

# Immigration

By Lynn Tramonte

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**About the Author**

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## Introduction

The release of 2000 Census data confirms what many communities across the country have known for some time: Latino-Americans are fast becoming the nation's largest "minority group." Looking at the major immigrant groups, 51% of the foreign-born population currently residing in the United States is from Latin America.<sup>1</sup> The next largest group of immigrants (Asians) represents 26% of the total, with Europeans (15%) and Africans and other groups (8%) rounding out the whole.

Relative to other minority or ethnic groups, the number of U.S. Latinos (both immigrant and native-born) has grown dramatically in the last decade. At the same time, increased numbers of immigrants are naturalizing and voting. This dynamic has caused both the media and public policymakers to stand up and take notice.

While the press has attempted to spin our country's new ethnic demography into a competition between minority groups, politicians have focused on the more relevant battle: the fight to win the political allegiance of a growing immigrant and Latino electorate. Politicians from both major parties are clamoring for the loyalty of these groups, realizing that, in light of the shift in our nation's ethnic composition, many battleground states and districts now contain more voters from these communities.

The political importance of Latino and immigrant groups today stands in direct contrast to the disenfranchisement they experienced in the early 1990s, when they were scapegoated for a variety of ills and used, for a time, as pawns by certain politicians and interest groups. Anti-immigrant measures like California's notorious Proposition 187 and its cousins in other states, which sought to bar undocumented children from public classrooms, proved popular at the time among many voters. Proposition 187 was enjoined by U.S. District Judge Mariana R. Pfaelzer in December 1994 due to constitutionality questions, and has recently become a thorn in the side of GOP strategists now attempting to distance their party from these restrictive policies.

Politicians at the national level today are now appealing to Latino voters in ways both unprecedented and unanticipated, while local governments, schools, community-based organizations, and religious institutions are "on the ground," adapting to the changing demographics in their communities. As a destination for large numbers of Latino immigrants over the past twenty years, Washington, D.C. already has some experience in responding to the unique concerns and contributions of the growing immigrant population.

Immigration policy is a federal issue, but immigrant integration and "immigrant policy" are dealt with on a local level. The federal government tends to focus on numerical and procedural issues related to immigrant admissions and immigration status, instead of on sorely-needed programs and policies that would help communities and new immigrants adapt to each other. Newcomer populations present unique challenges for local communities and public administrators, in areas such as education, housing, and a host of others that are not related to how many immigrants we admit into the country as a whole and what job skills they have.

## Latino Immigrants Capture the Nation's Attention

### *"Immigrant-Friendly" Became Politically Advantageous in 2000 Elections*

One of George W. Bush's mantras during the 2000 presidential campaign was "immigration is not a problem to be solved, but the sign of a successful nation."<sup>2</sup> Al Gore relied heavily on his support for the Latino and Immigrant Fairness Act, a bill that would have addressed a series of inequities heaped on the Latino immigrant population, to appeal to the Latino voting community.

The closeness of the 2000 presidential race can be attributed in large part to the votes cast by Latinos in certain key states. In fact, George W. Bush would not have won Florida—and ultimately the presidency—if he had not captured the Cuban-American vote overwhelmingly in this state.<sup>3</sup>

While Latino and immigrant voters are by no means homogenous in their political convictions or cultural values, the fact that they are now recognized as full participants in our nation's democracy—to the point of being catered to by politicians on both sides of the aisle—is a recent and positive trend.

The nexus between national immigration policy and its consequences in local communities is often a very gray area. Given its twenty-year plus history of receiving Latino newcomers and its proximity to Capitol Hill's federal policy debates, the District government is uniquely situated to step into a leadership role in bridging this "gray area." The city government's goal should be to understand the influences of national immigration policy on its residents, and facilitate immigrant integration in its neighborhoods with those circumstances in mind.

## Chapter Overview

The success or failure of the District thus far in serving its Latino immigrant population will be weighed in other chapters. The purpose of this chapter is to highlight major changes in national immigration policy and federal legislation that have taken place during the 1990s, something the D.C. government must understand if it is to better serve its

large Latino immigrant population. This chapter explores changes in federal policy that have significantly impacted Latinos in D.C., including: policies specific to Central American refugees; the 1996 welfare and immigration reform laws; recent rollbacks in some benefits restrictions; and the political tug-of-war that resulted in the enactment of the Legal Immigration Family Equity Act (LIFE Act) in 2000.

It also points out some behind-the-scenes forces that have shaped immigration policy over this last decade, including the self-empowerment of immigrants through naturalization and the vote and the softening of public opinion towards immigration in the late 1990s. These factors help paint an historical portrait of the interaction between national trends, federal policy, and local reality when it comes to immigration.

However, before delving into this any deeper it is important to understand who are the Latinos in Washington, D.C., in 2001.

## I. Central Americans Fuel Growth of the D.C. Latino Population

During the 1980s, the District's Latino population grew from nearly 18,000 to 33,000, or one of every eighteen residents.<sup>5</sup> This growth was primarily fueled by refugees fleeing war-torn Central America, particularly Salvadorans, Nicaraguans, and, to a lesser extent, Guatemalans and Hondurans. These individuals made new homes in Washington, D.C., and its environs, establishing what has become one of the largest Central American communities in the country and the second-highest concentration of Salvadorans in the United States, behind Los Angeles. In 1990 the Immigration Act expanded the number of immigrant visas available, opening up avenues for close family members to join their kin in the United States while at the same time admitting more immigrants drawn to employment opportunities here. Washington, D.C., again experienced a surge in its Latino population, which swelled to 45,000 in 2000, or one of every thirteen residents.<sup>6</sup>

This figure would most likely be even higher were the Census able to capture every Latino resident. Undocumented immigrants are notoriously difficult to count in surveys like the Census because of fears that contact with the U.S. government could jeopardize their ability to remain in the United States. In 1996, the Immigration and Naturalization Service estimated that there were 30,000 undocumented immigrants in D.C. proper.<sup>7</sup> Undocumented immigrants often live an underground existence, afraid to report abuses by employers, landlords, or others for fear of being deported, which in turn makes them easy to exploit. Additionally, these immigrants tend to be underserved by governments at all levels who cannot allocate funds and services for a population that does not exist on paper, even though these residents pay taxes and are otherwise contributing members of our communities.

**Number of countries represented in D.C.'s top two immigrant zip codes: Zip code 20009: 136 countries; Zip Code 20011: 106 countries.**

(Source: "World in a Zip Code" Brookings Institution 2000.)

**Number of countries represented in D.C. Public Schools: 136**

(Source: SY 99-00 DCPS)

It should also be noted that the bulk of D.C.-area immigrants, including Latino immigrants, do not live within the District lines. During the 1990s, 87% of all immigrants to the region chose to live in the metro area suburbs. Latino and African immigrants chose communities within the Capital Beltway, while Asian groups tended to settle in the outer suburbs.<sup>8</sup> Although there are areas in D.C. proper that have large Latino immigrant communities, such as Adams Morgan/Mt. Pleasant and Petworth/Brightwood Park, most of the region's Latinos, including recent arrivals, currently live in lower Maryland and Northern Virginia. For more information on metro area trends, please see the recent Brookings Institution study on D.C. area immigration, "The World in a Zip Code: Greater Washington D.C. as a New Region of Immigration."

Another trend highlighted in 2000 demographic data of Washington, D.C. is that the city's Latino population is diversifying somewhat. In 1990, 45% of the D.C. Latino population identified itself as Central American, while only 36% of today's D.C. Latinos do so.<sup>9</sup> As the proportion of Central Americans in D.C. decreases in relation to other Latino groups, their motivations and needs diversify. Whereas D.C.'s Latino population used to be comprised primarily of war refugees, it now contains a mix of these refugees and their families; others who fled natural disasters (in the case of some Nicaraguans, Hondurans, Salvadorans, and Venezuelans); those who have migrated as a result of free trade agreements (such as Mexicans); and professionals from all over Latin America who are attracted to the city for its international employers such as the Organization of American States, World Bank, International Monetary Fund, Inter-American Development Bank, and Pan American Health Organization.

D.C. Latinos are no longer leaving behind the same problems from the same region of the world. The mix of Mexican, Central American, South American, and even Caribbean immigrants in D.C. brings added complexity to the city's response to the growing Latino population. The city must now wrestle with disparities in education, wealth and immigration status in a group for which it would be easier to develop responsive policies and programs if it shared more things in common.

## II. Central American Refugees Treated Unequally by a Biased Federal Government

Still, the base Latino population in D.C. during the 1980s and early 1990s was primarily Central American, largely Salvadoran, and had experienced similarly inequitable treatment by our federal immigration bureaucracy. The local D.C. government also was sharply criticized for ignoring the needs and unique circumstances of its growing Latino population; the 1991 riots in Mount Pleasant can be described as the "boiling over point," when frustration levels finally manifested themselves.

This frustration was uniquely exhibited in D.C. due to the characteristics of its Latino immigrant population, fueled by Central Americans fleeing civil strife and atrocious human rights abuses. Because they left extreme and dangerous situations in their home countries, they often did not have the time or means to access proper immigration documents. They arrived in the U.S. initially without authorization to work or reside legally in this country.

As refugees, Central Americans (and Cubans) applied for political asylum in large numbers during the 1980s and early 1990s, with varying degrees of success depending on their country of origin. Whereas 24.8% of asylum applications filed by Nicaraguan nationals and 18.5% of those filed by Cubans were approved between 1983 and 1991, only 2.8% of Salvadoran applicants and 2.1% of Guatemalans were granted asylum during this same period.<sup>10</sup>

This disparity in the approval rates of asylum-seekers is linked to the bias of the U.S. federal government at the time, which favored those fleeing communist or socialist governments, such as Cubans or Nicaraguans. People who escaped from other countries, such as El Salvador and Guatemala, were regularly denied asylum because the U.S. government did not want to admit that rampant human rights abuses were occurring at the hands of governments backed by the U.S., both financially and ideologically.

This assertion was supported by the 1990 settlement of a class-action lawsuit originally filed in 1985, known as the American Baptist Churches (ABC) lawsuit. This suit, filed on behalf of 200,000 Salvadorans and Guatemalans residing in the United States, alleged that there was a political bias in the Immigration and Naturalization Service's (INS) decisions on asylum cases. In this settlement, the INS agreed to provide class members with new asylum interviews and established certain safeguards to ensure that applicants received "fair" opportunities at winning political asylum. An estimated 32,000 people were included in the settlement.<sup>11</sup> This estimate was made based on the information currently available to INS and includes a total of 29,400 persons from El Salvador and Guatemala who entered the United States by 1990 and still have pending asylum applications.<sup>12</sup>

If Salvadorans and Guatemalans had been treated equitably in the first place, and been granted political asylum, they would have already been citizens or well on their way. They would have been in a better position to demand labor protections, salary increases, and employment benefits, propelling them further along the path to the American dream. Instead, the U.S. government devised a series of temporary solutions that kept people in legal limbo and without the ability to fully set down roots in their new home, including Washington, D.C.

*Limited Support Allows ABC Class Lawsuit Members Temporary Status*

Around the time of the ABC settlement, Congress also granted Salvadorans without proper immigration documents a limited reprieve in the Immigration Act of 1990. A provision of that law established Temporary Protective Status (TPS), a new program designed to help countries in crisis by pausing deportation of their nationals in the U.S. and providing them with work authorization. TPS was intended to allow foreign governments a chance to get back on their feet before having to absorb large numbers of returned citizens. It would also allow those nationals to work and make money in the United States, earnings which would often find their way back to the home country in aid to family members still living there and communities in the process of rebuilding themselves.

TPS served to be less than a comfort due to its very nature as a temporary form of relief; a long-term solution was desperately needed. Even after the ABC settlement in 1990, many of D.C.'s Latino immigrants still found themselves without the right to permanently and legally reside in this country. The city's large Salvadoran population was reluctant to apply for asylum because of their community's famously low approval rates in the past, and they feared deportation by making themselves known to the INS. According to Lori Kaplan, Executive Director of the Latin American Youth

Center in Columbia Heights, "these refugees are fearful of the INS and thus are reluctant to pursue their claims. . . . [T]he INS has a reputation of not being sensitive to their needs and is viewed as just looking for people to deport."

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Salvadoran TPS ran out in 1991, and instead of extending it President Bush offered Deferred Enforced Departure (DED) as a way of postponing their deportation. DED, an administrative form of relief from deportation, was extended in 1994 by

President Clinton and led to the repeated continuation of temporary work authorizations for covered Salvadorans.<sup>14</sup>

Then in 1996, Congress enacted some of the harshest immigration reform legislation that this country has seen in the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA). Even beyond this law's severe consequences for asylum seekers and lawful permanent resident immigrants, one particular aspect of this law affected the Salvadoran and Guatemalan communities disproportionately. This provision replaces our prior immigration code's valve for discretionary relief from deportation, known as "suspension of deportation," with the much more stringent requirements of "cancellation of removal." In general, this type of relief was designed to recognize the equities of long-time

**When I arrived to this country I asked for asylum and unfortunately they [the INS] denied it. Everything was very difficult—they looked at me as an enemy because I used to be a student activist in Guatemala. Up to this day I am still awaiting the court decision—it's been five years, it's not fair to wait this much time.**

—Mt. Pleasant resident from Guatemala.

U.S. residents who may be undocumented, but nevertheless contribute to our nation and are raising American families who would be unduly punished if the immigrant member were to be deported.

To qualify for cancellation of removal, an immigrant must have resided in the U.S. for ten years, as opposed to the seven required under suspension of deportation. The immigrant also must show that his or her removal would cause “exceptional and extremely unusual” hardship to a family member who is a U.S. citizen or lawful permanent resident. This is in contrast to suspension of deportation’s lesser residency requirements and more achievable hardship standard, which is that the deportation would “harshly” affect the immigrant herself or a legally residing family member. IIRAIRA’s increased and overly stringent demands on those who seek discretionary relief from deportation have resulted in the separation of countless American families, with no real benefit.

In the case of Salvadorans and Guatemalans, the change in residency and hardship requirements came at a time when many of these refugees would have finally been eligible to apply for suspension of deportation under the original seven-year requirement. However, Congress acted in 1996 to thwart this opportunity in a direct denial of the equities of their cases, adding on three years and making the hardship requirement much more difficult to establish. This disproportionately affected D.C. Latinos because of the large number of Salvadorans (and Guatemalans) living in the city at that time, and the even more-limited avenues they had to legalize their status at this point. Additionally, due to the huge backlog in asylum adjudications, those Salvadorans and Guatemalans that had registered with the ABC class and were granted a second chance to make their cases did not begin to get the opportunity to do so until 1997. By fiscal year 1998, 185,000 Salvadorans, 111,000 Guatemalans, 16,500 Nicaraguans, and 2,500 Hondurans were waiting for the INS to decide their asylum cases.<sup>15</sup>

### *Inequities and Legal Limbo Continue with Additional Federal Policy Changes*

Because they were not granted asylum due to political bias and were thwarted from applying for suspension of deportation, many Salvadorans in the mid- to late 1990’s were still living in legal limbo. Through the renewable work permits obtained under the terms of the ABC settlement, they lacked only permanent legal status. In 1997, Congress passed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which attempted to address some of the delays

and problems certain refugees were facing in making their stays in the United States both authorized and permanent.

NACARA allowed Cubans and Nicaraguans who had been in the U.S. since December 1995 the chance to become lawful permanent residents through a simple adjustment of status procedure. In contrast, Salvadorans and Guatemalans were forced to meet a stringent and complicated set of criteria in an expensive process requiring legal counsel. Moreover, relief was only available to Salvadorans and Guatemalans who had been in the United States since 1990.

This differential treatment of Central American refugees has had very real consequences for D.C. Latinos who do not belong to one of the preferred nationalities. Because she happened to be born in Guatemala instead of Nicaragua or Cuba, Karla Tejada<sup>16</sup> has seen her dreams of getting a college education put on hold as she deals with the bureaucratic red tape and injustices promulgated by our federal immigration policy.

Karla’s mother fled to the United States in 1989, after unknown attackers abducted her father during Guatemala’s civil conflict. Karla joined her mother in 1993, who applied for asylum for herself and her children. Her asylum case has never been adjudicated, and similarly her effort to apply for residency under NACARA’s stringent requirements has been similarly stalled.

**Approximate number of NACARA applications filed in D.C. area since July, 1999: 13,000. Approximate number of NACARA applications adjudicated in the D.C. area: 2,500.**

It has taken the INS years to finally determine how to adjudicate applications from Guatemalan and Salvadoran applicants in light of NACARA’s increased burdens on these nationalities, and the INS is grossly under-resourced in its staff adjudicating NACARA cases. For example,

in the D.C. area approximately 13,000 NACARA applications have been filed since the program began back in July of 1999.<sup>18</sup> However, about only 2,500 applications have been adjudicated. This means that more than 10,000 are still pending two years later. Moreover, all applicants must appear for an in-person interview before their applications are adjudicated; as of this writing the INS is interviewing people who filed applications at the end of 1999.<sup>19</sup>

During the time her family spent waiting for the INS to act, Karla turned twenty-one and is no longer covered under her mother’s application. She is now forced to try to make her case for asylum on her own, but the asylum standards require her to show that she herself will be persecuted if she returns to Guatemala. If Congress had treated all Central American groups equally under NACARA, or if the INS had adjudicated her mother’s asylum application promptly, Karla would be well on her way to college at this point. For now, she is working for immigrant rights in D.C., helping others in simi-

lar situations and speaking out about her situation as an example of why the laws need to change.

The enactment of NACARA followed an extremely ugly time in this era of sweeping federal immigration legislation. It resulted in further institutionalizing the unequal treatment of Central American war refugees, and did not resolve the situations of many deserving Latino immigrants both in D.C. and

around the country. Well-intentioned immigrants were further impacted by the extensive immigration and welfare reforms Congress had enacted in 1996. These laws cracked down most harshly on asylum-seekers and vulnerable populations like children and the elderly, and severely restricted the due process rights of legal immigrants in the guise of addressing the “illegal immigration problem.”

### III. 1996 Welfare and Immigration Reform Laws Impact All Immigrants

Conservative members of Congress rode a wave of early 1990s anti-immigrant proposals into an all-out war on immigrants in 1996, when they passed some of the harshest welfare and immigration “reform” legislation in the U.S. These laws took potshots at legal immigrants, refugees fleeing persecution, and other groups, and reflected an anti-immigrant sentiment that had been growing steadily among certain groups since the early part of this decade.

The 104th Congress stripped access to most means-tested federal public benefits from lawful permanent residents when it passed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Initially billed as a cost-saving measure, this law restricts immigrants’ access to Supplemental Security Income (SSI), food stamps, Medicaid, State Child Health Insurance Program (S-CHIP) and Temporary Assistance to Needy Families (TANF) (formerly Aid to Families with Dependent Children).

**While vulnerable to the same misfortunes that can befall any citizen, immigrants pay taxes into a system that does not provide the essential safety-net should they fall onto hard times.**

Unlike citizens, whose eligibility for welfare depends on their ability to work, immigrants are now denied benefits regardless of their ability to work. While vulnerable to the same misfortunes that can befall any citizen, immigrants pay taxes into a system that does not provide this essential safety-net should they fall onto hard times. Whether the motivations of PRWORA were to limit government spending or limit the rights of immigrants is up for debate, although other strong legislation aimed at immigrants was also enacted in 1996 that tends to point to the latter theory.

Two other laws enacted in 1996 had harsh consequences for legal immigrants: the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) and the Anti-Terrorism and Effective Death Penalty Act (AEDPA). These laws created new hurdles for immigrants seeking to enter the country legally, and stripped legal immigrants of basic due process rights. Together these laws have resulted in the separation of countless American families, and have been recognized as “draconian” and excessive by some of their original champions.

These laws simply went too far in restricting the rights of foreign-born residents, under the semblance that they were

combating “abuses of our system” by undocumented immigrants. While a few provisions of IIRAIRA did address illegal immigration, most were aimed at those seeking to enter the country legally or who were already legal residents of the U.S. Still, in the mid-1990s, politicians were exploiting the U.S. public’s tendency to blur documented and undocumented immigration, cracking down harshly on the former while claiming to be combating the latter. Restrictionist-leaning Republicans especially used immigrants as pawns to energize conservative voters, a tactic the GOP would eventually regret as the changing demographics of our country began to manifest themselves politically.

#### *Asylum for People Fleeing Persecution Increasingly Restricted*

One of the most egregious consequences of IIRAIRA is its impact on those fleeing persecution and requesting asylum in the U.S. This law changes the procedures by which arriving asylum seekers may request protection here, granting low-level immigration officials the power to be judge and jury over a foreign national who shows up requesting protection from persecution. Moreover, the INS interprets another provision of the law to warrant the incarceration of asylum-seekers until the agency rules on their cases. While ideally this would take only a matter of days, some asylum-seekers face months or even years of incarceration, shuffling between several facilities, and undue separation from both loved ones and legal counsel, if they are even fortunate enough to obtain representation.

This criminal-like treatment of asylum-seekers is unwarranted and goes against U.S. values of freedom and democracy for all, an irony that is especially bitter for those who have already faced torture and abuse in other countries and are asking the United States for help. This treatment is even exhibited upon unaccompanied children who find themselves here after escaping horrendous abuses. They are forced to try to make their cases without legal counsel and without any kind of guardian to watch over their interests, growing up in juvenile detention facilities surrounded by young offenders even though they themselves have committed no crimes.

Additionally, the law caps the number of asylees that are permitted to adjust to permanent resident (“green card”) status annually. Under current law, asylees are eligible to become lawful permanent residents one year after being granted asy-

lum. However, the number of asylees currently eligible for permanent residency far exceeds this arbitrary cap of 10,000. At the time of this writing, a person granted asylum must wait up to eight years before receiving her green card<sup>20</sup> This artificial waiting period serves no real purpose, and conversely slows asylees' ability to become full participants in, and ultimately citizens of, their new home.

In addition to making it tougher for asylum-seekers to get the help and protection they need in the U.S., the 1996 laws adversely affect people with American relatives and equities that tie them to this country. According to stipulations in IIRAIRA, a family member wishing to sponsor a relative to immigrate to the U.S. must earn at least 125% of the federal poverty level. Depending on the size of their families, sponsors working as bank tellers, cab drivers, dental assistants, kindergarten teachers, or licensed practical nurses who earn the median income for their professions would be unable to bring their foreign-born relatives to the United States.<sup>21</sup>

There is currently an opportunity for the D.C. area to support a legislative effort to ameliorate some of the worst effects of IIRAIRA on asylum seekers, including the criminalized treatment of asylum-seekers and the 10,000 cap on asylee adjustments. A bill, the Refugee Protection Act (S. 1311), was introduced by Senators Sam Brownback (R-Kansas) and Patrick Leahy (D-Vermont) in July 2001.<sup>22</sup>

### *IIRAIRA Bans Some Immigrants from Re-Entering the Country*

Another restrictive feature of IIRAIRA is the creation of "bars to admissibility." These bars require that immigrants who overstay temporary visas or enter the country without proper documentation be banned from re-entering the country for a period of three or ten years, should they leave for any reason. The ban's duration depends on the number of days spent in the U.S. "unlawfully," and effectively causes undue separation of families who are trying to comply with the law but find navigating the rights and permissions of U.S. immigration code confusing. If an immigrant falls out of status for any reason, even if the circumstances were beyond his control, he is subject to these bars and risks triggering them by making any trip outside of the United States.

One example of the heart-wrenching consequences of these re-entry bars on U.S. families is the story of Apolinario and Joanna Sarto, of Northern Virginia.<sup>23</sup> The couple met in the

fast-food restaurant where they worked, and married after a brief courtship. Apolinario is a Salvadoran immigrant who came to the United States by crossing the border without inspection, and Joanna is a U.S. citizen. As the husband of a U.S. citizen, Apolinario qualifies for an immigrant visa but is required to leave the country in order to complete this process. Due to the re-entry bars established by the 1996 law, Apolinario's departure after being here out of status for more than a year means ten years of separation for the young couple.

As a U.S. citizen, Joanna never realized that such harsh and obscure immigration laws could affect her so profoundly. In a 2000 *Washington Post* article Joanna said: "I'm an American citizen, and I want my husband with me." But instead the couple has decided that Apolinario should return to El Salvador and wait out their years of separation to eventually return as a legal immigrant. The re-entry bars have unnecessarily affected this couple and delayed their new life together. The bars have ripped apart countless families and will continue to do so unless the law is changed.

### *Congress Strips Immigrants of Due Process Rights*

Perhaps the most un-American features of IIRAIRA and AEDPA involve the due process rights of immigrants. The INS' interpretation of the 1996 laws has been that virtually all decisions on the deportation or detention of legal permanent residents who have committed certain crimes could no longer be reviewed in court. This took away a necessary

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layer in our judicial system of "checks and balances," and named the INS the sole decision maker in the cases of legal immigrants who, for whatever reason, find themselves in detention or in removal proceedings.

The right to appeal a decision in court used to be one of those "inalienable" rights we all enjoy, but this right was summarily denied to legal immigrant residents by IIRAIRA. In a June 2001 decision, the Supreme Court said that the 1996 law did not specifically prohibit immigrants from challenging INS decisions in court. However, this does not restore discretion to judges to decide on the merits of the case whether or not the immigrant deserves to be deported.

### *Criminalization of Immigrants Reinforced by 1996 Law*

Yet another unprecedented restriction on legal immigrants involves the expansion of how a "deportable criminal offense" is defined. Since 1988, immigration law has held that both documented and undocumented immigrants will be deported for committing "aggravated felonies," upon completion of their sentences. Prior to 1996, the definition of this phrase was truly appropriate; immigrants were deported for committing violent and/or serious crimes such as murder,

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drug trafficking, or firearms trafficking. In 1996, Congress expanded the definition of what constitutes an “aggravated felony” to include minor crimes that are neither “aggravated” nor “felonies” under criminal law. These include offenses as trivial as pulling someone’s hair or shoplifting, crimes for which the perpetrators may have never spent even an hour in jail. These are also crimes that do not warrant such a harsh punishment as removal from the country and permanent separation from loved ones. This injustice is further compounded by the fact that immigrants no longer have an avenue through which the merits of the INS’ decision to deport them can be reviewed in court, as noted earlier.

Moreover, the INS applies this new definition retroactively. Legal permanent residents appearing at INS offices for citizenship interviews have found themselves thrown into deportation proceedings for minor crimes committed years ago, when they carried no immigration consequences. The retroactive application of such a significant change in immigration law is unprecedented and unconscionable. Immigrants who have been leading productive lives, raising U.S. citizen children, are now eligible for deportation based on very trivial crimes they had plead out or been found guilty of decades earlier.

The story of Emma Méndez de Hay is just one example of how good people have been caught up in the bad 1996 laws.<sup>24</sup> In 1990, Emma translated what to her seemed an “innocuous” message from her cousin to an unknown caller: “He can’t help you today. Call back tomorrow.” Not knowing that she was facilitating a drug transaction, Emma found herself charged with four counts of conspiracy to distribute cocaine. She was able to plead this down to felony use of a communication device to facilitate the distribution of cocaine, served three years’ probation, and put the incident behind her.

However, IIRAIRA would not let her completely bury it. In 1999, Emma returned from a trip to Europe and was detained by the INS at JFK International Airport, based on her prior conviction and the retroactive application of what is now a deportable offense. She spent over seven months in jail, separated from her three children and struggling to remain hopeful. In 2000 Emma was eventually ordered released on a \$20,000 bond. She currently awaits deportation under IIRAIRA, although one of the June 2001 Supreme Court decisions, regarding the retroactive application of the expanded definition, may finally allow her to pick up the pieces and move on. Still, this decision was limited to cases mirroring the one argued in front of the court, and a legislative remedy is necessary to comprehensively address the unfairness of applying this change in what is considered a deportable offense retroactively.

**Perhaps the most un-American features of IIRAIRA and AEDPA involve the due process rights of immigrants.**

As illustrated in Emma’s story, immigrants in similar circumstances are now detained by the INS upon detection, effectively extending their punishment until they can be deported to their countries of origin. As for immigrants who cannot be deported because they are stateless or because their original countries will not take them back, as is the case for Cuban nationals, the INS has interpreted provisions in IIRAIRA and AEDPA to require their detention indefinitely. This has the practical effect of handing immigrants who cannot be repatriated life sentences for crimes that did not warrant such strict punishment when they were tried in criminal courts. This circumstance was also addressed by the Supreme Court in June 2001, with important consequences for over 3,000 immigrants currently detained beyond the scope of their criminal sentences.

It is important to note that the 1996 laws affecting immigrants could have turned out much worse than they did. A few loud voices in Congress attempted to further attack legal immigration in IIRAIRA, a law supposedly aimed at illegal immigrants. The original House and Senate versions of IIRAIRA would have reduced family immigration numbers by 30-40%, delaying reunification or permanently separating hundreds of thousands of Americans and their spouses, parents, children, and siblings. As debate on the bills progressed, however, more and more pressure mounted to consider the issues of legal and illegal immigration separately. An odd but powerful alliance of Democrat and Republican members, labor and business leaders, civil rights groups and conservative think tanks, ethnic organizations and anti-tax lobbies, and religious groups and high-tech companies came together in opposition to the cuts in legal immigration numbers.

#### *Attempts Were Made to Create Social Controls with U.S. Immigration Policy*

In another measure, which echoed early 1990s anti-immigrant arguments, Representative Elton Gallegly (R-CA) introduced a highly controversial amendment to IIRAIRA that would have given states the authority to kick undocumented students from of public schools. This amendment was a federal version of California’s 1994 Proposition 187, resurrected by the GOP in 1996 as an election year “wedge” issue to hurt President Clinton’s chances of winning California’s 54 electoral votes.

The President threatened to veto the bill if it contained the “Gallegly amendment.” It was also vigorously opposed by every major Chief of Police and law enforcement organization, and proved so divisive among Republicans themselves that the House-Senate conference committee dropped it at the last minute. This dynamic hinted at what would become a growing indication that conservative politicians, particularly restrictionist-leaning Republicans, may have gone too far in attacking the rights and opportunities of immigrants in the early to mid-1990s.

## IV. Naturalization and the Rise of Grassroots Immigrant Leadership

One indication that politicians went too far in the early to mid-1990s is reflected in the numbers of immigrants who applied for citizenship following the enactment of harsh, anti-immigrant laws. Applications for citizenship grew sharply since the early 1990s; in 1994, 500,000 immigrants applied to become U.S. citizens.<sup>25</sup> In 1995 and 1996 these numbers continued to grow, peaking at 1.5 million applications in 1997 following the sweeping immigration and welfare reform laws.

More immigrants were mobilized toward applying for citizenship in large part because they saw their rights and opportunities severely restricted by the 1996 laws. They realized that the only way of protecting themselves fully, even though they were lawful permanent residents in arguably the freest nation in the world, was to become full citizens of this country. With the right to vote, naturalized immigrants also gained a powerful tool they could use against those politicians who had harmed them in the past.

Unfortunately, many would-be voters' participation in the U.S. political process was significantly delayed by the Immigration and Naturalization Service's (INS) inability to efficiently adjudicate their applications. Due to a rising number of applications and the Service's past decision to preserve clerical jobs by not automating their systems, backlogs for Naturalization applications swelled. The INS was sharply criticized for its inability to keep up with the demand for its services, and in 1995 launched "Citizenship USA."

Citizenship USA was a program designed to speed up the adjudication of naturalization applications, but actually resulted in the INS' failure to review all applications adequately and in the eventual naturalization of a handful of criminals who should have been screened out. A Republican Congress blamed the Democratic Administration, specifically

**Legal permanent residents appearing at INS offices for citizenship interviews have found themselves thrown into deportation proceedings for minor crimes committed years ago, when they carried no immigration consequences.**

Vice President Al Gore and INS Commissioner Doris Meissner, for attempting to run what critics called a "Democratic voter mill" by completing 1.3 million naturalization applications during the year Citizenship USA was alive. After all, most of these new voters were choosing Democratic candidates in the polls; the fact that Republicans had a significant part in alienating this population seemed to be largely ignored by GOP strategists at the time.

In response to the Citizenship USA scandal, the INS significantly slowed down its processing of naturalization applications while it took time to devise ways of instilling integrity into the criminal background check and other points within the process. The naturalization backlog ballooned to 2.1 million in 1996, while applications for immigration benefits such as permanent residency went unattended and eventually contributed to large backlogs in these areas as well.

To its credit, the INS completed a significant re-engineering of the naturalization process, automating its system somewhat and vastly reducing the wait time for new naturalization applicants. It also developed a more customer-focused operation, establishing a customer service hotline for requesting case information or INS forms by mail and significantly enhancing the agency's web site to be more useful and user-friendly. The Service also sought the involvement of community-based organizations (CBOs) in meetings where groups could air grievances, discuss future initiatives, and otherwise contribute their experience and expertise to the design of more customer-focused procedures. This is an area in which the INS had not focused much in the past, and also where the agency made significant progress during the last decade.

The INS' involvement of CBOs illustrates the rising importance of community groups dealing with immigrants and the immigrant advocacy movement in general. During the mid-1990s, those groups that were providing assistance in navigating the naturalization process found themselves inundated with requests for help, just as the INS was overwhelmed with applications for citizenship. At the same time, George Soros' Open Society Institute started the Emma Lazarus Fund, evoking the author of the poem at the base of the Statue of Liberty in a fitting tribute. This effort suddenly made available new funds for immigrant service providers and immi-

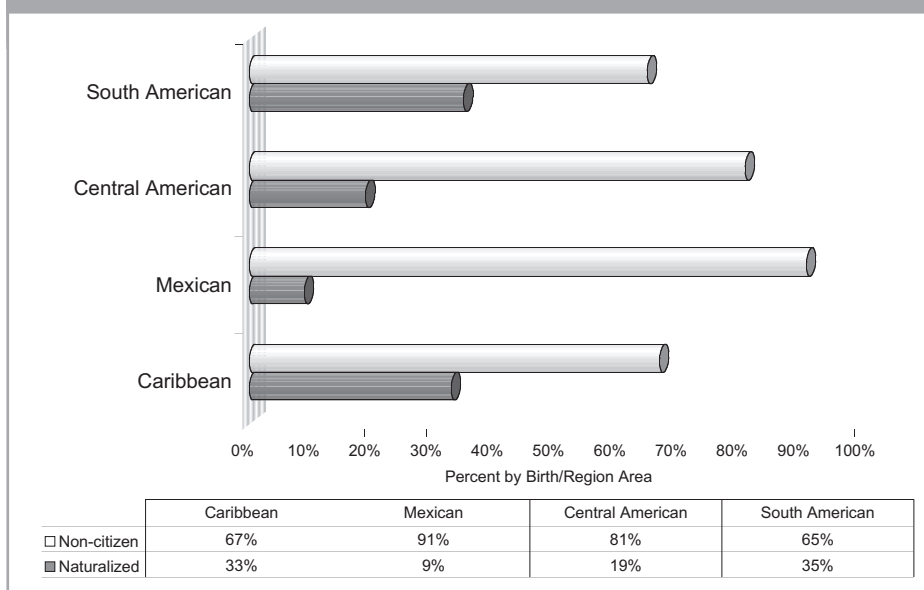
grants' rights groups. This money was to be used in encouraging and facilitating naturalization, and was inspired by the 1996 welfare reform law which severely restricted even working immigrants'



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Figure 2.1

Citizenship Status of D.C. Latinos  
Country/Region of Birth, Census Supplementary Survey 2000



The Emma Lazarus money also funded organizations like the Central American Resource Center (CARE-CEN) and the D.C. Immigrant Coalition in Columbia Heights. These organizations were emerging not only as necessary intermediaries between immigrants and the immigration bureaucracy, but also as community advocates involving immigrants in self-advocacy at the local and national levels. These groups formed coalitions across the country and mobilized around issues pertaining to immigrants' rights and civic empowerment. Some of these groups conducted extensive voter outreach, even appearing at naturalization ceremonies to sign up new voters (Figure 2.1).

The efforts of these groups have paid off immensely. The number of Latino

access to means-tested public benefits, for the crime of being immigrant non-citizens.

Many organizations, like the National Association of Latino Elected and Appointed Officials (NALEO), struggled to efficiently help all of the people who sought their assistance. Together they developed a workshop model that was quite successful in meeting its goals of providing effective service to a growing population of would-be citizens. The Emma Lazarus money was used in part to fund the operation of these workshops, which gave orientations to the naturalization process, screened potential applicants for eligibility and evidentiary requirements, and helped them prepare the various components of their applications.

voters grew by 54% between 1990 and 1998, with more than seven million registered in time for the 2000 election.<sup>26</sup> The growth of the immigrant and Latino electorates contrasts sharply with the decline in the total number of voters; these populations are increasingly the "swing vote" in many jurisdictions, and have enjoyed the attentions of the Republican and Democratic parties, as well as other parties, in recent elections.

During the same time, immigrants' rights groups gained new advocacy skills and political power through their charged-up constituencies. They capitalized on this by organizing national grassroots campaigns for, among other things, the rollback of the 1996 immigration and welfare reform laws. While these groups have enjoyed some successes since the enactment of these laws, there is still much to be rectified.

## V. American People and Lawmakers Agree: 1996 Went Too Far

Soon after the passage of PRWORA, IIRAIRA, and AEDPA, it became apparent to some legislators that the effects of these laws were far more severe than they had anticipated. Horror stories were cropping up in the news about elderly and disabled legal permanent residents with long histories in this country, who would be thrown out on the streets once they lost their Supplemental Security Income (SSI) benefits pursuant to PRWORA. The press was also reporting stories of elderly immigrants who committed suicide when they heard that Congress was about to cut their access to these programs.<sup>27</sup> Aging and disability groups like the National Council on the Aging and the Consortium for Citizens with Disabilities worked together with religious and immigrant advocacy groups to further highlight the injustices of this law. The human-interest stories highlighted during this campaign

made legislators very nervous, and they began to re-think the merits of lashing out against such a vulnerable population.

Other casualties of the 1996 welfare reform law publicized by the press were immigrant children whose healthcare needs were going unmet because of Congress' decision to deny their access to CHIP and other programs. At a press conference organized by the National Immigration Forum and local community groups, María Gomez, Executive Director of Mary's Center for Maternal and Child Care in Washington, D.C., told the tale of a young Dominican boy who arrived one year after the passage of PRWORA. Six-year-old Breydi suffered from chronic ear infections and tonsillitis, but could not get the medical attention he needed because his parents did not have health benefits through their employers and could not afford

to pay the costs out-of-pocket. Since he arrived after the welfare reform law passed, Breydi was not permitted to use Medicaid or CHIP to pay for his medical bills.

The press also highlighted compelling stories of immigrants and their families adversely affected by IIRAIRA and AEDPA. Fifteen year-old Jaime Jaramillo, whose Colombian-born father was convicted of selling \$40 worth of drugs several years before these laws passed, asked Congress to show some compassion and keep his family together. Jaime said that it is not fair to deport his father, who left Colombia as an infant, based on a crime he committed before it had such harsh consequences and after he has paid his debt to society. Jaime gave a very moving speech alongside Representative Connie Morella (R-Maryland) and immigrants' rights groups at a press conference asking Congress to "Fix '96."

Jaime's family is part of the Citizens and Immigrants for Equal Justice network, a coalition of U.S. citizen and legal resident families facing permanent separation due to IIRAIRA and AEDPA. This grass-roots group led by Laurie Kozuba, whose husband is facing deportation based on the retroactive expansion of what is a deportable crime (as of this writing), has had a strong presence both in the press and on Capitol Hill in lobbying for the repeal of these laws.

Thanks to the constant exposures of this human reality, some minor rollbacks of these laws have been realized. In 1997, Congress restored very limited rights to certain groups of legal immigrants. Most elderly and disabled immigrants who entered the United States before the enactment of PRWORA (August 22, 1996) are now eligible for SSI and Medicaid; however, most legal immigrants over the age of 65 who entered the U.S. after this date are not unless they are disabled. In 1998, Congress restored food stamp benefits to immigrants over the age of 65 who were in the U.S. before the enactment of PRWORA, immigrants who were in the country prior to that date and have since become disabled and children under 18 who were in the United States prior to that date. This still leaves many legal immigrants out of programs funded by their tax dollars, and several bills are currently being considered in the 107th Congress to rectify this situation.

The 107th Congress is also considering bills that would restore due process rights for legal immigrants.

## VI. Pending Matters in the Effort to Ensure Immigrants' Rights

The growing immigrant advocacy community considers the recent Supreme Court rulings as a breakthrough—first steps towards righting the wrongs of 1996. Lucas Guttentag, Director of the American Civil Liberties Union Immigrants' Rights Project and the attorney who argued two of the three cases before the Supreme Court, said that together these victories are "a ringing endorsement of the right to judicial

Representatives Barney Frank (D-Massachusetts) and Bob Filner (D-California), along with Senators Edward Kennedy (D-Massachusetts) and Bob Graham (D-Florida) have all been leaders on this subject in years past, but the issue has not gained much traction in Congress.

In June 2001, the Supreme Court handed down three important rulings that together sent a strong message to Congress that the 1996 laws went too far. The first ruling struck down the INS' interpretation that the courts were prohibited from reviewing virtually any decision to detain or deport an individual. The Court recognized that habeas corpus review challenging the legality of a decision to detain an individual has historically been important in the immigration context, and ruled that immigrants were not barred from bringing habeas corpus petitions to federal courts and raising legal issues pertaining to their detention.<sup>28,29</sup>

In the second ruling, the Court said that it was not permissible to deprive an immigrant from relief from deportation if that relief was available to an immigrant when he entered into a plea bargain accepting punishment for a crime. In this ruling, the Court struck down the retroactive application of the law in situations where immigrants entered a plea bargain at a time when relief from deportation was available to immigrants who had committed certain crimes.

Finally, the Court ruled against the indefinite detention of certain immigrants subject to removal, but whose countries refuse to accept them back.<sup>30</sup> The INS has recently begun releasing some of these detainees, who are still under removal proceedings and will be returned to their countries if the U.S. can negotiate repatriation agreements.

Together the Supreme Court decisions illustrate that the 1996 laws are out of step with our country's standards for fairness and justice. If the Supreme Court decides that the status quo is not acceptable, then Congress must act to completely eradicate the injustices inherent in these laws. The struggle is not over yet, and as the fifth year anniversary of the law's passage approaches, many immigrant advocates resolve to once and for all "Fix '96." In light of the softening of public opinion towards immigrants and their emergence as important constituencies from a political standpoint, this may yet be within our grasp.

review and of immigrants' access to the courts."<sup>31</sup> The recognition that immigrants deserve fair treatment has been gaining momentum since the early 1990s; only Congress has been dragging its feet in enacting meaningful legislation that would address past mistreatment.

Recent victories like the Supreme Court rulings occurred at the same time that the public's opinion on immigration mat-

ters has shifted noticeably, and favorably. In a 2000 Gallup Poll, 44% said that immigrants mostly help the economy while 40% said they hurt it.<sup>32</sup> This is in contrast to a Gallup Poll from 1993, where 28% of those polled said that immigrants are a benefit, and an overwhelming 64% said that they are a drain. This change in opinion can be attributed to many factors including the economic boom of the late 1990s and the nation's increasing comfort with, or at times celebration of, diversity. While the 2000 poll shows that there is still room for improvement, it illustrates a significant change in the outlook of "average Americans," and demonstrates the success of immigrant advocates in turning around the debate.

### *Labor Takes a Stand for Immigrant Rights*

Also in the late 1990s, a loose coalition of allies who have found common ground on one issue alone, immigration, formed to address some of the inequities in our nation's current policies. Comprised of organized labor, immigrants' rights/ethnic groups, religious institutions, and business interests, this coalition brings perspectives from both sides of the political fence to what has been a contentious issue for them in the past. Organized around the recognition that immigrants contribute significantly to our country, these advocates work to balance immigrants' need for equal treatment, legal status and labor protections with business' need for a dedicated labor force.

This coalition truly represents a historic congruence of opinion. Labor unions used to be at the forefront of those accusing immigrants of taking jobs from American workers and depressing wages. However, in February 2000, the AFL-CIO resolved to call on Congress to repeal sanctions on employers who hire undocumented workers (a move they had supported in the 1986 Immigration Reform and Control Act) and to legalize undocumented immigrants.<sup>32</sup> This was in response to organized labor's recognition that employer sanctions are not enforceable, and that it would be better to make all workers legal so that they can assert their rights, join unions, and ask for better treatment at the hands of employers who would otherwise threaten them with an INS raid, should they demand improved working conditions.

During the formation of labor's shift in perspective, immigrants' rights groups were gaining constituencies and influence both locally and nationally. At the same time, the country was experiencing a wrenching labor shortage in all sectors of the economy, and business representatives like the Chamber of Commerce got on board to champion immigrant workers. While these groups do not always agree, they are working together in ad hoc coalitions that speak to a divided Congress' reliance on bipartisanship, and are in that vein affecting positive changes on Capitol Hill.



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The "legalization" of an undocumented "underground" community that is often vulnerable and unable to assert its rights is the centerpiece of a growing, integrated campaign of advocates. At the local level, grass-roots immigrants' rights groups have been working closely with organized labor to advance calls for "legalization". These groups have really fomented much of the organizing and momentum for these changes both across the country and in Washington. Additionally, civil rights groups like the Leadership Conference for Civil Rights have been working tirelessly with the more traditional immigrants' rights community to further the immigrants' rights cause, lending expertise and clout gained from the African-American civil rights movement.

### *Legislation Takes Form*

In 2000 the strength of these coalitions was tested in advocating for the Latino and Immigrant Fairness Act (LIFA). This bill would have allowed undocumented immigrants living in the United States since 1986 the right to legalize their status. It also would have addressed the unequal treatment of Central American refugees in the 1997 NACARA legislation (known as

the "NACARA parity" provision). Also, LIFA would have restored a provision of the Immigration and Nationality Act known as 245(i).

LIFA was supported by hundreds of organizations and championed both on Capitol Hill and in local lobbying efforts by the Service Employees International Union, National Restaurant Association, Salvadoran American National Network, Empower America, Ayuda, Inc., and the Central American Resource Center, among other groups.

Latinos watched the debate over LIFA closely; it was a regular feature in Spanish-language local papers like *El Pregonero*, *El Tiempo Latino*, and *Washington Hispanic*, and in almost daily reports on *Univisión* and *Telemundo*. Groups of Latinos and other immigrants rallied on Capitol Hill for their concerns to be heard, but as is typical in election year politics, neither political party could resolve its internal issues with its external messages and at the same time enact good public policy.

The compromise that resulted was the Legal Immigration Family Equity Act (LIFE Act), which brought about limited relief for certain groups of immigrants. It allows many persons wrongly denied legalization by the INS in the mid-1980s the right to proceed with their applications for permanent residence. This particular provision helps many Latino immigrants who were members of three class-action lawsuits stemming from the INS' problems implementing the legalization component of the 1986 Immigration Reform and Control

Act (IRCA). However, the LIFE Act stops short of legalizing all immigrants who have lived in the country since 1986, which was the more comprehensive solution sought by the immigrants' rights, labor, and business coalition.

The LIFE Act also re-instated, for a period of four months only, Section 245(i) of the Immigration and Nationality Act (INA). Section 245(i) is a provision of law that allows intending immigrants to pick up their green cards in the United States, instead of having to return to their home countries to pick up their immigrant visas. It avoids the potentially lengthy separation of family members who might suffer three or ten year bars to re-entry just as their immigrant visas become available. This provision of law significantly impacts Latino-Americans who are the largest immigrant group overall, with the largest population of undocumented immigrants who are potential beneficiaries of Section 245(i).

Finally, the LIFE Act establishes two new family-based visas for temporary admission. These were created to mitigate huge backlogs in established family visa categories, but as temporary programs they are less than adequate in addressing the fact that family-based immigrant visas are chronically oversubscribed.

Republicans' refusal to address "NACARA parity" in the LIFE Act, and finally treat all Central American and Haitian refugees equitably, did not go unnoticed. While Republicans hailed LIFE as an extraordinary compromise and a victory for immigrant families, Democrats accused them of ignoring

the true needs of the immigrant community. Neither party would allow the other to take credit for "doing right" by immigrants, and the 2000 elections proceeded as expected, with Democratic presidential candidate Al Gore capturing the majority of the Latino vote. This would have put him in the winner's seat were it not for Bush's edge in Florida, as GOP strategists are painfully aware.

With President Bush's very narrow win in the 2000 presidential election, politicians, pollsters and press secretaries from both sides of the aisle are keeping a very close watch on the Latino community. Media reports highlighting 2000 Census data are telling us that the "successful" states, the ones with healthy economies and constant or increased representation in Congress, are also the states that attract immigrant workers. President Bush is making overtures to the Latino electorate through his support for Temporary Protected Status (TPS) for Salvadorans, an extension of the 245(i) deadline, and his emphasis on immigration in talks with Mexican President Vicente Fox.

In the summer of 2001, the Bush Administration leaked the possibility of legalizing millions of undocumented workers as part of a larger strategy to overhaul U.S.-Mexico migration and make the process more orderly, safe, and within the system of laws. If the Republicans succeed in crafting a new policy that fairly treats immigrants who have been contributing to this country, while at the same time recognizes the need for expanding future channels for immigrants to come legally, Democrats will have much to worry about in the next election cycle.

## Conclusions and Recommendations

At the end of the 1990s and into the new millennium, immigrants find themselves in a much better place both politically and socially. This information only needs to be translated into power and action to keep the proverbial ball rolling – and to finally and completely roll back the 1996 restrictions placed on immigrant workers, families, and communities. Until then, inconsistencies in federal immigration law will continue to create social and economic vulnerabilities among immigrant Latinos. To facilitate immigrant integration into D.C. neighborhoods, city agencies and public institutions need to address several critical issues.

### **Immigrant Access to Public Services**

The Latino population has become increasingly diverse insofar as their countries of origin/birth, circumstances that they were escaping from and length of stay in D.C. This is reflected in disparities in education, wealth and immigration status. It is necessary to develop responsive policies and programs that facilitate access and use of services by this diverse group. At the local level, agencies should maximize immigrant access to and advocate for expansion of public programs and services as allowed under federal law.

### **Immigrant Status Should Not Determine Eligibility or Limit Rights**

Immigration policies have been driven by political factors leading to the government devising a series of temporary solutions including unequal treatment of persons from different countries. Those who have emigrated from non-preferred countries suffer serious hardship, even when they legally reside the U.S. Band-aid type measures devised by the federal government have left many immigrants in legal limbo with severe uncertainty about their future, denying them the ability to fully set down roots in their new country of residence. Undocumented immigrants lead an underground existence and are underserved by D.C. government even though these residents pay taxes and are contributing members to the economy of D.C. government agencies need to recognize the barriers inherent in linguistic isolation and immigration status. Therefore, policies should be enforced that restrict immigrant status questioning and reporting only to those measures required under federal law. For example, MPD's enforcement operations with INS will be curtailed, public housing service providers will not require social security numbers for routine identification, and employers will not exploit immigrant workers' vulnerability.

## Civil Rights Education for the Community

The government of the District of Columbia needs a clearer understanding of major changes in national immigration policy and federal legislation enacted during 1990s and how these changes affect the city's immigrant community, the majority of whom are Latino. City leaders should implement public education campaigns among city employees and more broadly to all District residents, that affirms and promotes the

civil rights of Latinos and immigrants, emphasizing the contributions of immigrants to the city's well being.

## Voting Rights for Legal Immigrants in Local Elections

In recognition of the significant economic and cultural contributions that immigrant Latinos make to Washington, D.C., city leaders should make a commitment to enact legislation that grants voting rights to immigrant residents in all local elections.

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