

NYIC IMMIGRATION NEWS

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

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UPCOMING EVENTS

Protest Immigration Backlogs on National Citizenship Day, 9/17

On September 17th, the NYIC will hold an event from 12-1pm at 26 Federal Plaza in lower Manhattan to protest the backlogs and service problems that continue to plague the new immigration service bureau and that create needless barriers to immigrants on the path to permanent residence and citizenship. To get involved, contact Norman at ext. 235.

Immigrant Workers Freedom Ride and Freedom Marches Set to Launch

This September, immigrant workers and their families, along with religious and civic leaders from more than 20 U.S. cities, will cross the country by bus to raise awareness about the plight of immigrant workers as part of the *Immigrant Workers Freedom Ride*. The Freedom Riders ultimately will arrive in Queens' Flushing Meadow Park on Saturday, October 4th (11am-3pm), joining tens of thousands of supporters to rally for legalization and a road to citizenship, immigrant rights in the workplace, family reunification and an end to the application backlog, and protection of civil rights and civil liberties for all.

To build momentum and to generate local press coverage in New York City in the weeks leading up to October 4th, there will be a series of local *Immigrant Workers Freedom Marches* coordinated by the NYIC and co-sponsors. The marches will link the federal immigration reform agenda of the national Freedom Ride with pressing state and city issues that affect New York's immigrant workers, such as the need for labor law enforcement, language access and confidentiality protections for immigrants seeking government services, and access to education and training programs.

Please support these marches by becoming a co-sponsor, participating in upcoming Freedom March planning meetings, and mobilizing your members for these important actions. For more information on the Freedom Ride (www.iwfr.org), contact Chung-Wha at ext. 228, and for more information on the Freedom Marches, please contact staff below:

Jackson Heights/Corona Freedom March

Saturday, September 20th (11am-1pm)

Contact: Minerva at ext. 238

Brooklyn Bridge to City Hall Freedom March

Wednesday, September 24th (11am-1pm)

Contact: Ben at ext. 234

Washington Heights to Harlem Freedom March

Saturday, September 27th (1-3pm)

Contact: Ana María at ext. 233

IMMIGRATION

New Version of DREAM Act Introduced

On July 31st, Senators Orrin Hatch (R-UT) and Richard Durbin (D-IL) introduced a new version of the bipartisan DREAM Act (S. 1545). Like its predecessor, S. 1545 would repeal section 505 of the 1996 immigration laws, eliminating restrictions on a state's ability to provide in-state tuition or higher-education benefits to residents without regard to immigration status, and would provide certain immigrant students a path to legal residency.

Details of the new DREAM Act differ in important ways from the version introduced in the 107th Congress, however. Under the new S. 1545, students with good moral character who entered the United States before the age of 16 and maintained continuous physical presence in the United States for at least 5 years prior to the date of enactment would qualify for *conditional* permanent resident status upon acceptance to college, graduation from high school, or award of a GED certificate.

Conditional permanent resident status would be granted for six years, after which the student must petition to have the conditions removed. During the six years, one of the following requirements must be met: (1) graduation from an institution of higher education (includes two-year colleges) or study towards a bachelor's or higher degree for at least two years; (2) service in the U.S. Armed Forces for at least two years; or (3) performance of at least 910 hours of volunteer community service.

Although the new version of the DREAM Act is far from ideal, several leading organizations working on the issue are supporting the bill with the hope that the bill will be amended and improved as part of the legislative process. The DREAM Act and its companion bill in the House (the Student Adjustment Act, H.R. 1684) have a good chance of passing this session. Please contact Senators Schumer and Clinton and urge them to co-sponsor the DREAM Act, and press your House representative to co-sponsor the Student Adjustment Act if he or she has not yet done so (see Action Box for details). For more information, contact Minerva at ext. 238.

77% of Voters Support Treasury Department Rule Permitting Banks to Accept Consular IDs

Last month, an important vote took place on the Treasury Department website concerning a recent Treasury Department regulation, promulgated pursuant to

section 326 of the USA PATRIOT Act, that grants banks flexibility in deciding what documents to accept as proof of identity (e.g., consular identification cards such as Mexico's *matricula consular*).

Under pressure from House republicans, the Treasury Department took the highly unusual step of requesting additional comments on the final rule, by asking people to vote on the Treasury Department website whether or not the final rule should be changed. A "yes" vote indicated that foreign identity documents should not be allowed as proof of identity, while a "no" vote indicated that banks should be allowed the flexibility to accept them.

The deadline for voting was July 31, 2003. Fortunately, 77 percent of voters indicated that banks *should* be allowed to accept foreign identity documents, thanks in part to the hard work of organizations, including many NYIC members, who mobilized individuals to weigh in on this important vote. The victory may be short-lived, however. After tallying the votes, the Treasury Department indicated that it will review the substance of the comments rather than strictly rely on the outcome of the vote. It remains unclear whether the final rule will be preserved, and the Treasury Department has not indicated when it will announce its decision whether to preserve or change the rule. For more information, contact Karin at ext. 244.

New Guestworker/Legalization Bill Introduced by Arizona Republicans

On July 25th, Representatives Jim Kolbe (R-AZ) and Jeff Flake (R-AZ) and Senator John McCain (R-AZ) introduced the "Land Border Security and Immigration Improvement Act" (H.R. 2899/S. 1461). The bill primarily establishes a new guestworker program, with additional provisions that create limited opportunities for legalization and permanent residence for certain undocumented immigrants.

The bill would allow undocumented immigrants working in the United States prior to August 1, 2003, to legalize their status through a new "H-4B" nonimmigrant visa. These workers would not be immediately eligible to apply for green cards, however. Instead, they would have to work for three years in H-4B status, and then change to "H-4A" status. After changing status, H-4A workers would have to wait an additional three years before they could self-petition for a green card. (Employers would be able to file petitions for these workers immediately.)

In addition, employers could bring in workers from outside the United States using H-4A visas, but they would be required to recruit U.S. workers for at least 14 days using a new computerized "job registry."

While it is noteworthy that Republican lawmakers have introduced such a bill, immigrant advocates have pointed out several major problems with the bill. For example, the bill sets out a long and cumbersome process for legalization and permanent residence, subjecting even

long-term immigrant workers to a lengthy waiting period of up to six years before being able to file for a green card. In addition, the bill lacks adequate labor protections for foreign workers, making them vulnerable to unscrupulous employers and contractors. Furthermore, there is no provision for derivative status for the spouses and children of H-4A workers, and the bill does not provide a means to reduce the enormous family backlogs that are already in existence – an essential element of immigration reform.

Many pro-immigrant organizations are working with Senator Edward Kennedy (D-MA) and other legislators to craft a legalization bill that better addresses advocates' concerns. Hopefully, such a bill will be introduced as part of the Freedom Ride activities in Washington, D.C. For more information, please contact Ana María at ext. 233.



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

1. **Freedom Ride and Freedom Marches.** Mobilize your community for the historic Freedom Ride rally on October 4th, 11-4pm at Flushing Meadows-Corona Park. Also, join the New York Immigrant Workers Freedom Marches on September 20th, 24th, and 27th. For more information, please call Chung-Wha at ext. 228.
2. **Protest Immigration Backlogs on National Citizenship Day.** Join us on September 17th, from 12-1pm at 26 Federal Plaza. For more information, call Norman at ext. 235.
3. **Urge Senators Schumer and Clinton to co-sponsor the DREAM Act (S. 1545). Call your House representative to ask for his/her co-sponsorship of the Student Adjustment Act (H.R. 1684) or to thank him/her for supporting the bill (see below).** From the New York Congressional delegation, only Representatives Timothy Bishop, Joseph Crowley, Eliot Engel, Peter King, Michael McNulty, Gregory Meeks, Charles Rangel, Jose Serrano, and James Walsh have signed on to the Student Adjustment Act. Capitol switchboard: 202-224-3121.
4. **Bilingual Poll Workers Wanted.** The NYIC seeks to recruit more than 500 individuals to provide language assistance to voters at the polls on Election Day. Primary Election Day is September 9th and General Election Day is November 4th. Bilingual applicants who are fluent in English and one or more of the following languages – Spanish, Chinese, Haitian Creole, Russian, Korean, Bengali, and Urdu – can earn up to \$460 by assisting immigrant voters on Election Day. The NYIC is especially seeking individuals who are registered to vote with either the Republican or Democratic Party and who therefore are eligible to work as Poll Inspectors. For more information, please contact Suman at ext. 236.

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