

National Coalition for Immigrant Women's Rights

Winter, 2008

News and Updates

The National Coalition for Immigrant Women's Rights (NCIWR) is a coalition of local, state and national organizations working to defend and advance the rights of immigrant women and their families as they face the economic, social and justice challenges in today's workplace and political climate. Welcome to the second edition of our newsletter! Below you will find information regarding Immigration in the News, [Coalition Updates](#), Legislative Updates, Upcoming Events, and Partner and Member Organization Updates. We hope that this newsletter will be a useful tool for members and allies to receive news and policy updates, share organizational announcements and highlight NCIWR activities and upcoming events.

1. In the News:



Arizona Governor Janet Napolitano has been nominated by President-elect Barack Obama to be the head of the Department of Homeland Security which includes ICE, the agency that oversees our country's immigration policies and enforcement¹. She is the former Attorney General of Arizona and a longtime supporter of women's legal rights. Advocates have worked with her on issues concerning stopping Violence Against Women and girls and women's reproductive health and economic security.



Cecilia Muñoz, senior vice president of the National Council of La Raza, has been picked to be the new administration's Director of Intergovernmental Affairs. Muñoz is a national Hispanic leader whose compassionate voice has been heard in the push for comprehensive immigration reform. La Raza has been in the forefront working to promote the dignity of immigrant workers and families and demanding fair treatment for all immigrants. The Inhumane Treatment Towards Juana Villegas DeLaPaz²: Pregnant undocumented immigrant shackled during labor.

Prospects are Good for Immigration Reform Says Reid³: Senate Majority Leader Harry Reid (D-Nev) says **comprehensive immigration reform** in the 111th Congress is likely.

A Child Alone Without Papers⁴: A report from the Center for Public Policy Priorities on what happens to the more than 43,000 undocumented, unaccompanied children removed annually from the U.S. and repatriated to their home countries.

Midwife Delivery Can Lead to Passport Denial⁵: The State Department is denying passports to people born in southern Texas near the border with Mexico if they were delivered by midwives, citing a history of birth certificate forgeries there for Mexican-born children dating to the 1960s, according to U.S. officials.

Immigrant Widows Left in Limbo⁶: *Once On A Path To Permanent Residency, Some Widows Of Americans Face Deportation.* ICE wants to deport several hundred widows and a few widowers who had been married to citizens when the spouse died, saying that a widow is not a wife.

Immigrants To Blame For Global Warming?⁷: America's Voice responds to a bogus study on immigrants & Greenhouse gas⁸.

Dispute Imperils California Family Planning Program For The Poor⁹: CA could incur millions in costs because of a fight with the Bush Administration over how it counts undocumented immigrants that use the state's Medicaid-funded family planning program which offers contraceptive services, counseling, education, prenatal care and sexually transmitted infection testing to about 1.7 million low-income residents every year.

Bush Administration Blocks Medical Services For Immigrant Teens¹⁰: ACLU asks a federal court to order the Administration for Children and Families (ACF) to release documents outlining U.S. policy limiting refugee and undocumented teenagers' access to important reproductive health services, including contraceptives and abortion.

2. Coalition Updates



NCIWR leaders Jessica, Olga and Pat present workshop on immigrant women's rights at NOW national conference this summer

NCIWR will be working with the transition team in charge of immigration and has drafted a letter to President-elect Obama with our recommendations for including women and children in any upcoming "comprehensive immigration reform." For a copy of that letter, contact Jenny@latinainstitute.org. Alexander Aleinikoff, dean of the Georgetown University Law Center, and Mariano-Florentino "Tino" Cuellar, a professor at Stanford Law School are serving on an "Immigration Policy Working Group" that will develop proposals for an immigration plan¹¹.

3. Legislative and Administrative Updates:

Legislative: Although Comprehensive Immigration Reform was stalled in the 110th Congress, several important bills have been recently introduced that are important to immigrant women, children and families. NCIWR hopes they will be included in any omnibus immigration reform bill that is introduced next year.

On August 1, the House Subcommittee on Immigration et al voted in favor of HR 5882, a bipartisan bill sponsored by Congresswoman Zoe **Lofgren** (D-CA) and Congressman Jim **Sensenbrenner** (R-WI) that would reclaim unused employment-based and family-based visas¹². Because of bureaucratic delays and the loss of unused immigrant visas in years past, many families have to wait years, and sometimes decades, to reunite with their loved ones.

On September 19, Senator Robert **Menendez** (D-NJ) and Rep. Mike **Honda** (D-CA) introduced the Reuniting Families Act in the Senate and House of Representatives H.R. 6938 to address the immigration backlog and ensure that family reunification remains a cornerstone of our immigration system¹³. The bill will help the four million potential immigrants currently stuck in the entry backlog, many of whom are family members of U.S. citizens and legal permanent residents. The legislation directs thousands of unused visas to

go to close family members of U.S. citizens and legal residents, reclassifies spouses and children of legal residents as immediate family and raises the per-country cap for visas from seven percent to ten percent.

Lucille **Roybal-Allard** (D-CA) introduced the Immigration Oversight and Fairness Act of 2008 H.R. 7255 responding to the conditions of confinement, detainee abuses, and deaths that over 300,000 non-citizens in immigration detention across the country face annually¹⁴. This bill ensures that the Department of Homeland Security's (DHS)'s treatment of immigrant detainees is regulated by statute and that detention standards are improved. It also creates alternatives to detention programs and enhances parole opportunities for vulnerable populations such as asylum seekers, pregnant women, and children. In addition, the bill includes provisions to ensure that unaccompanied undocumented children are treated fairly and humanely while in DHS custody and are transferred safely and in a timely manner to the Office of Refugee Resettlement.

Robert **Menedez** (D-NJ) and Edward **Kennedy** (D-Mass) introduced a bill to address due process violations against immigrants. The Protect Citizens and Residents from Unlawful Raids and Detention Act S.3594 will help safeguard the due process and human rights of people swept up in immigration raids and held in immigration detention facilities¹⁵. It includes protections to ensure that Immigration and Customs Enforcement operations do not undermine labor investigations.

SSI Extension Signed into Law. Refugees and other humanitarian immigrants, whose Supplemental Security Income (SSI) benefits were available only during a seven-year time period, may receive SSI for at least two additional years. Effective October 1, 2008, humanitarian immigrants whose SSI was cut off or who were denied SSI due to the expiration of this time period should contact the Social Security Administration immediately to apply for the extension. The new law provides a third year of benefits for humanitarian immigrants who have a naturalization application pending at the end of the two-year extension¹⁶.

Administrative:

HPV Vaccination Now Mandated for Immigrant Girls and Young Women Seeking Citizenship – NCIWR Voices Opposition

In July 2008, U.S. Citizenship and Immigration Services (USCIS) added five new vaccinations¹⁷ to the list of required immunizations for immigrants seeking legal permanent residency in the U.S. or applying for immigrant visas. The list included a vaccination against the human papillomavirus (HPV), a viral infection that is transmitted by direct skin-to-skin contact and is the leading cause of cervical cancer. Following a recommendation by the CDC's Advisory Committee for Immunization Practices to administer the vaccine for girls and young women ages 11-26, the recommendation became an automatic requirement for prospective immigrants and naturalized citizens when the government updated its list of vaccines in July. The National Coalition for Immigrant Women's Rights issued a statement opposing the mandate¹⁸. NCIWR believes that the new requirement violates a woman's basic right to self-determination, creates additional barriers for immigrant women and families seeking entry or adjustment of status, and unfairly forces immigrant women to subject their bodies to a new medical technology with hasn't been thoroughly tested.

DHS Issues Final "No-match" Rule

The Department of Homeland Security (DHS) issued a supplemental final rule¹⁹ regarding procedures employers should follow when they receive a letter from the Social Security Administration (SSA) stating the information submitted for an employee does not match SSA records. Known as SSA "no-match" letters, they are sent to workers and employers in an attempt to correct discrepancies in SSA's records that prevent workers from receiving Social Security credit for their earnings. In recent years however, DHS started to use a highly flawed system as an immigration enforcement mechanism. The rule is still subject to an October 2007 injunction after a lawsuit²⁰ charged that the rule's enforcement would put workers at risk of losing their jobs because the SSA database is rife with errors and would cause discrimination against workers who look

or sound "foreign." The court recognized that discrepancies between workers' social security numbers and SSA records can result from a number of innocent factors including clerical errors, name changes due to marriage or divorce, or the common use of multiple surnames. This is particularly true for API women, who are often foreign-born and/or change their name due to marriage or divorce.

4. Upcoming Events

January 20, 2009 – Barack Obama becomes President

January 21, 2009 – A New Day for Immigration Reform. Join the National Capital Immigrant Coalition (NCIC) and the Fair Immigration Reform Movement (FIRM)'s march for immigrant rights and worker justice. The rally will include a march to the ICE headquarters where activists will deliver a list of fair and just provisions and policies to the new Administration. Contact rlabruyere@communitychange.org to get involved.

January 22, 2009 – 36th anniversary of Roe v. Wade. Join local women's rights and reproductive health groups in your communities to acknowledge and honor this important Supreme Court decision.

5. Member updates

Tribunal on Poverty and the Millennium Development Goals: On September 23rd, the Women of Color Policy Network and the Feminist Task Force of the Global Call to Action against Poverty (FTF-GCAP)'s New York chapter hosted a women's tribunal on Poverty and the Millennium Development Goals at the United Nations High Level Event (HLE). The tribunal highlighted the need for a broader framework to understand poverty and women's status in developed countries and provided an opportunity for experts in the field to present their research on poverty, human development disparities, and barriers to education facing North America's women. It also investigated structures that impede women's empowerment and raised the need to employ the Millennium Development Goals to measure progress in developed countries, and urban cities in particular. On **March 11, 2009**, The Women of Color Policy Network will host a fundraiser, visit <http://wagner.nyu.edu/wocpn/index.html> to learn more and RSVP.

Breakthrough: Building Human Rights Culture launched the **End Homeland Guantanimos** campaign to spotlight the inhumane conditions faced by nearly 300,000 people in US Immigration and Customs Enforcement (ICE) detention. Learn more about the campaign at <http://www.homelandgitmo.com/> and demand accountability in the Department of Homeland Security and respect for human rights.

Media Justice: Are you ready for the Digital TV Transition on February 17? On February 17, 2009, all over-the-air broadcast TV will switch to a new digital format. If your TV is more than two years old, and is connected to an antenna instead of cable or satellite, you will need a digital TV converter box to keep watching free TV. Most DTV converter boxes cost between \$40 and \$80, but you can order a free coupon from the government, good for \$40 off the price of a DTV converter box, online at www.dtv2009.gov or by calling 1-888-DTV-2009. Order your coupon as soon as possible, as it can take up to three weeks for the government to respond, and order extras (limit 2 coupons per household) to donate to elders, shut-ins, group home residents, prisoners or others who may have difficulty preparing for the transition. Inform friends, family and your community by posting DTV flyers in visible places, including local schools, libraries, supermarkets, places of worship and community centers. To learn more about local groups in your areas engaged in Media Justice work visit www.mediagrassroots.org and for multi-lingual materials visit www.civilrights.org/dtv/toolkit.

Feminist Action Agenda for 2009 and Beyond: NOW has compiled an 8-page women's rights issues agenda²¹ for the new President and the 111th Congress. Because it is a work in progress, advocates are welcome to suggest additions.

Resources:

The Migration Information Source is a timely publication from the Migration Policy Institute (MPI). Sign up for this online journal at: <http://www.migrationinformation.org/>.

ACLU Resource Guide: **State Standards for Pregnancy-Related Health Care in Prisons.** It is not clear if these national standards cover immigrants held in federal detention centers. Activists should check with their state legislators to see if state law can extend these same standards to women being held by ICE, whether in federal or state prisons or county and city jails. The on-line Guide provides a short summary of minimum national standards for pregnancy care in correctional facilities; an overview of how different state policies measure up; and a state-by-state directory where you can view pregnancy-related correctional policies available online, or find contact information to request policies from state department of corrections. You can access the Guide at: <http://72.3.233.244/reproductiverights/gen/pregnancycareinprison.html>.

If you would like to join NCIWR, please review our Operating Principles²², Guiding Principles²³, and the Coalition Member Agreement Form²⁴ to learn more about the Coalition. If you have questions about joining NCIWR please contact Jenny Jourdain at jenny@latinainstitute.org or Priscilla Huang at phuang@napawf.org for more information.

¹ http://www.usatoday.com/news/politics/2008-12-01-napolitano_N.htm

² <http://latinainstitute.wordpress.com/2008/07/14/the-inhumane-treatment-towards-juana-villegas-delapaz-nashville-tn/>

³ <http://fairimmigration.wordpress.com/2008/11/25/prospects-are-good-for-immigration-reform-says-reid/>

⁴ <http://www.cppp.org/repatriation/>

⁵ <http://www.washingtonpost.com/wp-dyn/content/article/2008/09/08/AR2008090802623.html>

⁶ http://www.cbsnews.com/stories/2008/11/21/60minutes/main4625729.shtml?source=search_story

⁷ <http://www.americasvoiceonline.org/BlameTheImmigrants>

⁸ http://www.alternet.org/immigration/95493/voodoo_science_blames_climate

⁹ <http://www.latimes.com/news/local/politics/cal/la-me-familypact3-2008oct03,0,2358332.story>

¹⁰ <http://www.aclu.org/reproductiverights/religion/37773prs20081117.html>

¹¹ http://www.statesman.com/blogs/content/shared-gen/blogs/austin/immigration/entries/2008/11/19/obama_picks_scholars_to_develo.html

¹² <http://salsa.democracyinaction.org/dia/track.jsp?v=2&c=eQuiJQjmX%2FQf3Ui3B8C90rur7nsAoca8>

¹³ <http://www.govtrack.us/congress/billtext.xpd?bill=h110-6938>

¹⁴ <http://www.govtrack.us/congress/billtext.xpd?bill=h110-7255>

¹⁵ <http://www.govtrack.us/congress/billtext.xpd?bill=s110-3594>

¹⁶ <http://www.nilc.org/immspbs/ssi/ssi010.htm>

¹⁷ <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=902252b10f45b110VgnVC>

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¹⁸ <http://napawf.org/file/issues/NCIWR HPV Vaccine FINAL-9.29.08.pdf>

¹⁹ http://nilc.org/immsemplymnt/SSA_Related_Info/ssa010.htm

²⁰ http://nilc.org/immsemplymnt/SSA_Related_Info/ssa009.htm

²¹ <http://www.now.org/issues/agenda2009.html>

²² <http://www.latinainstitute.org/publications/documents/NCIWROperatingPrinciples-OCT07.pdf>

²³ http://www.latinainstitute.org/publications/documents/NCIWR_Guiding_Principles-OCT07.pdf

²⁴ <http://www.latinainstitute.org/publications/documents/NCIWRagreementform.pdf>