait) to April 25, 2003. As of yet, the Department of Justice has not added any other country to the call-in Special Registration program.

Many who registered have been issued notices to appear in Immigration Court for removal proceedings. Others, facing a difficult choice between deportation and violating the registration requirement, are fleeing to the Canadian border, seeking to apply for asylum and other forms of immigration relief from the Canadian government. Overwhelmed by the number of applicants, Canadian officials have been returning most families back to the U.S., where the men have been placed in removal proceedings and families stranded in overcrowded shelters.

In the meantime, the effort to suspend funding for the Special Registration program was unsuccessful.

At the District level, attorneys representing registrants continue to experience lack of access to their clients at certain stages of the registration process, contrary to earlier reassurances from the District Director. Non-English speaking registrants also report that the BCIS has not provided interpreters despite promises to do so.

In response to the on-going need in the affected communities, several legal service providers, community-based organizations and NYIC launched the Special

Registration Project. The Project has been assisting several hundred members of the affected communities by providing legal advice, information, support services, and language assistance. The collaborative Project also plans to help coordinate advocacy related to special registration and represent individuals at risk of deportation as a result of the special registration. For a schedule of community legal clinics at locations throughout New York City, contact Karin Anderson at ext. 244 or at [kanderson@thenyic.org](mailto:kanderson@thenyic.org).

### **Domestic Security Enforcement Act of 2003**

After several attempts to obtain information on anti-terrorist legislation proposals after the passage of the PATRIOT Act and continuous denials from the Department of Justice regarding the existence of the "Domestic Security Enforcement Act of 2003," the Center for Public Integrity managed to obtain a draft of the bill dated January 9, 2003. This bill has not been officially released by the Department of Justice. The draft legislation, also known as PATRIOT Act II, grants the government unprecedented powers and severely undermines fundamental constitutional rights of persons in the United States, under the pretext of fighting terrorism.

This legislation ignores our government's system of checks and balances and diminishes personal privacy guaranteed by the Fourth Amendment of our Constitution. The bill proposes to vastly expand law enforcement powers by making it easier for the government to authorize secret arrests, surveillance and wiretapping, and by expanding the reach of search warrants. It also provides secret access to consumer credit reports without consent or judicial process and authorizes the creation of a DNA database of "suspected" terrorists, among other provisions.

Of particular concern is the "Expatriation of Terrorists" provision. This provision makes it much easier for the United States government to strip United States citizens of their citizenship by relieving the very high burden the government presently has when seeking to expatriate someone. Under this law the government would go as far as expatriating those who support even the lawful activities of organizations that it has determined to be terrorists organizations. These persons would be deprived of their nationality and could be imprisoned indefinitely.

Other troubling provisions would allow the government to remove permanent residents with a wide range of criminal convictions committed at any time in the past, without the right to a hearing before an immigration judge.

Immigrant rights and civil liberties groups around the country strongly oppose this draft legislation and are working to prevent it from being introduced in Congress. The ACLU is currently circulating a sign-on letter urging members of Congress to express public opposition to the legislation. For a copy of the sign-on letter, please contact Stacey Shin at (202) 675-2337 or at [sshin@dcacclu.org](mailto:sshin@dcacclu.org). The deadline is Friday, March 7, 2003.

The full version of this draft bill can be obtained at: <http://www.incunabula.org/DSEA/INDEX.HTM>. For more information, contact Ana María Bazán at ext. 233.

### **BCIS Seeks New Detention Space**

Insufficient bed space will no longer be an obstacle for BCIS to detain more immigrants. BCIS is currently seeking facilities within a 200-mile radius of 26 Federal Plaza to fit 800 to 1000 male and female immigrant detainees. These detainees will include those with criminal and non-criminal cases. Space is being sought from corporate, state and local government providers. The Department of Justice expects to have an actual solicitation for a contract within 90 days. For more information, visit the Federal Business Opportunities division of the Department of Justice web site at: [www.eps.gov](http://www.eps.gov).

### **BCIS Fees Return to Prior Levels**

All application fees sent to BCIS must use the higher fees that were in effect before January 24, 2003. This new rule went into effect on February 27, 2003. For more information visit [www.immigration.gov](http://www.immigration.gov).

## **CITY ISSUES**

### **City Funding for ESL and Legal Services May Be Eliminated**

Last year, the City funded \$2 million for the Immigrant Services Initiative, which was reduced from the original funding level of \$2.5 million in 2001. This initiative provides grants to 47 community-based organizations to provide English language classes and legal services to thousands of immigrant families. This year, the Initiative is in danger of being eliminated. The Mayor has eliminated this program in his preliminary budget and it is still unclear if the funding will be included in City Council budget.

Please contact Mayor Bloomberg and your Council member and urge them to restore this important funding. For more information, contact Chung-Wha Hong at ext. 228.

### **New City Coalition Calls on Mayor Bloomberg to Adopt Fair Revenue-Raising Measures and Oppose Service Cuts**

In response to the current fiscal crisis in the City and alarmed by a series of deep service cuts implemented since Mayor Bloomberg took office, a growing number of community groups are calling on the City to raise

revenues to protect essential City services. The newly-formed ***Budget for a Livable NYC Coalition*** supports the restoration of the commuter tax, increase in the City personal income tax, restoration of the Stock Transfer Tax and reform of the corporate tax structure. To join the Budget Coalition or for a copy of a position statement, call Rachel Hays at City Project, (212) 965-1967.

## **PUBLIC BENEFITS**

### **Outreach Needed for Certain Immigrants Newly Eligible for Food Stamps**

The Farm Bill of 2002 partially restored Food Stamp eligibility to 400,000 qualified legal immigrants across the country. That same year, disabled immigrants became eligible for Food Stamps regardless of when they entered the country. Even more immigrants will be eligible for Food Stamps this year. In April of 2003, immigrants who have legally resided in the U.S. for 5 years will become eligible and in October of 2003, legal permanent resident immigrant children, regardless of when they entered the country, will become eligible. Special sponsor deeming rules may apply for immigrants who signed the new Affidavit of Support (I-864). For outreach materials available in multiple languages, contact Susan Lyddon at Community Food Resource Center, (212) 894-8093 or Amy Taylor at the Mayor's Office on Immigrant Affairs, (212) 788-6722. For all other questions, please contact Su Yon Yi at ext.232.

## **ANNOUNCEMENTS**

### **Citizenship Task Force**

Join us at our next Citizenship Task Force meeting on Monday, March 10, from 3-5pm to discuss updates on the new proposed naturalization exam and other naturalization issues. For more information, contact Dan Smulian at ext. 226.



### **ACTIONS YOU CAN TAKE RIGHT NOW TO HELP PROTECT IMMIGRANTS' RIGHTS**

- 1. Urge the City to restore \$2.5 million to fund ESL and legal services as part of the Immigrant Services Initiative.** Call Mayor Bloomberg (212-788-9600), Speaker Miller (212-788-7210) and your Council member (Council operator: 212-788-7100). For more information, contact Chung-Wha Hong at ext. 228.
- 2. Call your Senators and Representative and tell them to oppose the Domestic Security Enhancement Act.** Capitol switchboard: (202) 224-3121.
- 3. Experienced immigration attorneys needed** Experienced immigration attorneys interested in volunteering for special registration legal clinics and for assisting registrants at BCIS, please contact Karin Anderson at ext. 234.

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