

NYIC IMMIGRATION NEWS

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

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IMMIGRATION

President Bush Backs Anti-Immigrant REAL ID Act, Virtually Ensuring Its Passage

Major provisions of the anti-immigrant REAL ID Act reportedly have been included as part of the Iraq supplemental funding bill now being negotiated by House and Senate members who are meeting to iron out the differences between the Senate- and House-passed versions of the bill. Hopes that negotiators who were opposed to REAL ID could keep it off the final bill were dashed when, on April 25th, the White House announced its support for the REAL ID Act to be included in the bill. President Bush's embrace of punitive measures against immigrants has angered Latino and other immigrant communities that had hoped that the president would take a stand against the restrictionist agenda of anti-immigrant extremists.

The final bill reportedly will include stricter identification and verification requirements for issuing drivers' licenses, including provisions that will basically force states to deny drivers' licenses to undocumented immigrants; a higher burden of proof for asylum seekers; and an exemption from any laws that would inhibit the completion of a border barrier between the U.S. and Mexico. A more detailed analysis of the final bill will be made available as soon as possible.

The negotiated bill eventually will be voted on in the House and Senate, where it is certain to pass. It will become law after President Bush signs it.

Advocates are calling for one last push to strike REAL ID from the appropriations bill (see Action Box). The NYIC is deeply disappointed that Senators Schumer and Clinton did so little to fight against the REAL ID Act. Although they opposed attaching REAL ID to the spending bill on procedural grounds, they failed to oppose the anti-immigrant substance of the REAL ID Act. For more information, contact Avidah at ext. 244.

Uncertain Future for Naturalization Exam Redesign

In a troubling move that raises new concerns about the redesign of the naturalization exam, Alfonso Aguilar, chief of the new Office of Citizenship within U.S. Citizenship and Immigration Services (USCIS) and an appointee of President Bush, has wrested control of the redesign from a team of career USCIS officers that had been working on the project for more than three years.

Advocates are concerned that the move will limit community and expert input into the redesign process and ultimately result in a new naturalization exam that fewer immigrants will be able to pass.

The move comes just as advocates were beginning to see progress after years of fighting for a more transparent process and the meaningful involvement of experts in ESOL, citizenship preparation, and adult education. USCIS had brought in the National Academies of Sciences (NAS), which assembled a team of experts to review the redesign process. NAS raised concerns about the transparency and technical soundness of the process and recommended the creation of an advisory committee to give guidance to USCIS and to ensure broad support for the exam from a spectrum of interested parties. NAS also recommended the creation of a technical committee to ensure that the new exam is pedagogically sound and insisted that USCIS draw up a technical plan that lays out the roadmap and rationale for each step of the redesign.

In recent meetings with community groups, however, Aguilar stated that NAS consultation will no longer be sought, and that while many of NAS's preliminary recommendations will be adopted, the advisory committee will not be formed. His deadline for producing the revised exam is January 2007, but Aguilar offered few details. He did promise that groups that prepare applicants for naturalization will have one year to make necessary changes to their programs before the new exam is implemented in the field. He also promised to continue meeting regularly with stakeholders.

Despite Aguilar's assurances, advocates remain deeply concerned that the redesigned naturalization exam will set a standard for the understanding of English and civics that is beyond what is required by law. For more information, contact Dan at ext. 226.

HEALTH CARE

Civil Rights Complaints Filed Against Four Hospitals for Failure to Address Communication Barriers

On April 21st, the NYIC and allies announced the filing of civil rights complaints with the state attorney general's office against four private hospitals in New York. The complaints allege profound quality-of-care problems at these hospitals due to their failure to adequately address communication barriers. The complaints documented dozens of cases in which language barriers prevented patients from receiving proper care, exposing some to serious medical harm. In one case, a woman who underwent surgery was not informed in a language she understood that the operation would leave her sterilized.

For two years, immigrant groups tried to work with administrators at Flushing Hospital, Jamaica Hospital,

Brookdale University Hospital, and St. Vincent's Staten Island Hospital to improve language access for limited-English-proficient patients. Filing complaints with the state attorney general's office was a last resort.

The filing of the complaints was announced on the steps of the Greater New York Hospital Association – one of the most powerful lobby organizations in the state – which has openly opposed state legislation that would set basic communication standards for hospitals (see Action Box). The complaints were brought by Make the Road By Walking, the Latin American Integration Center, Korean Community Services of Metropolitan New York, the Legal Aid Society, New York Lawyers for the Public Interest, and the NYIC. For more information, contact Su Yon at ext. 232.

HOUSING

City Proposes \$130 Million Affordable Housing Fund

Mayor Bloomberg and City Comptroller William Thompson recently announced a proposal to place \$130 million in revenues from the Battery Park City Authority into a trust fund to be used for preserving and building affordable housing over the next four years. This would fund the preservation and construction of as many as 3,000 apartments. The fund would begin to fulfill a promise made under the Koch administration in 1989 to use \$600 million of surplus revenues from the Battery Park City Authority for affordable housing. Up to now, the revenues instead have been used to support general budget items. The proposal still must be approved by Governor Pataki but is expected to have his support. Congratulations to ACORN, ANHD, and other groups that won this victory for affordable housing. For more information, contact Benjamin at ext. 234.

CITY & STATE BUDGETS

Mayor Urged to Match City Council's \$10 Million Proposal for Expanding ESL and Immigrant Services

Advocates for expanded ESL and immigrant services in New York City recently won an encouraging victory when the City Council included \$10 million for the Immigrant Opportunities Initiative in its Response to the Mayor's Preliminary Budget. Mayor Bloomberg had proposed a \$1.8 million family literacy program, but this falls far short of meeting the needs of the city's growing immigrant population. The NYIC is leading a campaign urging Mayor Bloomberg to match, dollar for dollar, the City Council's \$10 million proposal (see Action Box). For more information, contact Minerva at ext. 238.

State Budget Restores Most Human Services Cuts But Sidesteps New York City School Funding Order

Ending more than two decades of consistently late budgets, Governor Pataki and the State Legislature

adopted a budget before the April 1st deadline that restores most of the governor's proposed cuts in human services but sidesteps a court order mandating major increases in funding for New York City schools.

Most of the governor's proposed cuts in funding and services under Medicaid and Family Health Plus (FHP) have been restored. Although the final budget calls for reduced coverage for vision care and higher co-payments for services such as prescription drugs and dental care under FHP, it retains critical services and maintains eligibility levels.

In education, the legislature added \$300 million more to the governor's proposed \$500 million increase, of which New York City will receive \$325 million – far short of the \$1.4 billion that city schools were supposed to receive this year under the *Campaign for Fiscal Equity* lawsuit. Education funding, including aid for English-language-learner (ELL) students, is consolidated under the Flex Aid fund; school districts are required to spend as much for ELLs in 2005 as they did in 2004. The legislature also rejected SUNY and CUNY tuition increases and cuts in the Tuition Assistance Program.

Finally, the legislature rejected proposed cuts in welfare programs and added funding for employment initiatives. Immigrant advocates succeeded in getting \$2 million of TANF funds for English classes for immigrants. An additional \$1 million in TANF funds was earmarked for family and adult literacy, as well as \$2 million for basic education. Thanks for these initiatives go to Assembly Member Deborah Glick, chair of the Social Services Committee, and Assembly Member Adriano Espaillat, chair of the Task Force on New Americans. To learn more, call Mark at ext. 231.



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

1. **One last push to strike REAL ID from the Iraq appropriations bill!** Call President Bush at 202-456-1111 and protest his support for the REAL ID Act.
2. **Expand city funding of ESL and immigrant services!** Call Mayor Bloomberg at 212-788-9600 to tell him he should match, dollar for dollar, the City Council's \$10 million proposal for ESL and immigrant services. Please also call Speaker Miller at 212-788-7210 to thank him for including \$10 million for the Immigrant Opportunities Initiative in the City Council's response to the mayor's budget, and urge him to keep the full amount of that funding intact.
3. **Urge your state senator to co-sponsor S. 2968 to reduce language barriers in hospitals!** NYS Senate switchboard: 518-455-2800.

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

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