

# Faces and Stories of U.S. Immigrants

Raising our voices to  
unite families and  
strengthen communities to  
realize the dream of justice,  
freedom, and opportunity

Northwest Federation of Community Organizations  
National Campaign for Jobs and Income Support





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# Introduction

*“This is about discrimination and civil rights and freedom and what America stands for — or is supposed to stand for. ...we are not separate from the Latinos, the Asian Americans or anyone else ...we are all flesh and blood members of the human race.”*

— Revered Tyrone Hicks, Murph-Emmanuel,  
African Methodist Episcopal Church & Sacramento Valley Organizing Community

The United States is a country of immigrants. From its founding, immigrants from across the globe have come to benefit from opportunities not available in their home country. Bringing diversity and richness to American culture, as well as beneficial skills and knowledge to our workforce and schools, immigrants have always been an integral part of our social fabric.

Controversy and intense debate have forever surrounded the topic of immigration. In the past, anti-immigrant sentiment and ethnic prejudice found its way into immigration policy. Immigrants from “undesirable” regions were either barred from entering the country at all or pushed into the lowest levels of society through discrimination. The belief that immigrants depress wages and neighborhoods, take jobs, are unwilling and unable to assimilate or speak English — as well as the fear that immigrants change the makeup and culture of the U.S. — provided rationalization for anti-immigration advocates to limit immigration into the country.

Sadly, those same negative attitudes about immigrants exist today. In the past few decades, anti-immigration advocates have become more outspoken and zealous in proposing new policies to dramatically curb — or completely eradicate — immigration into the U.S.

The tragedy of 9/11 has provided more fuel for anti-

immigration advocates who have made false claims that restricting immigration and limiting the rights of current immigrants will in some way protect the U.S. from terrorist attacks. While it is important to ensure that terrorists are never again able to commit such atrocities, it is equally important to separate terrorists from immigrants and to realize that the beliefs and actions of the 19 attackers in no way reflect the hopes and dreams of millions of hardworking, patriotic immigrants who have chosen to make the U.S. their home. Since September 2001, policies aimed at eradicating terrorism have been implemented with the unfortunate and inexcusable effect of punishing innocent immigrants.

In truth, immigrants today constitute a positive force in our country. They are hard workers and eager participants in society. Immigrants — both recent and past — have been able to realize the American dream through hard work, perseverance, and faith. And because immigrants made a conscious decision to uproot their lives and families, they are highly patriotic and thankful for opportunities available in the U.S. — sometimes even more so than those born in this country.

The leaders of this country, including the president and members of congress, recognize the impact these new immigrants have brought to the fabric of this country’s economy and society. The value of their contribution is most revealing in the attention given,

by both political parties, to the immigrant vote — especially to Latino voters who have become a growing share of the American electorate. Superficial efforts at enticing immigrant voters has thus far not led to any concrete policy changes bettering the lives of immigrant communities.

Despite their many contributions and the potential for future immigrants to further contribute to the U.S., immigrants today face many barriers in their daily lives due to strict immigration policies, low-wage jobs without basic labor law protection or benefits, and criminalizations simply because of their immigrant status.

The National Campaign for Jobs and Income Support (NCJIS) — a national coalition comprised of 1,000 grassroots community organizations, networks, and allies in 40 states seeking to end poverty and economic injustice — is concerned about the plight faced by immigrants in this country.

The NCJIS and its allies are in support of a broad legalization program to ease the burden placed on immigrants and to address current immigration policies that create barriers for immigrants, particularly the approximately 8 million undocumented workers and their families that are subject to exploitation and abuse because of their status.

This is a storybook that serves to reverse myths about immigrants and immigration. In their own words, immigrants tell of hardships they face due to current policies, as well as triumphs they have achieved through hard work. It is important for policy makers to implement changes that protect the rights of immigrants and value the principles with which this country was founded. And it is equally important for all American citizens to recognize the tremendous contributions that immigrants have made to the U.S., and continue to make today.

This storybook begins with an overview of immi-

grants, their contributions to the U.S., and barriers imposed by current policies. It then focuses on five areas in which immigrants face hardship in their daily lives and includes personal narratives by affected immigrants: education, family immigration policy, the workplace, opportunities for legal entry, and laws which criminalize immigrant communities. This storybook then concludes with an outline of beneficial immigration policies proposed by the NCJIS and its allies that, if implemented, will help to ensure the rights of immigrants are protected.

## Who is immigrating?

About 30 million immigrants — or about ten percent of the total U.S. population — call the U.S. their home.<sup>1</sup> Eight million of all immigrants in the U.S. are estimated to be undocumented<sup>2</sup> — a term that refers to both those who came here legally and overstayed their visa, and those who came to the U.S. without prior authorization. The large immigrant wave of the past few decades is not unprecedented for the U.S. In fact, between 1860 and 1930, the proportion of immigrants in the country was higher than the ten-percent population of today, and the high immigration wave of the last decade is still smaller than that of a century ago.

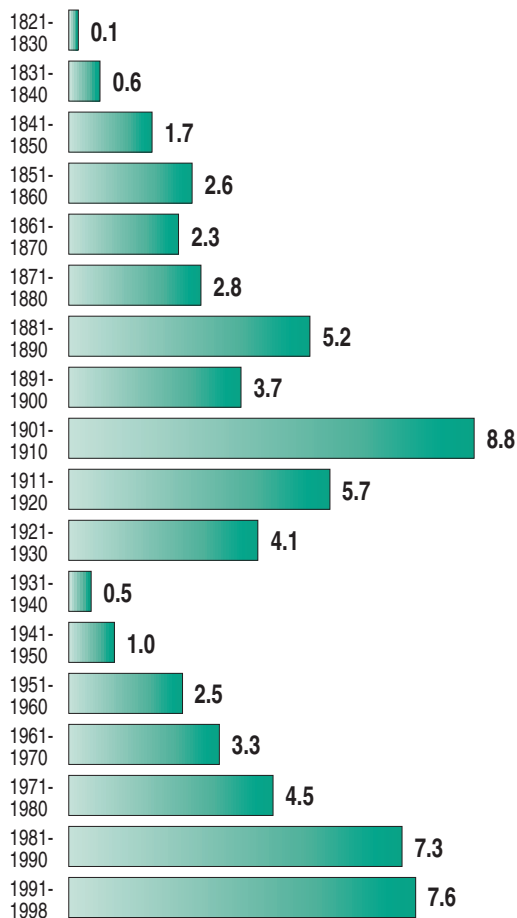
### The top ten countries of birth for U.S. immigrants<sup>3</sup>

1. Mexico
2. China
3. India
4. Korea
5. Philippines
6. Vietnam
7. Cuba
8. Dominican Republic
9. El Salvador
10. Canada

### Ten states having immigrant populations exceeding the national average of 10.4 percent<sup>4</sup>

1. California (25.9 percent)
2. New York (19.6 percent)
3. Florida (18.4 percent)
4. Hawaii (16.1 percent)
5. Nevada (15.2 percent)
6. New Jersey (14.9 percent)
7. Arizona (12.9 percent)
8. Massachusetts (12.4 percent)
9. Illinois (12.3 percent)
10. Texas (12.2 percent)

### Number of immigrants entering the U.S. by decade (in millions), 1821-1998<sup>5</sup>



Source: U.S. Immigration and Naturalization Service, 2000, Table 1.

The demographic composition of recent immigrant groups is markedly different from the previous century, when policies restricted immigration to Europeans: about half of today's immigrants come from Latin America, about one-quarter come from Asia, one-seventh come from Europe, and the rest come from the remaining continents, including North America.

### *Dream of a better future*

Immigrants — both historically and today — choose to make the U.S. their home in hopes that it will provide them with better opportunities. But they are all prompted for different reasons. Some immigrants are refugees forced to leave their home countries due to economic crises, unstable and corrupt governments, civil war, genocide, or religious persecution.

A surprising number of today's immigrants are children, orphaned due to violence in their home countries, or sent to the U.S. by desperate parents in hopes that this country will provide their children with basic opportunities like education and health care.

Other immigrants are recruited by U.S. companies to fill high-skilled positions in medicine or technology firms. And still other immigrants enter to seek out other types of employment and to be reunited with family members already living in the U.S.

What all immigrants have in common is the desire to make the U.S. their home. Dreaming of a better future, new immigrants entering the U.S. have high hopes of what they and their children may be able to accomplish. And whether or not their highest goals are fulfilled, immigrants and their children make important, beneficial contributions to the U.S. economy and society.

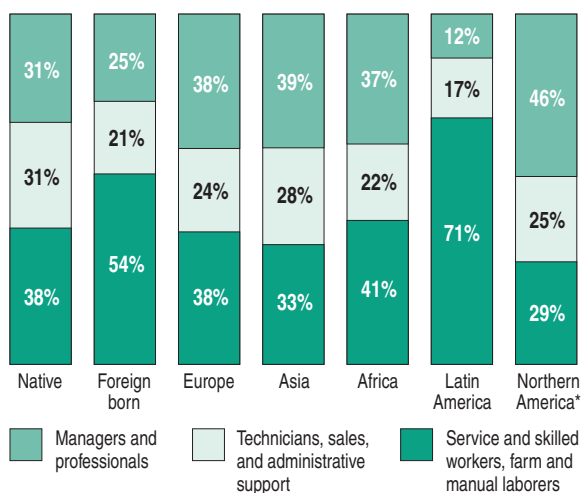


## Immigrants contribute to the economy through their labor

Contrary to the assertions of anti-immigration advocates, immigrants and their children do not take jobs from native-born Americans. Instead, they make important, long-term contributions to our culture and economy. Immigrant communities are filled with hard workers who occupy both the highest and lowest rungs of our workforce, taking positions that Americans will not take.

Immigrants were behind the country's economic growth over the past few decades, comprising almost half of the net labor force increase from 1996-2000.<sup>6</sup> Today, one in eight workers are immigrants,<sup>7</sup> of which over half are employed as service or skilled workers, and farm or manual laborers.

**Occupational distribution of U.S. workforce by birthplace<sup>8</sup>**



\*Northern America includes Canada, Bermuda, Greenland and St. Pierre and Miquelon.  
 Source: U.S. Census Bureau, P23-206, Figures 16-1 and 16-2.

Our economy will continue to need immigrant labor despite recent economic troubles: the Bureau of Labor Statistics projected that the immigrant-dominated service-producing sector will need an additional 20.5 million workers by the year 2010, 5.1 million of which will be in service occupations like private household work.<sup>9</sup> Clearly, immigrants will continue to be important to our economy as the job market expands and those already in the country do not fill labor shortages.

Immigrants have also made tremendous contributions in high-skilled professions like medicine and technology. Over one-quarter of the nation's physicians are foreign-born, of which over 15 percent come from India — the world's largest producer of doctors.<sup>10</sup> And nearly 30 percent of Silicon Valley tech firms founded between 1995 and 1998 are run by Chinese or Indian immigrants.<sup>11</sup> One of the world's largest email providers, Hotmail Corp., was founded by an American immigrant from India.

Lawmakers have long recognized the importance of immigrant workers to our economy, creating provisions for immigrants to obtain visas for employment ranging from seasonal agricultural work to high-skilled or high-tech positions.<sup>12</sup> Employers have also recognized the importance of immigrant labor, and often recruit in other countries to fill labor shortages.

## Immigrants contribute to the economy by paying taxes

Immigrants put billions of dollars into the U.S. economy every year. A 1998 study found that immigrants pay at least \$133 billion per year in federal, state, and local government taxes,<sup>13</sup> and a 1997 study by the National Research Council estimates that our econo-

my gains an extra \$10 billion per year from taxes paid by immigrants.<sup>14</sup> These estimates do not include the fiscal contributions of immigrant businesses, which pay an additional \$29 billion to the economy per year.<sup>15</sup>

Federal taxes paid by immigrants are going to become increasingly important as America's baby-boomer population begins to retire and utilize Social Security and Medicare funds. With current levels of immigration, over the next 20 years almost \$500 billion more in today's dollars will be pumped into the Social Security system by immigrants than will be taken out when they retire. This figure is projected to reach almost \$2 trillion through to 2072.<sup>16</sup> And because the vast majority of today's immigrants are decades away from retirement, America's older generation is benefiting greatly from the money immigrants contribute to Social Security and Medicare.

Anti-immigration advocates have argued that immigrants impose a fiscal burden on our economy by using more state and local services than they pay for in taxes. But immigrants in fact pay more in taxes than they take out in services: on average, immigrant households pay between \$20,000 and \$80,000 more in lifetime taxes than they collect in government services.<sup>17</sup>

Additionally, studies have shown that native households actually pose a higher fiscal cost to the government than immigrant households. Because native born Americans have a significantly higher usage of the Social Security and Medicare programs — undoubtedly the two most expensive government assistance programs — the total government expenditures on the native born per capita are higher than on immigrants, at an average of \$3,800 versus \$2,200.<sup>18</sup>

What's more, there is no evidence that local economies go into decline as a result of high immigrant populations.<sup>19</sup> In fact, local economies are

strengthened through local taxes and revenue created through immigrant spending and small business start-ups like restaurants or beauty salons. And on the national level, the strong economy of the last decade was in no way hindered by high immigration; in fact, immigrants helped fuel the economic boom.

### *Immigrants contribute to American culture and society*

The U.S. would not be as diverse were it not for the many contributions of immigrants. The country has continually benefited from the introduction of new cultural elements by immigrants — be it food, religion, dance, or music. It is only through the diversity of immigrants — both from centuries ago and today — that the U.S. is able to claim such a unique character.

Immigrants have always played important roles in shaping and reforming current institutions like trade unions and public education, as well as advocating for government responsibility to provide basic services like health care. They have also been instrumental in community redevelopment through the formation of charitable organizations. U.S. culture and society will continue to benefit as long as immigrants to the U.S. are able to participate fully in all the political and social arenas the country has to offer.

### *The other face: harsh realities for immigrant families*

A majority of today's immigrants — both documented and undocumented — enter with the goal of reuniting with family members already in the U.S. In FY 1997 alone, over half of the 800,000 immigrants admitted to the U.S. came to join a citizen family member.<sup>20</sup> Thus, a large percentage of immigrant families in the United States are of mixed status, meaning they are a combination of undocumented, natural-

ized, green card, and U.S.-born persons within a single household.

Current U.S. law has done much to limit family unification. Section 245(i) of the 1994 Immigration Act allowed qualified undocumented immigrants to apply for a green card while still in the U.S., instead of having to first return to their home country. Unfortunately, this provision has expired, making it impossible for undocumented immigrants to legalize their status, and increasing the likelihood they will continue to live in the U.S. without authorization. Passage of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) further closed opportunities for immigrants to adjust their status, tightened border enforcement, and stripped away most due process rights. Current laws increase the likelihood immigrant families will be split up.

The status of these laws has also hindered undocu-

mented immigrants' ability to gain legal status, even though many of them are eligible for it. The backlog of applications at the INS makes it even more difficult for immigrants to legalize their status, and increases the vulnerability of immigrant families.

## *The Legalization Campaign of the NCJIS*

The rights of immigrants in the U.S. are important to the NCJIS and its allies, which is why the proposals for legalization and change in current immigration policy have been put forth. Immigrants should no longer be punished because of their immigration status. Changes in immigration policy — like reinstating 245(i), repealing restrictive provisions of IIRAIRA, and implementing a legalization program — would be a right step towards ensuring that existing barriers faced by immigrants in the U.S. are overcome.

## Section 1: Barriers to education: roadblocks to a better future

Between 50,000 and 65,000 undocumented students graduate from high school each year.<sup>21</sup> Although they are frequently among the top achievers in their classes, undocumented immigrant students are unable to attend institutions of higher learning — simply because of their status.

Policies must be implemented to ensure high achieving immigrant students are able to attend college, despite their current immigration status.

### *No access to higher education*

Classified as non-residents, undocumented immigrant students are required to pay the much higher out-of-state tuition to their local public universities — even if they have lived in that state for almost their entire lives. With out-of-state tuition sometimes costing almost five times more than in-state tuition, these immigrant children are unable to pay for college, leaving them with no options for education after high school graduation.

Their undocumented status also makes them ineligible for federal financial aid, student loans, and almost every private scholarship, putting the dream of college completely out of reach. Universities are aware of the legal ramifications for awarding aid to undocumented immigrants and are almost always unwilling to grant them scholarships, no matter how strong their academic record or how great their potential.

Many of these children have lived in this country for almost their entire lives; the U.S. is the only home they know. Many more of these children are unaware of their citizenship status, and find out only after beginning the college process. With young students having

to face such a reality, many wind up not living up to their full potential — some even drop out of school after realizing their limited options as undocumented students.

Small steps have been taken to give undocumented children a chance at a future, but more must be done. Some states, like Texas, California, Utah, and New York have made it easier for undocumented students to attend college by permitting them to pay in-state tuition.<sup>22</sup> However, these students are still ineligible for federal aid, and immigration law still makes them unable to work legally after graduation.

### *The Student Adjustment and DREAM Acts*

The Student Adjustment and DREAM Acts would allow qualified undocumented immigrant students to be eligible for in-state tuition and certain types of financial aid, and provide opportunities for these students to apply to legalize their status after high school graduation. Such legislation is the only way to ensure that hardworking immigrant students are able to attend higher education in spite of their current immigration status.

Passage of these policies would enable immigrant students to attend college and fulfill their dreams of becoming teachers, doctors, engineers and lawyers. Today's immigrant children have the ability to help sustain the U.S.'s top position in the world, but only if they are given equal opportunity to access higher education and participate fully in society. Punishing children for decisions made by their parents years ago is unfair and prevents hardworking, talented immigrant students from realizing their full potential.

I am an 18-year-old immigrant from Mexico. I came to the U.S. when I was eight years old. Since I came here I have worked hard to prepare for college. I graduated high school with a 4.0 grade point average and was ranked in the top 15 out of 800 students in my senior class. I was also a member of the National Honors Society and was very active in extracurricular activities.

I was accepted to Franklin College in Indiana, which I chose for its focus on journalism. I also applied for a scholarship with the college and won a \$20,000 scholarship, \$5,000 per year. However, due to my undocumented status I am ineligible for financial aid and there is no way I can afford tuition, even with the scholarship. Also, because of my status I am unable to supply the necessary social security number for my scholarship so I am no longer eligible for it.

I wish I could change my status so that I would be eligible for financial aid and the scholarship I worked so hard to receive. However, I can't change my status since no one in my family is legal. So, even though my family has worked hard and has paid taxes in this state for years, I am still not



qualified for financial aid. However, if the Student Adjustment Act in the House and the DREAM Act in the Senate passed I would then be able to go to school and fulfill my dreams.

I want to be in college. I want to have a career. I want to succeed. I want to show people that I can do it. If you send me back to Mexico, I don't know what I would do. I know I'm from Mexico but I consider U.S. my home because I

received my education here. If I ever finish college, I will tell teenagers that they can succeed. If people have the potential and believe they can do it, there is always a light shining when things are dark. If we want a better future, why don't we start now? Think about the kids who are dropping out of school just because they can't afford college. If I have the chance and opportunity, I can make this country a better place. ●

*[D]ue to my status I am ineligible for financial aid and there is no way I can afford tuition, even with the scholarship.*

*Also, because of my status I am unable to supply the necessary social security number for my scholarship so I am no longer eligible for it.*



My name is Yunhee. I came to the U.S. about four years ago. When I came to this land, I dreamed of helping others by finding cures for diseases. I studied very hard in high school and worked with my teachers after school. As a result, I received a 4.0 GPA. I was also involved in many school activities such as Cross Country, Vocal Jazz, Choir, Theatre, Musical Theatre, and the National Honor Society. I participated in all this with a thankful heart. I was truly thankful to this country, a country of liberty and opportunity.

After I graduated from high school, I realized I could attend college only one semester, even though I was accepted. Because of my undocumented status I have to pay out of state tuition — about \$14,000 per year compared to \$6,000 per year for in-state tuition. And of course I couldn't get financial aid as an undocumented student. My family is not rich; I have to pay for my own education. I saved all the money that my relatives gave me since I came to America, and worked during summers and after school, but even then I could save only a semester's tuition and fees. School would be less expensive if I was documented. I may have to go to community



college next semester so I can work and try to earn money for the following year.

I am realizing these days that it is so hard to live in America with only a dream. I really want to continue studying

so I can go to medical school after college, and I believe I will, because I strongly believe and trust this country as a country of opportunity. So, please, help me and give me a chance to become the person that I can be. ●

*Because of my undocumented status I have to pay out of state tuition — about \$14,000 per year compared to \$6,000 per year for in-state tuition. I saved all the money that my relatives gave me since I came to America, and worked during summers and after school, but could save only a semester's tuition and fees.*

Ever since I was little my parents always told me that if I wanted to become somebody in the United States of America, I had to go to college. Seeing other people graduate from college and become professionals led me to think that when I got older I would one day graduate from college and “be somebody,” too. I realized that it wasn’t going to be that easy for me when I saw my brother’s education being limited to a high school diploma. The catch is that in order to obtain assistance to go any further, I have to be a U.S. citizen or a U.S. resident.

I was born in the country of Guatemala on August 31st of the year 1983. My parents decided to move to Boston, MA when I was six years old. Life here was great.

I started to worry about my residency more when I turned 16 and could not get my driving permit. I would see how all my friends got them and I could not. They would come up to me and ask why I did not have it, and I would lie. I’d say that I didn’t want it, but inside the truth would kill me.

My senior year was the hardest and most depressing year I have gone through. I knew that without my residency papers I could not go to col-

lege, no matter how much I wanted to. I saw how some people born in this country who may have opportunities for college waste their lives doing drugs and drinking. Then there is someone like me, who was not born in this country but considers himself American, with an unsurpassable desire to attend college, but cannot because he doesn’t have residency papers. It frustrated me so much to see that I was 18, jobless, and without a chance for an education, as well.

I am now on my way to turn-



ing 19. Sometimes I sit on my bed and cry because I see the gloomy picture of what my future seems to hold. The path that I see for myself is horrible. Every night I pray to God that he provides me with my residency so that I can continue my education. ●

*My senior year was the hardest and most depressing year I have gone through. I knew that without my residency papers I could not go to college... Sometimes I sit on my bed and cry because I see the gloomy picture of what my future seems to hold.*

## Section 2: Divided families

More than three-quarters of immigrant families are of “mixed status.”<sup>23</sup> Defined as a family in which one or more parents are non-citizens and one or more children are citizens, mixed status families are complex, and can include a combination of undocumented immigrants, green card holders, naturalized and U.S.-born citizens.

Mixed status families are highly vulnerable due to immigration policy — those without status could be deported at anytime, and their family members with status are unable to do anything to help them.

We must change policy to ensure that families are no longer broken up.

### *Current immigration policy splits up mixed status families*

Expiration in 1997 of section 245(i) of the Immigration Act makes it impossible for undocumented immigrants to apply to adjust their status from within the U.S. And with passage of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) in 1996, undocumented immigrants who have resided in the U.S. for over 180 days are automatically barred from reentering the country for up to ten years.

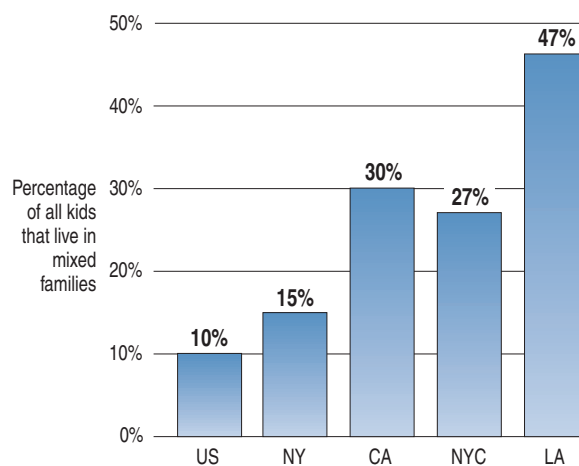
This means that eligible undocumented immigrants must not only return to their home countries to apply for a visa, but then are barred from reentering the U.S. for three or ten years, depending on the length of time they were in the country without authorization. As a result, many undocumented immigrants continue to reside in the U.S. without attempting to

change their status, and the mixed family they live in continues to be vulnerable.

Obviously, this is devastating for undocumented immigrants who have worked and lived in the U.S. for many years. Most often, these immigrants have citizen children and spouses that they cannot — and should not have to — be separated from.

With an estimated one in ten children in the U.S. living in mixed status families,<sup>24</sup> the implications of immigration legislation are great. All policies that make it difficult for immigrants to legalize their status — such as the expired status of 245(i) or the three- and ten-year bars — are going to have negative impacts on the millions of U.S. citizen children that live in mixed status families.

**Share of children who live in the U.S. in mixed families, 1998<sup>25</sup>**



Source: Urban Institute tabulations from March 1998 Current Population Survey (with modified citizenship status, Passel and Clark, 1998)



## *Lengthy delays for immigration decisions*

The Immigration and Naturalization Service (INS) has long struggled with severe backlogs in processing visa, immigration, and naturalization applications. This backlog prevents immigrants from legalizing their status and makes them vulnerable to unfair immigration laws. According to an April 2001 report released by the INS, naturalization applicants had to wait as long as three years to get an immigration decision.<sup>26</sup> And in August 2002, INS officials acknowledged that a years-long pileup of about 2 million applications was being stored in a warehouse in the Midwest.<sup>27</sup> An estimated 200,000 of those applications were change of address forms — failure to file them is a deportable offence. It is possible immigrants have been detained or deported while waiting for their applications to be processed.

The dramatic rise in the number of new citizenship applications since 9/11 and more stringent immigra-

tion processes and security checks have caused an increased backlog of applications. While it is important for the INS to ensure foreign visitors into the U.S. have no terrorist ties, the new policies make it more difficult for law abiding immigrants to legalize their status and place them in increased danger of detention and deportation.

## *End the vulnerability of immigrant families*

Permanent reinstatement of 245(i) of the Immigration Act would end the vulnerability of qualified, hardworking undocumented immigrants. Repealing the three- and ten-year bars of IIRAIRA would make it easier for immigrants to legalize their status and ensure their families are not broken apart. And addressing the severe backlog in processing immigration applications will help ensure families remain intact.

I came to this country 11 years ago from El Salvador. My husband and I wanted to give our two children a better life and a better future than what they would have had in our country. I'm now 38 years old and I have four children, two of which were born here in the United States.

We filed for adjustment of status five years ago and have spent over \$10,000 dollars in attorney and immigration fees and countless hours in the process. It costs so much because we have to pay separate attorney fees for my husband, my two undocumented daughters, and me. This cost is \$735 for each person, each time. We also have to travel a total of four hours to Kansas City every time we need to go to the INS.

After going through all of this we had our application for adjustment denied and were given a deportation notice. We then had to spend another \$2,000 for a Supreme Court appeal of our deportation. This cost \$500 for each of us. We filed for this appeal in 2000 and our attorney says it could still be another two or three years before we can go before an immigration judge. That

judge will then decide whether we will be granted legal status or deported. Being backlogged for this long and having no way of knowing whether we will be deported and our family split apart has been exhausting. We are constantly in fear, waiting to know what our fate is.

My husband is a construction worker and I work in a manufacturing company. We both believe that hard work is the key to success and that's how we've raised our children. All my children are excellent students. However, my children now live divided because the two that were born here have opportunities that the other two don't. It breaks my heart to know that my two



daughters who are now in high school will not be able to attend college because of their immigration status. Now we feel like we are under the scrutiny of a legal system that sees us as a threat to this country when all we want to do is contribute to it. ●

*We filed for adjustment of status five years ago and have spent over \$10,000 dollars in attorney and immigration fees...[O]ur attorney says it could still be another two or three years before we can go before an immigration judge...We are constantly in fear, waiting to know what our fate is.*

I was born and raised in Manila, Philippines. My parents and sisters came to California in the 1970s. Life in the Philippines was very difficult. Martial law was declared and my husband's company and my work was very unstable. Our utility costs were very high, and we didn't have enough money for food and clothing.

In 1977, my sister petitioned for me to come to the United States. Our only son, Don Michael, was three at the time.

In November 1996, after 19 years of waiting, our visa was finally granted. By then, we had two more children. Our oldest, Don Michael, was 22 years old. Because he was over 21, he was now too old to come with us. It was a difficult decision to leave Don Michael behind, but we decided to come to the United States to make a better life for the family.

As soon as we arrived in the U.S., I became a legal permanent resident and petitioned for Don Michael to join us. I did not apply for citizenship because I knew the wait for my son to come would be years longer as a citizen than a resident.

I got my work authorization and got my first job as a baggage security screener at the San Francisco Airport. It was very hard, I felt so homesick thinking about my son. We weren't able

to see him. My daughter was getting older and missed her brother very much. We thought it wouldn't be too much longer, but then in 2001 the tragedy of September 11th happened.

As airport screeners, we were told that if we weren't American citizens we would lose our jobs.

Many of us had years of experience. We are hard workers, and our families rely on our incomes.

I was only two years away from finally being able to bring my son to the United States. I knew that if I applied for citizenship it would be another eight years before Don Michael could come to the U.S. I talked to my son. He told me that I should apply for my citizenship because if I lost my job I wouldn't be able to provide an affidavit of support for him any-



way. I became an American citizen in July 2002. My feelings were mixed because I was happy that I had finally become a U.S. citizen, but at the same time very sad that I would have to wait many more years before I could see my son.

I am not alone. Many airport screeners are in the same situation. We come here to provide a better life for our families, and now we are faced with the terrible decision of losing our jobs or being separated from our families. ●

*We come here to provide a better life for our families, and now we are faced with the terrible decision of losing our jobs or being separated from our families.*

## M I R N A

**M**y name is Mirna. In my home country my husband helped my father in his small shop as an electrician, but the money my husband was making sometimes was not enough to buy food for us.

Since my husband's mother lived in the United States, my husband called her and asked her for help since I was pregnant. She suggested we come to the United States. I wanted to be by my husband's side, so we both came together.

When we arrived to the United States we lived with my husband's brother. We lived there until a friend of my husband told him about a job that paid more. Because he was the sole income-supporter for our family and his job didn't pay enough for the family, we decided to take a chance and move.

When my girls were seven and eight years old I got pregnant and had a baby girl. She was born with complications in her heart and needed to have surgery. She had her first surgery four

*I currently work as a temporary worker to help my husband because his job doesn't pay enough and sometimes it's hard for him to find a job because he doesn't have legal documents.*

days after she was born and another at the age of one. The doctor told us that she still needs to have another surgery at the age of six or 12 depending on her health.

I currently work as a temporary worker to help my husband because his job doesn't pay enough and sometimes it's hard for him to find a job because he doesn't have legal documents.

One thing that I'm thankful for is that my daughters are American and are not

being denied their rights as citizens. Even though our children are citizens we worry because they depend on us and we are not citizens. We are the only support my daughters have and if we can't work here we find ourselves in a very difficult situation. I can't even think of deportation and what it would do to our family. My youngest daughter needs constant medical attention and without her mother and father, how would she survive? ●

*Even though our children are citizens we worry because they depend on us and we are not citizens...I can't even think of deportation and what it would do to our family. My youngest daughter needs constant medical attention and without her mother and father, how would she survive?*

## Section 3: Hard work, no rights

The immigrant population produces some of the hardest workers in the U.S. — workers who occupy both the lowest and highest rungs of the labor force. And though certain immigrant groups have significant numbers working in high-skilled professional positions, the majority of immigrants work in low-wage, service sector occupations and face exploitation and abuse in the workplace. Undocumented immigrants are especially vulnerable to exploitation and have little recourse against their employers for fear of penalty and deportation.

We must protect the rights of our low-wage workers and end the penalization of work.

### *Low-wage jobs*

Over half of the U.S. immigrant population is employed in low-wage, service-sector positions — a much higher proportion than the native born population.<sup>28</sup> Certain industries in different regions across the country would not be able to function without the work of immigrants: the meatpacking industry in the midwest and south rely almost solely on Latin American immigrant labor, garment factories in California and New York are dominated by women from Asia, and the agriculture and construction industries use large numbers of low-paid immigrant laborers.

Immigrants receive about 75 cents per every dollar of native-born Americans, earning a median weekly wage of \$447 per week versus \$591 for native born Americans in 2000.<sup>29</sup>

### *Domestic workers*

Forty percent of the immigrant workforce is in private household service occupations such as nannies, housecleaners, and gardeners.<sup>30</sup> These domestic workers, some of whom are live-in and the vast majority of whom are women, are all too often subject to abuse and exploitation by their employers. They are vulnerable to unfair and degrading treatment by those they work for due to their immigration status, lack of knowledge of U.S. labor laws, and fear of deportation, particularly if they are undocumented.

Even immigrant domestic workers legally in the U.S. are often not protected from employer exploitation and abuse.<sup>31</sup> Having special work visas makes their job more precarious: leaving their employer and complaining about abuse means they must forgo their legal status and face deportation.

### *Social security “no match” letters unfairly hinder hardworking immigrants*

No-match letters sent by the Social Security Administration to employers of workers with social security number discrepancies have done nothing but criminalize immigrant workers. In this type of climate, many undocumented workers are being fired — leaving them with no source of income and making it impossible for them to find stable employment.

There is also a possibility that documented immigrants are leaving their jobs because of these no-match letters.<sup>32</sup> Oftentimes not knowing that the reason for social security irregularity could simply be an administrative error, and being unfamiliar with U.S. immigration laws, documented immigrants have likely left their legally obtained jobs fearing deportation for themselves or family members.



Some employers have used these no-match letters to exploit their immigrant employees — threatening to fire or report them to immigration officials if they attempt to organize or complain about unfair treatment.

### *Workplace exploitation*

Despite their contributions to our economy, a large number of immigrants face exploitation in the workplace, particularly those who are undocumented. Many are paid sub-minimum wages, work long hours without breaks or overtime wages, have no way of guaranteeing a paycheck at the end of the work period, and receive no benefits if they are injured on the job. Their undocumented status and fear of deportation means that they are reluctant to complain and continue to be exploited.

A 2000 government study found that 67 percent of Los Angeles garment shops violate minimum wage and overtime laws and 98 percent violate health and safety laws.<sup>33</sup>

Owners are not held accountable for employee abuse. When they are caught for violations, some pay the meager fines imposed, while others simply disappear and begin another business elsewhere.

### *Lack of access to organizing rights*

Immigrants, particularly those who are undocumented, are often prevented from forming or joining unions by their employers who threaten to call the INS if they attempt to organize or complain about abuses. Without the protection of unions, immigrants are unable to receive basic benefits like medical care or guaranteed wages. Employers sometimes knowingly hire undocumented immigrants (with false documents or otherwise) and exploit their vulnerability and lack of knowledge about standard workplace regulations.

The AFL-CIO recognizes the contribution that undocumented workers make to the economy and supports measures to legalize undocumented immigrant workers currently residing in the U.S.<sup>34</sup> Legalizing such workers will enable them to access basic rights and allow immigrants to join unions, strengthening the bargaining power held by unions and ensuring that all the nation's workers are given basic labor law protections.

### *End the penalization of work*

Legalization and the end of penalized work are the only ways to guarantee basic workplace rights for immigrants. It is unrealistic to expect the government to deport the millions of hard-working undocumented workers currently in the country. New measures that provide immigration relief to undocumented workers will prevent employer abuse and ensure fair wages. These new measures will also benefit American-born workers by preventing depressed wages and providing strength to trade unions.

We should not penalize those who have done nothing but enter the U.S. in hopes of working hard and building a better life for themselves.

I am originally from Mexico. I came to Los Angeles, California on March 20, 1998. I was hired through an employment agency to be a nanny.

The first day everything was fine. The second day, I started to have problems with the children, their mother, and grandmother — who was the owner of the domestic employment agency. They wanted me to carry the kids but I couldn't do it, because one of them is three years old, tall and big, and the other is a year and a half old. Since I didn't carry the children they began to mistreat me by calling me names like stupid, fool, and saying that people without documents are trash. The worst part was that they didn't feed me all day. Two weeks passed, and the way they treated me just got worse.

On a Friday, I decided that I didn't want to work there anymore. I tried to make a phone call, but was told I wasn't allowed to, and then things began to get even worse. They started to make fun of me to the point I started to cry, then they hit me, and verbally abused me. At 3:00 a.m., I was able to make a call without the consent of my employer. I called my sister and my brother in law, and told them that I needed to be picked up immediately.



My sister and my brother in law came to pick me up. They knocked at the door and were told by the owner's daughter that my workday did not end until 8 p.m., so they needed to come back later to pick me up. Then the owner of the agency came out and began to scream at my sister. She told my sister that they wouldn't pay me until I finished my work day. My sister demanded that she pay me. She owed me \$400 for two weeks of work. I worked for them seven days a week from 6 a.m. to 10 p.m. Sometimes I didn't even have time to use the

bathroom because they were constantly screaming at me, not letting me have any free minute to do anything but work.

People like me come to this country with the hope that things will be different. We know things will be difficult but expect to be treated with some respect. We go to employment agencies thinking that they will support and help us to find better jobs but that isn't true. They just take advantage of our needs and limitations because we do not speak English and many of us do not have our proper documents. ●

*[T]hey began to mistreat me, by calling me names, like stupid, fool, and saying that people without documents are trash...people like me come to this country with the hope that things will be different. We know things will be difficult but expect to be treated with some respect...they just take advantage of our needs and limitations.*

# H I L D A

I started working at Gingiss Formal Wear in Chicago because I had to work to help support my family. I had a one-year-old son and even though I didn't want to leave him so young, I needed to work and earn some money.

The work at the factory was hard. They had me going back and forth between cold and hot environments, which is how I got sick and ended with half of my face paralyzed. I would normally spend a few hours in the big refrigerator taking out lunches and heating them up for the hundreds of workers. Then I would spend about six hours ironing in the heat.

My starting salary was \$5.25. After five years I was still only making \$6.25 an hour. And I had to pay \$25 a week for my ride back and forth to work every day. I worked there for a year and a half before I had any benefits. Everyone that worked there knew that if you didn't work for at least a year you couldn't get a sick day, a personal day, or vacation. You have to pay extra every month for health insurance, so barely anyone can afford that. I do not have health insurance because I cannot make the payments every month. When I started getting sick I was afraid that if I told them that work was making me sick I would get

fired. When my employers saw that I was sick they asked if I had health insurance through my husband, so I lied and said I did because I didn't want any problems from them.

My supervisor told me on a Thursday that I was on the list that the Social Security Administration had sent out saying our social security numbers were bad. I never saw the list but that's what they said. They told us to take Friday as a personal day and the rest of the weekend to straighten out the problem. If we did come back with a new number they would hire us back, but as new employees, with no benefits, just like I had started five years ago.

For me the biggest problem was that I was five months pregnant and I wasn't going to get the temporary disability pay for my pregnancy that I was entitled to. Also, where was I going to get a job now? No one wants to hire a woman who is pregnant. It seemed like our employers went after people like me first — those of us with more seniority, and those who

spoke up and defended themselves. We were soon replaced by day laborers and new hires.

Some of us who were fired organized and began to fight with our employers and told them they were being unfair. Did the company really expect someone with five years seniority to go back to work without the benefits they had earned? I still have not gotten my job back or been hired elsewhere. But I am still proud of our organizing efforts and the other wins we have secured since we began to take on our first corporate target. My co-workers who are still at Gingiss Formal Wear have seen me on the news speaking up fighting this injustice and have been calling me to thank me for taking a stand. ●



*...I was on the list that the Social Security Administration had sent out that said that our social security numbers were bad...If we did come back with a new number they would hire us back, but as new employees, with no benefits, just like I had started five years ago.*



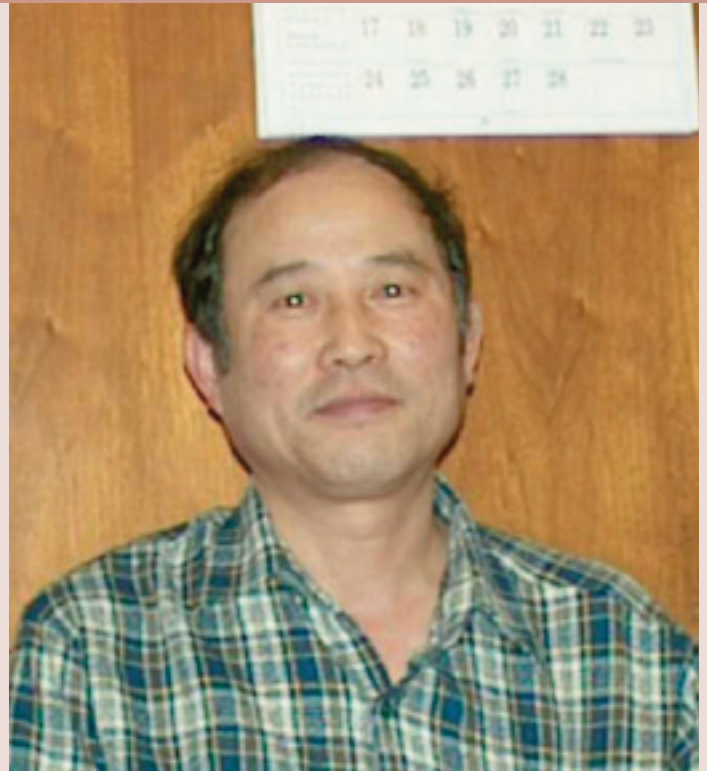
My name is Chin and I am the co-president of the Immigrant Workers Union (IWU). I first came to the United States in 1986 with my wife and two children. After living in various locations across the U.S. our family moved to L.A. in October of 1987.

I started working at a Korean market called Assi as a Sashimi cutter in March of 2001. I soon found that the Assi management constantly harassed the workers and ridiculed them. We were pushed to be faster, and we were often shouted at by the supervisors. There were many incidents of harassment of Korean and Latino workers by management. We workers at places like those have a hard time. We get paid minimum wage, receive no benefits and have to do rough and dirty work.

After I went public with my support for the union, I was pressured and blackmailed by the management to stop my involvement with IWU. My supervisor at the fish department promised to make my life miserable if I voted pro-union. Then, last April, I was unjustly fired. The market found an

excuse to get rid of me, since I am one of the leaders of IWU. I couldn't get another job at a Korean market due to blacklisting. But my co-workers at Assi kept on fighting and are going strong, united in the fight.

We are immigrant workers who came to this country with dreams of a better life. But we have realized we are not being respected. We do most of the hard and dirty work and play a significant part in sustaining the American economy. We won't let Assi Market and others like it profit off of our sweat and



tears; we won't let them oppress us with their anti-immigrant measures. We won't stand for all this, and we will fight to the end, until we win the struggle. Please help support our workers in this ongoing fight. ●

*We are immigrant workers who came to this country with dreams of a better life...We get paid minimum wage, receive no benefits and have to do rough and dirty work...After I went public with my support for the union, I was pressured and blackmailed by the management to stop my involvement with the Immigrant Workers Union.*

## Section 4: Perilous journey: no avenues for legal entry

While hundreds of thousands of people come into the U.S. every year on student or work visas, stringent policies make legal entry difficult for many more thousands of immigrants. Tight immigration caps have compelled desperate people from other countries to attempt entry to the U.S. through other channels.

The results of attempted unauthorized entry are often tragic, resulting in the disruption of immigrant families and the death of those trying to cross the border. Those who are lucky enough to make it into the country are faced with even more hardships, and are often exploited by employers or smugglers but unable to access help because of their status.

We must make available more opportunities for legal entry into the U.S.

### *The southern U.S. border*

Hundreds of people die every year attempting to cross the U.S.-Mexico border due to immigration restrictions and the buildup of U.S. border patrol. People attempting to cross in remote desert or mountainous regions oftentimes become dehydrated after getting lost, and others drown from trying to cross the Rio Grande River. Over 1,100 border crossers are known to have died since October 1998, and over 100 have already died this year.<sup>35</sup>

The recent buildup of U.S. southern border patrol, at a cost of \$2.5 billion a year, has done nothing to curb unauthorized immigration.<sup>36</sup> In fact, it has had extremely negative results. Heightened patrolling actually increases the likelihood of immigrants crossing in more remote regions, putting them in more danger of dying after getting lost and dehydrated.

It is also likely that increased border patrolling is responsible for the increase in the undocumented population, particularly in California. A July 2002

Public Policy Institute of California study found Mexican migrant laborers who had previously gone back and forth across the border for temporary jobs were now more likely to stay in the U.S., rather than risk being caught by patrollers.<sup>37</sup>

### *Asian-Pacific immigrant entry*

Declining conditions and lack of opportunities in Asia have caused an increase in attempted unauthorized immigration from Asia — particularly China — by boat over the Pacific Ocean. Desperate immigrants often pay or promise to pay large sums of money to smugglers for passage into the U.S., and crowd into the holds of cargo ships without adequate food or water.

Deaths as a result of poor boat conditions are common. Reports of dead bodies being thrown overboard during the journey across the ocean are widespread,<sup>38</sup> and at least one ship is known to have sunk en route from China.<sup>39</sup>

Those who do make it to the U.S. are often forced into extremely exploitative working conditions and have inadequate recourse for abuse or slave-like work conditions because of their undocumented status.

### *Easing immigration policies would prevent dangerous attempts at unauthorized entry*

Without access to legal means of entering the U.S. for employment or to reunite with family, immigrants are going to continue to attempt to enter the U.S. without authorization. Providing greater opportunities for immigrants to obtain visas for seasonal employment, and ensuring greater access to basic rights for unauthorized immigrants once in the U.S., would help prevent dangerous attempts at passage into the country.

In March of 1993, I came to the United States to be with my husband who was already in Idaho. I came in through Tijuana, Mexico. Since I did not have papers I had to walk approximately eight hours across the desert with a group of people. Being a woman alone with a group of strangers was a difficult situation. But there were no other ways for me to enter the country. Border patrol has been heightened so much that crossing into the U.S. is now a dangerous and life-threatening situation.

Finally, after walking through the desert we had to make our way across a busy freeway. While we were crossing the freeway somebody started yelling, "Run! Run!" I quickly turned around and saw a man from one of the neighboring groups being hit by a car. No one was able to stop to help the man, not even to see if he was alive, since the car that was waiting to pick us up on the freeway would have left without us. If anyone had stopped to help they would have gone through all of the pain and suffering to be in the U.S., just to be deported. I have never been able to forget the tragedy that occurred on my difficult

crossing, and I know that there are millions of people going through the same struggle that I went through to get here.

I came to the U.S. because I wanted a better life not only for myself, but also for my family. I wish there were an easy way for people to come to the United States to work and live peacefully. After all the struggles that we had to go through I consider myself blessed for all the good things that we now have. My husband and I have five children,

the oldest was born in Mexico but is now legally in the U.S. The other four were born here in the U.S. I have already applied to become legal but my paperwork is still being processed. I try to forget about the difficulties of crossing the border, but unfortunately it was real. ●



*Border patrol has been heightened so much that crossing into the U.S. is now a dangerous and life-threatening situation...I have never been able to forget the tragedy that occurred on my difficult crossing, and I know that there are millions of people going through the same struggle that I went through to get here.*

# S O N I A

My husband and I were married in the early 90s. In the middle of 1995 our daughter was born with head and throat problems. As a result, our financial situation turned from bad to worse. My husband then made the difficult decision to make the dangerous journey into the U.S. with the hope of getting a better job in order to pay for our daughter's medical expenses. However, after months of doctors and specialists performing tests, they were still unable to understand the reason for our daughter's condition.

Now, my husband and I had no other choice. We talked about bringing our daughter to the U.S. to look for the best neurologists in the country; we wanted the best for her. To come to this country legally we would be required to have a bank account, a house, and a visa, none of which we had. So, we made the decision to come to this country with illegal status. Five days after our daughter's first birthday we decided to make our way into the U.S. There was a large risk moving our daughter across an already dangerous border

*We talked about bringing our daughter to the U.S. to look for the best neurologists in the country; we wanted the best for her.*

because of her delicate state. However, if we didn't act her condition could have worsened. We had to take the risk.

After much struggle and hardship my husband finally found a job with good benefits and excellent insurance. With my husband's health insurance we were able to get the appropriate medical care for our daughter. She needed two surgeries and thankfully everything went well with them. Our daughter is now in second

grade and she is a beautiful and smart child.

We still worry about our illegal status. We do not want to go back to Mexico and live a miserable life where we would struggle and suffer from hunger and bad education. Our daughter can be a big help to this nation. She talks about going to college to be a fire or police-woman. She is so smart, hopefully she can have the opportunity to be a part of this country and gain an education. ●

*To come to this country legally we would be required to have a bank account, a house, and a visa, none of which we had. So, we made the decision to come to this country with illegal status... There was a large risk moving our daughter across an already dangerous border because of her delicate state. However, if we didn't act her condition could have worsened.*

# H O P E

I came from Mexico because the father of my sons mistreated me and the economic reality there was very bad. I decided to come to the U.S. to save for my sons and to help pay for their education. That was my dream; but instead my dream turned upside down.

A person invited me to come here; she told me that I would have transportation, housing, food, and work. I spoke with my kids, and my oldest told me to go ahead that I should not miss this opportunity. I feel I was tricked because the woman said that she would pay for transportation. She asked for a birth certificate and our electoral card — in my country both documents are enough for making traveling arrangements. I thought that I would get a passport; I did not know that I would be traveling as an undocumented person.

I started working in a garment factory the first day I arrived. The first day I worked 12 hours, but after the third day I started working from 5 am to 12 midnight, every single day. During the night, the owner told us not to have any lights on in the store, because no one

should know that we were there. One day she told me, “You have two jobs, during the day on the ‘floor,’ and during the night sewing and sweeping the whole factory.” When I got my first paycheck, she instructed me not to discuss my earnings. I received between \$117 to \$160 a week. We were told not to tell anybody that we lived there. We could not even step outside the factory — not even to the yard. We had no place to take a shower. At first, I had to clean myself while sitting on the toilet and I washed my hair in the sink. I shared a bed with two other women.

I did not leave the factory because I had no place to go and I did not know anyone. I was afraid because she told us that the police were bad and that immigration officials would detain us immediately. I was also afraid because I did not

speak English. Also I did not leave because I owed her money from traveling to the U.S. and living at the factory. During this time I felt like a slave. I felt that I was worth nothing. In this country I am not important. If you come here you come here to work and make your employer happy — our dreams and families are not important.

When I decided to escape from the factory I was not afraid of immigration anymore. One day, since I owed her money, I went to her office with all my savings and offered to pay her but she refused to take the money. A coworker told me that she refused the money to keep me there, and also that in the past she had other workers stay at the factory up to 11 years with the same salary as mine. On the next Sunday, she came in late to the factory and we used the opportunity to escape. ●

*I thought that I would get a passport; I did not know that I would be traveling as an undocumented person... We were told not to tell anybody that we lived [in the factory].*

*We could not even step outside the factory — not even to the yard.*



## Section 5: Criminalizing communities

La ws specifically targeting immigrant communities exist on local and national levels and have made it impossible for immigrants to live their lives free of harassment or the fear of deportation. The events of 9/11 have further exacerbated the problem. Immigrant detention, strict restrictions on driver's license and state ID issuance, ethnic profiling, and local police acting as federal immigration law enforcers all serve to criminalize immigrant communities.

We must ensure that strict policies do not unfairly target and criminalize immigrants.

### *Unfair and unjust detention*

Detention of immigrants has increased dramatically over the past few years, costing taxpayers an estimated \$600 million per year.<sup>40</sup> Since the passage of IIRAIRA of 1996, immigrants across the country have been placed into custody and detained for long periods of time, some without being charged for crimes at all. Families have been ripped apart as a result passage of this law, with parents being detained or deported for petty crimes, and their U.S. citizen children having to cope without them.

IIRAIRA worked in many ways to take away the rights of immigrants by largely eliminating INS discretion in dealing with immigrant detention and deportation, and expanding the number of deportable crimes. IIRAIRA is retroactive and applies to every person without U.S. citizenship — even lawful permanent residents with U.S. citizen family members like children or a spouse. The INS is now required to detain nearly all immigrants convicted of crimes — even nonviolent offenses, misdemeanors, offenses which occurred prior to passage of the law, offenses for which no jail time was mandated, and those whose sentences were already served.

IIRAIRA also mandates that any immigrant in the

U.S. without authorization between 180 days and one year be automatically barred from reentering the U.S. for three years, and those in the U.S. without authorization for more than one year be automatically barred for ten years.

Immigrants from countries without diplomatic relations with the U.S. are forced to stay in custody for indefinite periods of time. In fact, many of the approximately 3,500 “lifers” currently in custody entered the U.S. as child refugees and are lawful permanent residents.<sup>41</sup>

The plight of unaccompanied immigrant children in the country is especially heartbreaking. More than one-third of all unaccompanied minors immigrating into the country are detained by the INS — the average detention is 45 days.<sup>42</sup> Though some of these children are valid asylum seekers they are instead treated like criminals by the INS; many do not have access to a lawyer and are placed in juvenile detention halls with minors serving time for crimes committed.<sup>43</sup>

Immigrant detention has increased dramatically since 9/11 due to Justice Department attempts to prevent or uncover possible plots for terrorist activities.<sup>44</sup> Many of those detained were held for months without being charged with a crime — even after being ruled out as “terrorist” suspects — and did not have full access to attorneys. Those charged with crimes were cited for only minor infractions of the law — infractions not normally so zealously pursued by the government.

### *No access to driver's licenses*

In an effort to reduce ID fraud, and partly as a result of 9/11, overly restrictive measures for obtaining driver's licenses or state IDs recently have either been implemented or proposed in states across the nation. Measures currently in place include requiring a social security number, having licenses expire with immigration

visas, and stricter requirements for proof of residency.

Such efforts to reduce ID fraud actually increase the likelihood for false IDs to be produced: the harder it is for immigrants to obtain driver's licenses, the likelier it is for them to seek out false documents.

All of these measures unfairly target immigrant communities — both those with and without status — and make it difficult for them to drive legally. What's more, newly enacted requirements have caused immigrants who obtained licenses legally prior to new regulations to be unable to renew them and those whose immigration cases are pending to be denied licenses.<sup>45</sup>

Even law enforcement officials agree that making it harder to access driver's licenses makes roads unsafe, increases fraud, and makes it harder for police to do their job.<sup>46</sup> It is important that all immigrants have valid IDs: not having official state IDs keeps immigrants out of state registers and makes it impossible for police to monitor the activities of people living in local communities.

### ***Profiling by local and federal law enforcement***

Immigrant communities have been unfairly profiled by local law enforcement and immigration authorities. Using ethnicity as a marker, local law enforcement and border patrol agents have been known to stop people and question their immigration status, resulting in thousands of complaints against the INS each year.<sup>47</sup>

The hunt for terrorists since 9/11 has worsened the plight of immigrant communities, particularly males from middle eastern countries. While the government's attempts at protecting the U.S. are important, it is unacceptable to deny the civil rights of innocent immigrants. It is unfair for the Justice Department to single out individuals simply because of their country of origin, and also provides justification for anti-immi-

grant sentiment among citizens across the country.

### ***Local law enforcement agents should not become immigration enforcers***

In order to protect those living in and around their communities, police officers need the trust of their constituents. A May 2002 Justice Department proposal to include immigration enforcement as the duty of local police officers will make it impossible for police officers to build the trust they need.

State and local police across the country have denounced the proposal that they become responsible for enforcing immigration laws. The National Immigration Forum reports that both large and small police departments have expressed fears that immigrants will be reluctant to report crimes or come forward as witnesses to crimes for fear of deportation for themselves or family members.<sup>48</sup>

Having local law enforcement officials act as immigration officers also increases the probability of immigrant communities being ethnically profiled. Having not received proper training in immigration law enforcement, police are more likely to target individuals or groups based solely on their ethnicity, language, or whether they have an accent.<sup>49</sup>

### ***Ensure immigrants are given the same rights as non-immigrants***

The ways in which current policies criminalize immigrant communities are unfair. Immigrants should be ensured the same access to basic civil rights and public services like driver's licenses and should not be subject to detention or deportation under current IIRAIRA or anti-terrorist mandates. It is only when immigrants are allowed to participate fully in society that the U.S. will be able to reap the economic, political, and social contributions they bring.

# R I C A R D O

**M**y name is Ricardo and I have been living in Memphis since May of 2001. I am here with my wife and our 11-year-old daughter. We came to Memphis so that our daughter could receive treatment for her leukemia at St. Jude Children's Research Hospital. St. Jude is a wonderful place, and has an international reputation as one of the best hospitals in the world for children with cancer.

I do not have a social security number, but because of a law passed last year in Tennessee I was finally able to obtain a driver's license. The law allowed people without social security numbers to obtain driver's licenses. I would not have been able to get a driver's license if the state had forced me to have a social security number.

Having a license gives my wife and me the ability to visit our daughter in the hospital, and to take her to doctor's visits and to school. I am presently volunteering at the church health center, a non-profit health clinic that provides healthcare services to uninsured Memphians. I would not be able to get to my volunteer job were it not for my driver's license. The license also pro-



vides us with a recognized ID, which has helped us do things like rent videos, and open a bank account.

I think that more states

should allow people without social security numbers to get driver's licenses. I do not know what we would do here in Memphis without one. ●

*I do not have a social security number, but because of a law passed last year in Tennessee I was finally able to obtain a driver's license...Having a license gives my wife and me the ability to visit our daughter in the hospital, and to take her to doctor's visits and to school.*



I am Palestinian American. I was born in Jordan but moved here when I was nine years old. My dad came here to help us start a better life.

Shortly after September 11, 2001, my 11-year-old son came running in the room I was taking a nap in and said that two FBI agents were at the front door. They informed me that a tipster told the FBI that my other son was a possible Hamas member who was involved in terrorist activities and wanted to die as a martyr.

I was shaken but summoned my son to meet the agents — he was only nine years old. The suspicions of the unnamed tipster were proven wrong.



What would have happened if my son was 16 or 17 and just expressing his opinion? That's the scary part. I thought we had freedom of speech.

That's why we came to this country. I'm as American as the next person. This incident made us all wonder who is out there to protect us. ●

*[A] tipster told the FBI that my son was a possible Hamas member who was involved in terrorist activities and wanted to die as a martyr. I was shaken but summoned my son to meet the agents — he was only nine years old. The suspicions of the unnamed tipster were proven wrong.*

## Conclusion: Realizing the dream with obstacles

All across the country, immigrants are attempting to realize the American dream through perseverance and hard work. Some have been able to realize that dream, achieving accomplishments like getting an education or owning their own business. However, for many more immigrants, particularly those who are undocumented, such accomplishments are much more difficult to attain. The barriers placed in their path include unfair, restrictive, and criminalizing immigration policies; local laws that make it impossible for them to attend institutions of higher education; federal laws that make mixed status fami-

lies vulnerable to being forced apart and make access to basic services like driver's licenses or healthcare difficult or impossible; and exploitative employers and labor laws that prevent immigrant workers from accessing the same rights as citizens.

There is a way for immigrants to more easily overcome barriers standing in their way. The National Campaign for Jobs and Income Support submits the following resolution to policy makers to change laws that pose significant barriers to immigrants. In order for this to be accomplished, a broad campaign of

### G A T K O U T H

My name is Gatkouth and I am a Lutheran Pastor. I was in the ministry for 15 years in Sudan and eight years now in the United States. My ministry is devoted to helping our community transform its life through the Gospel.

The main challenge our organization deals with is our members' displacement, and separation from their families because of the war and hardship in our native land. People often become voiceless and hopeless, but our organization works to change that. We teach people how to change their lives for the better, how to maintain a home, how to become self-sufficient, how to be independent, and how to adapt to a new country. ●



Until the owner of the dairy farm fired me a few months ago, I had worked at his farm for six years and he had always told me I did a good job. Many of the workers were like me and did not have their documents. This allowed the farmer to take advantage of us.

The conditions at the dairy farm were bad. We worked very long hours — during one recent pay period I worked more than 150 hours in just 12 days. Often the owner pays

workers in cash, so he can hide undocumented workers.

Getting paid in cash makes it hard for workers to keep a record of their employment, which they need in case there is a new legalization of undocumented immigrants. He often shouted at us and insulted us, but we had to keep working so we could support our families. My wife has three children. Most of us support other family members, too.

We were angry and scared



when we got fired. We found new jobs, but the work is harder, the hours fewer, and the pay less, so I don't know if we'll be able to pay our bills and support our families. ●

legalization and a change in current immigration policies must be implemented. Policy makers must:

### *Unite and protect families through*

- Ensuring access to all public services for immigrants, including driver's licenses, higher education, health care, and public benefits;
- Resolving the backlog of pending applications for immigrant visas and citizenship; and
- Increasing opportunities for immigrants to adjust their immigration status.

### *Protect workers' rights through*

- Repealing employer sanctions and the I-9 system;
- Eliminating social security no-match letters to employers and sending such letters only to workers;
- Creating new whistleblower protection laws to protect low-wage workers who file complaints against their employers for workplace protection violations; and

- Ensuring equal rights and protections for immigrants under labor laws, including the freedom to unionize to improve wages and working conditions for all current and future immigrants regardless of status.

### *End the criminalization of immigrants through*

- Implementing a comprehensive legalization program that provides access to permanent residency for immigrants of all nationalities currently in the U.S. and for future migrants;
- Ensuring access to an education and work for students regardless of status;
- Eliminating the criminal prosecution of unlawful entry and re-entry;
- Abolishing the three- and ten-year bars on re-entry; and
- Eliminating unfair political asylum and deportation processes and ensuring due process and fair treatment in detention, political asylum, and deportation procedures.

In 1986, I was eligible to apply for amnesty. I became a legal permanent resident in 1989 and my family became legal in 1992. Once I was legal, I knew that I needed to do more with my life. I took GED classes and in 1993 got my Associates degree in business administration.

Through my involvement in the community and church, I became a community leader. After receiving my Associates degree, my pastor challenged me to start working full-time as an organizer for a faith-based community organization. For eight years, I have been working for a community economic development organization in the heart of Chicago's Mexican community, and I am now the lead organizer.

My accomplishments include



putting senior housing under private management and changing the manner in which the police work in Latino and immigrant neighborhoods. I am also working to pass a new legalization program because I know what it is like to be undocumented, and while before 1979 the

majority of the undocumented were men, now there are entire families with undocumented status.

I believe very strongly in the need to be an active participant in improving local communities and improving the lives of those who live there. ●

Immigrants are an important part of our country and always have been — it is imperative that new policies do not shut the doors for future immigration. In thinking of immigration policy, it is important to recognize the varied contributions of immigrants. Dramatic restrictionist measures regarding future immigrants and harsh domestic immigration policy will not only pose great hardships upon immigrants themselves, but also on the American economy that has grown dependent upon immigrant labor. And perhaps most importantly, the U.S. would no longer be able to benefit from the many social and cultural contributions immigrants have the potential to make.

The U.S. has always prided itself on being the land of opportunity. It is important that we continue to provide opportunities for immigrants of any background to make the U.S. their home, and ensure that current immigrants are guaranteed every protection and right that they deserve.

Implementation of the actions proposed by the Legalization Campaign will help to ensure the rights of immigrants are protected, and that the diversity and richness of culture that makes the U.S. so unique will continue to exist.



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## Organizations releasing this report



**National Campaign for Jobs and Income Support (NCJIS)** is a national movement seeking to end poverty and economic injustice by building grassroots power. We represent 1,000 grassroots community organizations, networks, and allies in 40 states. Our member organizations include neighborhood, faith-based, immigrant, and women's organizations comprised primarily of and led by low-income people.



**Northwest Federation of Community Organizations (NWFCO)** is a regional federation of four statewide, community-based social and economic justice organizations located in the states of Idaho, Montana, Oregon, and Washington: Idaho Community Action Network (ICAN), Montana People's Action (MPA), Oregon Action (OA), and Washington Citizen Action (WCA). Collectively, these organizations engage in community organizing and coalition building in 14 rural and major metropolitan areas, including the Northwest's largest cities (Seattle and Portland) and the largest cities in Montana and Oregon.

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