

# NYIC IMMIGRATION NEWS

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

Volume VIII, Issue #2, February 8, 2005

## IMMIGRATION

### **REAL ID Act and Similar Driver's License Bill Introduced in Congress**

On January 26<sup>th</sup>, Rep. James Sensenbrenner (R-WI) introduced his REAL ID Act (H.R. 418), a misguided attempt to use driver's license restrictions and stricter asylum laws to deal with national security. H.R. 418 would effectively force all states to deny drivers' licenses and ID cards to undocumented immigrants by prohibiting federal agencies from accepting licenses or IDs that were issued without first verifying lawful immigration status. It also would tie the validity period of licenses and IDs issued to nonimmigrants and certain others to their period of authorized stay in the U.S.

H.R. 418 also would make it harder for asylum-seekers to win their cases by requiring them to prove that the persecutor's "central reason" for persecuting them was on account of race, religion, nationality, membership in a particular social group, or political opinion. This goes beyond current asylum law, which says that the persecution need only be *partially* motivated by one of these five grounds. In addition, H.R. 418 would allow immigration judges to deny asylum claims when an applicant is unable to present corroborating documentary evidence – which often is impossible to obtain.

On the same day that Sensenbrenner introduced his bill, Rep. Tom Davis (R-VA) introduced the Driver's License Security and Modernization Act (H.R. 368), which focuses solely on establishing driver's license standards nearly identical to those in the REAL ID Act.

The REAL ID Act currently has 125 co-sponsors and is expected to be attached to must-pass legislation like the tsunami-relief or supplemental-Iraq-appropriations bills, which could be voted on as early as this week. While H.R. 368 currently has no co-sponsors, it has the potential to increase Democratic support for driver's license restrictions and raise pressure on the Senate if the REAL ID Act is dropped from the must-pass legislation during House-Senate negotiations.

It's not too late to reach out to your representatives to tell them to vote against the REAL ID Act (see Action Box). For more information, contact Avideh at ext. 244.

### **Senate Confirms New Attorney General; Confirmation of New DHS Secretary Expected**

On February 3<sup>rd</sup>, the Senate confirmed Alberto Gonzales as the nation's attorney general in a 60-36 vote, following one of the most heavily-polarized debates over a cabinet nomination in years. Democrats

criticized Gonzales's role in creating policies that effectively justified the use of torture when interrogating terrorism suspects, and were further incensed by his evasive answers during confirmation hearings.

In addition, the vote to confirm Michael Chertoff as secretary of the Department of Homeland Security is expected in the coming days. At his confirmation hearing on February 2<sup>nd</sup>, Chertoff, a former head of the Justice Department's criminal division, was questioned about his role in the mass detention of immigrants that occurred after the 9/11 attacks. Chertoff admitted that immigrants were sometimes detained as a result of unreliable tips for unnecessarily-long periods, denied access to lawyers, and even subjected to abuse. Ultimately, however, he defended the mass detentions, calling them mere "imperfections" and stating that the Justice Department "did everything we could to strike the right balance" between security and civil liberties. For more information, call Avideh at ext. 244.

## CITY, STATE, AND FEDERAL BUDGETS

### **Governor Proposes Deep Cuts in 2005-06 Budget**

Faced with a \$4 billion deficit, Governor Pataki has proposed an Executive Budget for 2005-06 that cuts health-care programs and fails to make needed investments in education while dealing out tax cuts to New York's wealthiest residents.

The governor's budget includes around \$3 billion in health-care cuts, including \$850 million in benefits cuts to low-income New Yorkers. The Family Health Plus program, a critically-important program for low-income immigrants, would no longer provide dental care, vision, and mental-health services, while co-payments for services would be significantly increased and eligibility would be limited. Community-based organizations would no longer be able to help immigrants and other low-income New Yorkers enroll in Family Health Plus, as the facilitated-enrollment program would be eliminated. In addition, despite evidence that hospitals are failing to provide language assistance to immigrants, the governor's budget fails to include funding under the Health Care Reform Act for this critical need.

The proposed budget also does not address the *Campaign for Fiscal Equity* lawsuit, which found that the state had failed to provide New York City's schoolchildren with a sound, basic education as guaranteed under the state constitution. The court had recommended an additional \$5.6 billion in spending for the city's schools over four years, with \$1.4 billion for

this year. However, the governor's budget only allocates an additional \$195 million for this purpose. Moreover, the governor's budget fails to provide additional funding for English-language-learner students, who are dropping out of high school at a rate of 50% under the state's new standards. Lastly, the budget fails to include additional funding to help New York's growing immigrant population learn English. For more information, call Mark at ext. 231.

### **Immigrant Opportunities Initiative Excluded From Mayor's Preliminary Budget Again**

On January 24<sup>th</sup>, Mayor Bloomberg announced a \$48.3 billion preliminary budget for fiscal year 2006. For the fourth consecutive year, the mayor has failed to include funding for the Immigrant Opportunities Initiative (IOI), which supports ESL and civics programs and legal services for immigrants and immigrant workers throughout New York City. In last year's final budget, the IOI was funded at \$2.8 million at the insistence of advocates and key City Council members. This year, advocates are pushing for \$10 million.

Immigrant community leaders testified at a City Council Immigration Committee hearing on January 31<sup>st</sup> about Mayor Bloomberg's poor track record in funding key immigrant services. Despite the city's growing immigrant population and the crushing need for English-language classes and immigrant legal services, the mayor has repeatedly failed to make funding for these programs a priority.

The City Council will issue its own budget report and recommendations in March. Please encourage City Council members to fight for the inclusion of this critical funding in the final city budget (see Action Box). Contact Minerva at ext. 238 for more information.

### **President Bush Proposes Budget Cuts That Would Severely Impact Immigrant Communities**

Yesterday, President Bush proposed a 2006 budget that would cut back or eliminate dozens of education, health-care, and other programs of critical importance to immigrant communities in New York. In addition to slashing Medicaid, food stamps, adult education, and student loans, cuts in Community Services Block Grants and Community Development Block Grants would create huge gaps in the budgets of city agencies like the Department of Youth and Community Development and the Department of Housing Preservation and Development, potentially eliminating many programs that benefit immigrants. Please stay tuned for further information.

#### **ANNOUNCEMENTS**

### **City Planning Releases Report on City's Foreign-Born**

The New York City Department of City Planning recently released *The Newest New Yorkers, 2000: Immigrant New York in the New Millennium*, a remarkably-detailed study

of New York City's foreign-born population. According to the report, NYC had 2.9 million foreign-born residents in 2000 (36% of the city's total population of 8 million), the largest number in its history. Overall, immigrants and their U.S.-born offspring account for around 55% of the city's population. Immigration is the sole reason why the city continues to grow: the foreign-born population grew by 38%, from 2.1 million in 1990 to 2.9 million in 2000, more than offsetting declines in the native-born population.

Immigrants from the Dominican Republic made up 13% of the city's foreign-born in 2000, followed by Chinese (9%) and Jamaican immigrants (6%). More broadly, immigrants from Latin America made up 32% of the city's foreign-born in 2000, followed by Asian (24%), nonhispanic Caribbean (21%), European (19%), and African immigrants (3%).

The report points out that immigrants play a crucial role in the city's labor market, comprising 43% of all residents in the labor force in 2000. An executive summary, briefing booklet, and tables from the report can be downloaded at [home.nyc.gov/html/dcp/html/census/nyy.html](http://home.nyc.gov/html/dcp/html/census/nyy.html).

### **Results From NYIC's 2004 New American Exit Poll to Be Released on February 17<sup>th</sup>**

Immigrant community leaders will discuss the implications of the findings at a press conference that day. For more information, contact Randy at ext. 236 or [rquezada@thenyic.org](mailto:rquezada@thenyic.org).

### **Grant Applications for Immigrant Education Project Due Friday, February 25<sup>th</sup>**

Grants from \$2,000 to \$15,000 are available to CBOs in New York City to participate in the NYIC's and Advocates for Children's Equity Monitoring Project for Immigrant and Refugee Education (EMPIRE). For more information, call Jose at ext. 241 or Minerva at ext. 238.



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

- 1. Urge your House representative to vote against H.R. 418, The REAL ID Act!** Congressional switchboard: 202-224-3121.
- 2. Urge Mayor Bloomberg, Speaker Miller, and your City Council member to fund the Immigrant Opportunities Initiative at \$10 million in FY 2006!** The city's *Newest New Yorkers* report shows that immigrants have kept the city growing. It's time immigrants got their fair share! Call Mayor Bloomberg (212-788-9600), Speaker Miller (212-788-7210), and your Council Member (Council operator: 212-788-7100).
- 4. Join the fight to preserve federal monies that support the city's housing services!** Come to the Immigrant Housing Working Group meeting on Tuesday, February 15<sup>th</sup>, 9:30-11am, at the NYIC's office, to strategize on ways to preserve critical CDBG funding. Please RSVP to [bross@thenyic.org](mailto:bross@thenyic.org).

**The New York Immigration Coalition**  
275 Seventh Avenue, 9<sup>th</sup> Floor, NY, NY 10001  
tel: (212) 627-2227 / fax: (212) 627-9314

*Thanks to City Limits Weekly, National Immigration Forum, The New York Times, and The Washington Post for informational assistance in compiling this update.*