

NYIC IMMIGRATION NEWS

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

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IMMIGRATION

Congress Passes Border Fence Bill, Choosing Symbol Over Substance

On September 29th, before heading into recess for the November elections, the Senate took up and passed a House bill authorizing construction of a 700-mile border fence along the U.S./Mexico border. The Senate vote on the so-called Secure Fence Act (H.R. 6061) was 80 to 19, with 26 Democrats, including Senators Schumer and Clinton, joining 54 Republicans in support. President Bush has indicated that he will sign the bill into law.

The bill is widely viewed as election-year posturing by politicians who want to appear tough on illegal immigration. The fence is supposed to be completed by the end of 2008 and is expected to cost at least \$6 billion. Despite the high cost, experts believe the fence is not feasible and will be of dubious effectiveness. Unlike a comprehensive approach to immigration reform, the fence does nothing to address the underlying economic and social forces that will continue to draw migrants. The fence also may be impossible to build in many sections, given the steep and mountainous topography of the Southwest.

In some ways, however, the recent events can be viewed as a victory for pro-immigrant forces. Thanks to determined opposition from senators from both parties, the Senate rejected the most sweeping of the House proposals, which House leaders had recycled from last year's Sensenbrenner bill and tried to attach to must-pass appropriations bills in recent weeks.

Congress will reconvene after the November 7th elections for a lame duck session, with any further action on immigration appearing unlikely. Now is the time to thank those House legislators from New York who voted against H.R. 6061, and to let Senators Schumer and Clinton know that you were disappointed with their vote for the fence bill. We encourage groups that want to work for comprehensive and humane immigration reform to join the NYIC's *Democracy in Action!* campaign. (See Action Box.) For more information, please contact Avidah at x. 244.

Suffolk County Worker Verification Bill Becomes Law

Suffolk County Executive Steve Levy's controversial and divisive worker verification bill became law on October 4th, setting the stage for a challenge in the courts to determine its constitutionality. Levy signed the bill after it passed the Democratic-led legislature by a vote of 15 to 3. Advocates are

concerned that the new law increases the likelihood of discrimination against workers who appear foreign, even if they possess valid work authorization.

The new law requires companies doing business with Suffolk County to certify that all their employees are legally in the United States and authorized to work. Violations could lead to fines of up to \$2,000 and/or six months in jail for a first offense, and permanent exclusion from contracts after a third offense. The new law goes into effect on January 1, 2007.

The prospect of increased discrimination against immigrant job applicants as a result of the new law is a very real one. Following passage of the federal employment verification and employer sanctions law in 1986, incidents of discrimination and unlawful hiring practices increased so dramatically that Congress had to create a special office within the Justice Department just to prosecute such cases. For more information, contact Milan at x. 233.

EDUCATION

Language Barriers in Schools Still Widespread, Report Finds

More than six months after Chancellor's Regulation A-663 was announced, the NYIC and education reform partners released a report, "A Bad Start to the School Year," showing pervasive violations of the policy that was supposed to eliminate language barriers for immigrant parents in the New York City public school system.

Many parents who attempted to enroll their children at one of the city's high school registration centers found that the centers did not have adequate language services to help them communicate and fully understand their choices. Immigrant groups monitoring 13 of the city's 15 high school enrollment centers found that most documents being distributed by the centers were not translated, and even if documents had been translated, often they were not made readily available to parents.

Education advocates also visited or called dozens of schools and found major gaps in language services at the school level despite new funding to help schools strengthen language services. Front-line school staff typically were unaware of parents' rights to language services, and in several instances, schools continued to rely on children to interpret for their parents, the survey found.

Immigrant parents and education advocates publicized the lapses in language services during a press conference in front of a high school registration center in

Brooklyn on September 28th. At this particular site, a monitor from Asian Americans for Equality was told that parents who need Chinese translation should go elsewhere for services.

Advocates are calling on the New York City Department of Education (DOE) to train school staff and administrators on complying with the new regulation and to work with community leaders to develop a comprehensive implementation plan for language services in the school system. On a positive note, the DOE met with advocates this past week as part of an ongoing task force working towards full implementation of language services for parents.

The NYC and education partners will continue to monitor language services to ensure implementation of the Chancellor's Regulation at all levels of the school system. If parents have problems obtaining services, they should contact Deycy at x. 231.

HOUSING

Tenants Can Protect Their Right to Winter Heating

October 1st marked the first day of the heat season in New York City. According to the city's housing maintenance code and the state's multiple dwelling law, every landlord must provide tenants with heat based on these rules: Between 6am and 10pm, if the temperature outside falls below 55° F, the temperature inside must be at least 68° F; and between 10pm and 6am, if the outside temperature falls below 40° F, the inside temperature must be at least 55° F degrees.

Each year, however, many tenants endure the cold with little to no heat. To get a better sense of the problem, the Center for Urban Research and the NYC looked at reports of heat problems and breakages in the 2005 New York City Housing and Vacancy Survey. Our research revealed the following:

- 14.2% of NYC renters (and 13.7% of immigrant households) had heat breakdowns that last 6 hours or longer; most occurred in the Bronx, where 18.6% of renters had heat breakdowns.
- 15.2% of NYC renters (and 13.9% of immigrant households) had to use additional sources of heat during the winter.
- 9.7% of NYC renters (and 9.5% of immigrant households) had their heat break two or more times.

Tenants should not have to tolerate cold this winter. If your apartment is cold and the heat is not working properly, you should notify your building owner, managing agent or superintendent. If they do not restore your heat, call 311 immediately. You can make the call in your own language and ask them to send an inspector to your house that speaks your language. If they do not, ask the inspector to use the language line to get proper translation during her or his visit. For more information, contact Javier at x. 234.

ANNOUNCEMENTS

Help Wanted: Pollsters for NYC Exit Poll

We're looking for people to help conduct our 2006 New Americans Exit Poll on Election Day. Our exit poll is conducted in English, Spanish, Chinese, Korean, and Russian, and helps us learn more about the attitudes and beliefs of New York's immigrant voters. Pollsters will be paid \$100 to work an eight-hour shift (6am-2pm or 1pm-9pm). They also will get \$25 for attending a mandatory training session. The deadline for applying is Monday, October 23rd. Visit www.thenyc.org to apply.

Get Out the Vote! NYC Resources Available

We're proud to be working with our *Democracy in Action!* campaign partners to get out the immigrant vote this November! We have targeted GOTV flyers and voter education guides that you can distribute. Please call Alan at x. 236 to get hold of them.



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

1. **Give Senators Schumer and Clinton and your House rep some feedback on their border fence vote!**
Call Senator Schumer (202-224-6542) and Senator Clinton (202-224-4451) to let them know you were disappointed with their vote in support of the House border fence bill, H.R. 6061. Just as importantly, please thank your House rep if he or she voted against it. The following House reps voted against H.R. 6061: *Gary Ackerman; Joseph Crowley; Eliot Engel; Brian Higgins; Maurice Hinchey; Nita Lowey; Michael McNulty; Gregory Meeks; Jerrold Nadler; Major Owens; Charles Rangel; José Serrano; Louise Slaughter; Edolphus Towns; and Nydia Velázquez.* Thank them for sticking by their principles and their immigrant constituents! Capitol switchboard: 202-224-3121.
2. **Join our *Democracy in Action!* campaign!**
Democracy in Action! is a community empowerment campaign advocating for just and humane immigration reform and promoting the full civic participation of immigrants. Through grassroots action, public education and civic participation, we can not only build power in our communities but also energize democracy in America and create a culture of political participation locally! Get involved by calling Alan at x. 236.

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