Office of the Vice-President
Domestic Policy Office

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VICE PRESIDENT OF THE UNITED STATES

E PLURIBUS UNUM

To:	IRENE	**From:**	DAN
Fax:	b)	**Pages:**	2
Phone:		**Date:**	
Re:			

THE WHITE HOUSE

Domestic Policy Council

DATE: 11/18/99

FACSIMILE FOR: Kevin Aiston

PHONE: ( )663-1188 FAX: ( )663-1442

FACSIMILE FROM: IRENE B. BUENO

PHONE: (202)456 - 6558 FAX: (202)456 -7028 or 5581

NUMBER OF PAGES (INCLUDING COVER): 2

[✓] FOR YOUR REVIEW
[ ] PER MY E-MAIL OR VOICE-MAIL MESSAGE TO YOU
[ ] PER YOUR REQUEST

COMMENTS: Please call me for follow-up or Dan Taylor at ~~456-69024~~ ~~456-9024~~ 456-9024.

Thanks.

Cindy Huley
Barbara Cummings
66

Donald G. Papenheim
421 Courtland Street
Waterloo, Iowa 50703
Work Phone 319-273-8141
Home Phone 319-233-2069

October 10, 1999

Mr. Al Gore,
Vice President United States Of America.

Dear Mr. Gore;

I am sending this letter to you for support and information in getting my wife, Susan A. Papenheim, back into the United States. We got married on May 21, 1999. We were in the process in doing the paperwork for her to become an American citizen. Her father passed away on May 23 1999 There was no paper work that ever said we could not go across the border before the paper work was done. We left on Monday May 24, 1999 to go to the funeral and be with Susan's mother and family. We were there one week and upon coming back to Iowa, we were stopped at the border and Susan was told she could not come back with me because we had not had our paper work completed and sent to Lincoln, Nebraska. I took her back to her mothers place where she has been ever since. We have given the Immigration and Naturalization Service and the National Visa Service Center all the information they have requested. We then called the National Visa Service Center and they told us that if all the paper work was in that it would take about a week to process. They said we would be getting a letter saying when and where to take a physical and then we would have an interview with the American Consulate 30 days after. The person said we should have the interview around November. We have not heard any thing since we spoke to them in October. There fore I am given you permission, if needed and would appreciate any information or dates you can get for us. Thank you again for all your support and help in making this happen. If you need any other information please feel free to contact me any time.
Susan's Receipt Number is LIN-99-206-51544.

Sincerely,
Donald G. Papenheim
Donald G. Papenheim
President Local 1728
International Association Of Machinist.

TALKING POINTS FOR BUDGET NEGOTIATIONS

IMMIGRATION PRIORITIES

- **Registry Date**
- **Central American and Haitian Parity Act of 1999**
- **Repeal of Section 110**

EDUCATION/IMMIGRATION PRIORITY

- **English Language and Civics Initiative: Common Ground Partnerships**

LABOR/IMMIGRATION PRIORITY

- **America's Agricultural Labor Network (AgNet) Proposal**

CIVIL RIGHTS BUDGET PRIORITIES

- **Civil Rights Enforcement Budget**

LEGISLATION LOOK- OUT LIST

- **Immigration and Naturalization Service Restructuring legislation** – we are currently in negotiations on this proposal but have not reached agreement but are very close. If agreement can be reached, this legislation should be included.

- **Farmworker/Guestworker/H2A Legislation** – the Administration has opposed past proposal on this issue and would expect to oppose similar legislation is reintroduced this year.

REGISTRY DATE REVISION

Background: Since 1952, the United States immigration law has permitted individuals who have been living in the United States for a long period of time and are of good moral character to become legal permanent residents (section 249 of the Immigration and Naturalization Act). This provision is referred to as the "*registry date*". The registry date has been revised throughout the years and the last time the registry date was revised was in 1986 to its current date of January 1, 1972.

The policy rationale behind the registry date is recognition that undocumented immigrants who have resided in the country for a long period have developed substantial ties to this country including establishing families, homes and ties to their communities. There is little national interest in tracking down and deporting these individuals.

Administration's Proposal: The Administration is proposing to revise the registry date from January 1, 1972 to January 1, 1986.

- This revision proposal is purely a ministerial change that revises the current registry date.

- Since this revision becomes effective for FY2000, the 14-year period between the last time the date was revised is the same time period that occurred in 1986.

PROPOSED LANGUAGE:

Section 249(a) of the Immigration and Nationality Act (8 U.S.C. 1259(a)) is as amended by striking 1972 and inserting 1986.

CENTRAL AMERICAN AND HAITIAN PARITY ACT OF 1999

Background: On August 6, 1999 the President transmitted to Congress the "*Central American and Haitian Parity Act of 1999.*" (See attached legislation). This legislation would amend the *Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA)* and is part of the Administration's comprehensive effort to support the process of democratization and stabilization now underway in Central America and Haiti and to ensure equitable treatment for migrants from these countries. In the House, a bipartisan group that includes Representatives Guttierez and Chris Smith has introduced this legislation, with 60 cosponsors (H.R. 2722). In the Senate, Senators Durbin and Kennedy have introduced this legislation (S. 1592).

Administration Proposal: The *Central American and Haitian Parity Act of 1999* would allow qualified nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to become lawful permanent residents of the United States if they have been continuously present in the United States since December 1, 1995. Consequently, under this bill, eligible nationals of these countries would receive treatment equivalent to that granted to the Nicaraguans and Cubans under NACARA.

- Like Nicaraguans and Cubans, many Salvadorans, Guatemalans, Hondurans, and Haitians fled human rights abuses or unstable political and economic conditions in the 1980s and 1990s. Yet these latter groups received lesser treatment than that granted to Nicaraguans and Cubans by NACARA.

- The United States has a strong foreign policy interest in providing the same treatment to these similarly situated people. Moreover, the countries from which these migrants have come are young and fragile democracies in which the United States has played and will continue to play a very important role. The return of these migrants to these countries would place significant demands on their economic and political systems. By offering legal status to a number of nationals of these countries with longstanding ties in the United States, we can advance our commitment to peace and stability in the region.

- Passage of the "Central American and Haitian Parity Act of 1999" will evidence our commitment to fair and even-handed treatment of nationals from these countries and to the strengthening of democracy and economic stability among important neighbors.

A BILL

To amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Central American and Haitian Parity Act of 1999".

SECTION 2. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS FROM EL SALVADOR, GUATEMALA, HONDURAS, AND HAITI.

(a) Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in the section heading, by striking "NICARAGUANS AND CUBANS" and inserting "NICARAGUANS, CUBANS, SALVADORANS, GUATEMALANS, HONDURANS, and HAITIANS";

(2) in subparagraph (a)(1)(A), by striking "2000" and inserting "2003";

(3) in paragraph (b)(1), by striking "Nicaragua or Cuba" and inserting "Nicaragua, Cuba, El Salvador, Guatemala, Honduras, or Haiti";

(4) in subparagraph (d)(1)(E), by striking "2000" and inserting "2003".

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective upon the date of enactment of this Act.

SECTION 3. APPLICATIONS PENDING UNDER SECTION 203 OF THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.

An application for relief properly filed by a national of Guatemala or El Salvador under section 203 of the Nicaraguan Adjustment and Central American Relief Act which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, may be converted by the applicant to an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended, upon the payment of any fees, and in accordance with procedures, that the

Attorney General shall prescribe by regulation. The Attorney General shall not be required to refund any fees paid in connection with an application filed by a national of Guatemala or El Salvador under section 203 of the Nicaraguan Adjustment and Central American Relief Act.

SECTION 4. APPLICATIONS PENDING UNDER THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

An application for adjustment of status properly filed by a national of Haiti under the Haitian Refugee Immigration Fairness Act of 1998 which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, may be considered by the Attorney General, in her unreviewable discretion, to also constitute an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended.

SECTION 5. TECHNICAL AMENDMENTS TO THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.

(a) Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in subparagraph (a)(1)(B), by adding after the word "apply"—

"and the Attorney General may, in her unreviewable discretion, waive the grounds of inadmissibility specified in clause 212(a)(1)(A)(i) and paragraph 212(a)(6)(C) of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest";

(2) in subsection (a), by redesignating paragraph (2) as paragraph (3), and adding the following as paragraph (2)—

"(2) INAPPLICABILITY OF CERTAIN PROVISIONS.– In determining the eligibility of an alien described in subsections (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, the provisions of section 241(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who would otherwise be inadmissible pursuant to sections 212(a)(9)(A) or (C) of the Immigration and Nationality Act may apply for the Attorney General's consent to reapply for admission without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt to be admitted from foreign contiguous territory, in order to qualify for the exception to those grounds of inadmissibility set forth in sections 212(a)(9)(A)(iii) and 212(a)(9)(C)(ii) of the Immigration and Nationality Act."

(3) in subsection (a), by striking redesignated paragraph (3), and inserting in its place—

"(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS. — An alien present in the United States who has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. Such an alien may be required to seek a stay of such an order in accordance with subsection (c) to prevent the execution of that order pending the adjudication of the application for adjustment of status. If the Attorney General denies a stay of a final order of exclusion, deportation, or removal, or if the Attorney General renders a final administrative determination to deny the application for adjustment of status, the order shall be effective and enforceable to the same extent as if the application had not been made. If the Attorney General grants the application for adjustment of status, the Attorney General shall cancel the order."

(4) in paragraph (b)(1), by adding at the end the following—

"However, subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless he or she is applying for such relief in deportation or removal proceedings."

(5) in paragraph (c)(1), by adding at the end the following—

"Nothing in this Act shall require the Attorney General to stay the removal of an alien who is ineligible for adjustment of status under this Act."

(6) in subsection (d)—

(A) by revising the subsection heading to read "SPOUSES, CHILDREN, AND UNMARRIED SONS AND DAUGHTERS.—";

(B) in paragraph (1), by revising the heading to read "ADJUSTMENT OF STATUS.—";

(C) by striking subparagraph (1)(A), and replacing it with the following—

"(A) the alien entered the United States on or before the date of enactment of the Central American and Haitian Parity Act of 1999;";

(D) in subparagraph (1)(B), by inserting the following after "except that"—

": (i) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into before the date of enactment of the Central American and Haitian Parity Act of 1999; and (ii)"; and

(E) by creating a new paragraph (3) to read as follows—

"ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

(A) In accordance with regulations to be promulgated by the Attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien being granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, provided that the spouse or child:

(i) meets the requirements in subparagraphs (1)(B) and (D); and

(ii) applies for such a visa within a time period to be established by regulation.

(B) The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved, provided that such fees:

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities.";

(7) in subsection (g), by inserting after "for permanent residence" the following— "or an immigrant classification"; and

(8) by adding at the end the following subsection—

"(i) ADMISSIONS. Nothing in this section shall be construed as authorizing an alien to apply for admission to, be admitted to, be paroled into, or otherwise lawfully return to the United States, to apply for or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General."

(b) EFFECTIVE DATE.—The amendments made by sections 5(a)(3), 5(a)(4), and 5(a)(8) of this Act shall be effective as if included in the enactment of the Nicaraguan and Central American Relief Act. The amendments made by sections 5(a)(1), 5(a)(2), 5(a)(5), 5(a)(6), and 5(a)(7) shall be effective as of the date of enactment of this Act.

SECTION 6. TECHNICAL AMENDMENTS TO THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

(a) Section 902 of the Haitian Refugee Immigration Fairness Act of 1998 is amended—

(1) in subparagraph (a)(1)(B), by adding after the word "apply"—

"and the Attorney General may, in her unreviewable discretion, waive the grounds of inadmissibility specified in clause 212(a)(1)(A)(i) and paragraph 212(a)(6)(C) of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest";

(2) in subsection (a), by redesignating paragraph (2) as paragraph (3), and adding the following as paragraph (2)—

"(2) INAPPLICABILITY OF CERTAIN PROVISIONS.– In determining the eligibility of an alien described in subsections (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, or for permission to reapply for admission to the United States for the purpose of adjustment of status under this section, the provisions of section 241(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who would otherwise be inadmissible pursuant to sections 212(a)(9)(A) or (C) of the Immigration and Nationality Act may apply for the Attorney General's consent to reapply for admission without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt to be admitted from foreign contiguous territory, in order to qualify for the exception to those grounds of inadmissibility set forth in sections 212(a)(9)(A)(iii) and 212(a)(9)(C)(ii) of the Immigration and Nationality Act."

(3) in subsection (a), by striking redesignated paragraph (3), and inserting in its place—

"(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS. — An alien present in the United States who has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. Such an alien may be required to seek a stay of such an order in accordance with subsection (c) to prevent the execution of that order pending the adjudication of the application for adjustment of status. If the Attorney General denies a stay of a final order of exclusion, deportation, or removal, or if the Attorney General renders a final administrative determination to deny the application for adjustment of status, the order shall be effective and enforceable to the same extent as if the application had not been made. If the Attorney General grants the application for adjustment of status, the Attorney General shall cancel the order."

(4) in paragraph (b)(1), by adding at the end the following—

"However, subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless he or she is applying for such relief in deportation or removal proceedings."

(5) in paragraph (c)(1), by adding at the end the following—

"Nothing in this Act shall require the Attorney General to stay the removal of an alien who is ineligible for adjustment of status under this Act."

(6) in subsection (d)—

(A) by revising the subsection heading to read "SPOUSES, CHILDREN, AND UNMARRIED SONS AND DAUGHTERS.—";

(B) in paragraph (1), by revising the heading to read "ADJUSTMENT OF STATUS.—";

(C) by striking subparagraph (1)(A), and replacing it with the following—

"(A) the alien entered the United States on or before the date of enactment of the Central American and Haitian Parity Act of 1999;";

(D) in subparagraph (1)(B), by inserting the following after "except that"—

": (i) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into before the date of enactment of the Central American and Haitian Parity Act of 1999; and (ii)";

(E) in paragraph (1), by creating a new subparagraph (E) as follows—

"(E) the alien applies for such adjustment before April 3, 2003."; and

(F) by creating a new paragraph (3) to read as follows—

"ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

(A) In accordance with regulations to be promulgated by the Attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien being granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, provided that the spouse or child:

(i) meets the requirements in subparagraphs (1)(B) and (D); and

(ii) applies for such a visa within a time period to be established by regulation.

(B) The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved, provided that such fees:

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities.";

(7) in subsection (g), by inserting after "for permanent residence" the following—

"or an immigrant classification"; and

(8) by redesignating subsections (i), (j), and (k) as (j), (k), and (l) respectively, and adding as subsection (i) the following—

"(i) ADMISSIONS. Nothing in this section shall be construed as authorizing an alien to apply for admission to, be admitted to, be paroled into, or otherwise lawfully return to the United States, to apply for or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General."

(b) EFFECTIVE DATE.— The amendments made by sections 6(a)(3), 6(a)(4), and 6(a)(8) of this Act shall be effective as if included in the enactment of the Haitian Refugee Immigration

Fairness Act of 1998. The amendments made by sections 6(a)(1), 6(a)(2), 6(a)(5), 6(a)(6), and 6(a)(7) shall be effective as of the date of enactment of this Act.

SECTION 7. MOTIONS TO REOPEN.

(a) Notwithstanding any time and number limitations imposed by law on motions to reopen, a national of Haiti who, on the date of enactment of this Act, has a final administrative denial of an application for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1988, and is made eligible for adjustment of status under that Act by the amendments made by this Act, may file one motion to reopen exclusion, deportation, or removal proceedings to have the application considered again. All such motions shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien's eligibility for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1988.

(b) Notwithstanding any time and number limitations imposed by law on motions to reopen, a national of Cuba or Nicaragua who, on the date of enactment of the Act, has a final administrative denial of an application for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act, and who is made eligible for adjustment of status under that Act by the amendments made by this Act, may file one motion to reopen exclusion, deportation, or removal proceedings to have the application considered again. All such motions shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien's eligibility for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act.

Section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996

Background: Section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 mandates the creation of a border entry/exit system.

The Senate-passed Commerce Justice State Appropriations bill included a provision that would repeal section 110, however this provision was deleted from the conference report due to objections by Representative Lamar Smith.

There is bipartisan and bicameral support to repeal section 110. Senator Abraham is the lead sponsor in the Senate but Representative Lamar Smith opposes the repeal because he authored the provision and as Chairman of the House Judiciary Subcommittee has asserted jurisdictional issues.

Administration's Position: The Administration supports the repeal of section 110 and this support was communicated in connection with the President's recent trip to Canada.

- INS has acknowledged that it cannot establish a border entry/exit system due to limits in technology.

- Furthermore, Canadians and the business community argue that such a system would halt commerce and tourism

PROPOSED LANGUAGE (SAME AS SENATE -PASSED/CJS TEXT):

Section 110 of division C of Public Law 104-208 is repealed.

English Language and Civics Education Initiative: Common Ground Partnerships

Background: The President's FY 2000 proposes a $70 million investment for the **English Language and Civics Education Initiative: Common Ground Partnerships.** This initiative will help states and communities provide limited English proficient adults (LEP) with expanded access to high quality English as a Second Language (ESL) programs linked to civics and life skills instruction on understanding and navigating our government system, the public education system, workplace, and other key institutions in American life. The English Language and Civic Initiative would be funded under the Adult Education and Family Literacy Act (Title II of Workforce Investment Act). In FY 1999, Department of Education received $7 million for a demonstration project on English Language and Civic Initiative and this proposal expands on that project due to the overwhelming need for these programs. Neither the House nor the Senate FY 2000 Labor, HHS Appropriations bills include funding for this proposal.

Administration Proposal: The President's FY 2000 budget proposes $70 million investment for the *English Language and Civics Education Initiative: Common Ground Partnerships.*

- Civics education and life skills instruction are important in assisting immigrants to become full participants in American life.
- For limited English proficient (LEP) adults to succeed and become full participants in American life, they must be able to read and communicate in English.
- Evidence from immigrant communities demonstrates high levels of enthusiasm for learning English and participating in civic life; however, the demand for ESL instruction outweighs the current supply.
- ESL instruction is the fastest growing component of adult education; enrollment in ESL has increased 105 percent over the past ten years (in 1997, the ESL enrollment was 1.85 million).
- Adult education programs currently provide funding for ESL, but more targeted services are needed to meet the overwhelming demand for both ESL and civics instruction.[1] For example, Los Angeles has a waiting list of 50,000 people for ESL classes, Chicago's ESL programs are filled to capacity as soon as they open their doors and New York State has resorted to a lottery system to select individuals who wish to learn English.

[1] The Department of Education currently funds a $365 million Adult Education basic grant program, in 1998, $166 million funded ESL programs administered by states.

America's Agricultural Labor Network (AgNet) Proposal

Background: The President's FY 2000 Department of Labor budget includes a request $10 million to fund America's Agricultural Labor Network ("AgNet") that would benefit agricultural industry and farmworkers by establishing an efficient alternative mechanism to match workers with employment opportunities.

Neither the House nor Senate-passed Labor, HHS bill includes funding for AgNet but Senator Feinstein included Senate committee report language that seeks funding of AgNet pending further details from the Administration. The Administration has since provided further specific detail on this proposal and has a prototype of the AgNet program that we have demonstrated to Senator Feinstein's staff.

The agricultural industry is considering broader legislation proposal to ensure an adequate labor supply for growers in a predictable and timely manner. We opposed similar legislation last year and believe the AgNet proposal along with other administrative and regulatory streamlining proposals will provide an efficient mechanism for growers to ensure an adequate labor supply for growers in a predictable and timely manner.

Administration's Proposal: The President's FY 2000 Department of Labor budget includes a request $10 million to fund America's Agricultural Labor Network ("AgNet").

- AgNet would benefit agricultural industry and farmworkers by establishing an efficient alternative mechanism to match workers with employment opportunities.

- AgNet will be an Internet-based, electronic tool that will facilitate the recruitment of agricultural workers by growers and the movement of agricultural workers to areas with employment needs. As an information system, it will be easy to use and meet the basic requirements of growers and workers.

- AgNet will be owned by the AgNet Partnership that will consist of farm worker and grower organizations, supported by the Department of Labor (DOL) and Department of Agriculture (USDA). In consultation with DOL and USDA, the Partnership will determine the final system design. DOL will provide grants for the development and operation of AgNet. The grants will support AgNet's electronic job and resume listing services, outreach, training, and related services for farm workers and growers.

CIVIL RIGHTS ENFORCMENT FY2000 BUDGET

The Administration FY 2000 seeks $663 million for civil rights enforcement, a 15 percent increase over last year's funding levels. However, thus far, Congress has failed to fulfill the Administration's funding requests and generally frozen the levels of funding to FY 1999 levels. Below are a short description of the request and the status of funding levels (in millions). I have excluded the agencies that already have appropriations FY 2000.

Increased Funding for the Equal Employment Opportunity Commission (EEOC)

The Administration's 2000 budget provides $312 million for the EEOC, 12 percent more than the enacted 1999 budget. Funds will go to support, among other things, the agency's effort to reduce the backlog of private sector cases to 28,000 by the end of 2000, through a combination of investments in information technology, increased use of mediation, and increased staffing. Also, $10 million will fund the new *Equal Pay Initiative* to increase compliance with equal pay laws by providing training to EEOC employees to identify and respond to wage discrimination, increasing technical assistance to businesses on how to meet legal requirements and launching an equal pay public announcement campaign to inform employers and employees alike of their rights and responsibilities.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
$279	$312	$279	$279	$279

Increased Funding for the Department of Justice's Civil Rights Division

The President's 2000 budget provides $82 million, a 19 percent increase over the 1999 enacted level of $69 million. This represents the largest increase for the Civil Rights Division in nine years. The proposed funding will permit the Department of Justice to significantly expand investigations and prosecutions of criminal civil rights cases (including hate crimes and police misconduct), fair housing and lending cases, and violations of the Americans with Disabilities Act. This increase will also allow the Division to prepare for the review, required by the Voting Rights Act, of numerous redistrictings that will follow the 2000 Census, and to obtain necessary technology improvements.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
$69	$82	$74	$71	$73

Funding for Civil Rights Enforcement Partnerships at the Department of Justice

State attorneys general have a vital role to play as partners in eliminating discrimination through civil rights enforcement. The President's Budget proposes $5 million for the Civil Rights Enforcement Partnership, which will provide competitive grants to help build the capacity of states to address specific enforcement issues within their jurisdictions by hiring additional staff.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
0	$5	$0	$0	$0

Increased Funding for the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP)

The Administration's budget requests $76 million for OFCCP -- an $11 million or 17% increase over the FY 1999 enacted level. The request includes funds to expand the compliance assistance strategy to encourage Federal contractor compliance through increased outreach, education, and technical assistance, including providing contractors with the necessary tools to evaluate their equal employment practices.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
$65	$76	$60	$76	Pending

Increased Funding for the Department of Education's Office for Civil Rights

The President's budget proposal of $73 million provides an increase of $7 million over the 1999 enacted budget to fund staff training and technological improvements to ensure the resolution of civil rights issues. The additional funds will enable OCR to work with State Educational Agencies to address statewide compliance with civil rights laws, fund a comprehensive demographic survey of the universe of elementary and secondary public school districts, and keep pace with increased customer and stakeholder expectations for information and involvement in civil rights problem solving.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
$66	$73	$66	$71.2	$71.2

<u>RELATED AGENCY:</u>

Community Relations Service within the Department of Justice: The FY 2000 budget provides $10.344 million, a 26% increase over the FY2000 base, to enhance community-wide conflict mediation and racial reconciliation services to local communities experiencing racial conflict, civil unrest and potential violence. The budget provides resources to build improved crisis response capacities by establishing 15 new field offices.

FY 99 Request	FY00 Request	House Action	Senate Action	Conference Action
$7	$10	$7	$7	$7

DISTRICT OF COLUMBIA

Replacing Your Residential Parking Permit

Residents may need to replace their parking permits/stickers if they move to a new ward of the city, change their license plate numbers, or replace their windshields. You may obtain a replacement by visiting 301 C Street NW, Room 1157, or 616 H Street NE. To replace your residential parking permit/sticker, you must present the following original documents. We regret that we cannot accept photocopies or scanned documents.

1. Valid Vehicle Registration

You should bring the following

- Vehicle registration card
- Vehicle license plate number

2. Completed Residential Parking Application

You may obtain applications at 301 C Street NW, on this web site or by calling (202) 727-5000 to request one through the mail.

3. Additional Information

If replacing parking sticker due to license plate change, you must have BOTH of the following.

- Valid vehicle registration reflecting the new tag number
- Remnants of old parking sticker

If replacing parking sticker due to your windshield being replaced, you must have the following.

- Proof of windshield replacement

If replacing parking sticker due to moving to a new ward of the city, you must have BOTH of the following.

Fee (cash, check, or money order payable to DC Treasurer):

If your old residential parking permit was valid, there is no fee to replace your residential parking permit. If it is not valid, the fee is $10 for one year and $20 for two years. The fee will be prorated based on the date of expiration.

All outstanding parking tickets must be paid at the time of application.

Hours of Operation:

301 C Street NW	616 H Street NE
Mon-Fri 8:15am to 4:00 pm	Mon - Fri 11:00 am to 7:00 pm
Wed 8:15 am to 8:00 pm	Wed 11:00 am to 8:00 pm
	Sat 8:15 am to 4:00 pm

Back to menu...

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IMMIGRATION SERVICES

The 2001 Request Provides:

- Seeks approval to use **$807 million in Examination Fee Account revenue** to support INS' immigration benefit and services programs.

- Establishes an **Immigration Services Capital Investment Account** (ISCIA) for backlog reduction, infrastructure improvements and major acquisitions. Capitalized with $128 million from direct appropriations and new fee/penalty revenue.

- **$34.5 million in direct appropriations** is sought for deposit into the ISCIA targeted at reducing backlogs in other immigration programs

- **$93 million in new fees and penalties** would also support the ISCIA. Fee and penalty funding comes from the following provisions:

  - **Premium Processing Fee**: This voluntary fee would guarantee "premium service" for business-related applications. It would not impact family based applications. Guaranteed improved service includes: guaranteed processing within 15-days for business cases, fax capability for resolution of evidentiary issues and access to an ombudsman to quickly rectify processing errors. The proposed voluntary fee is $1,000, on top of the existing application fee for business visas.

    Estimated Receipts in FY 2001: $80 million. $25 million will be used for expedited business visa adjudication (+$17M) and to support fraud investigations (+$8M). The remaining $55 million will be put into the Immigration Services Capital Investment account to support backlog reduction and system improvements in INS' service and benefit program.

  - **245(i) Penalty Provision**: The Administration is seeking to establish permanently the 245(i) adjustment of status penalty provision. This reauthorization permits aliens illegally in the U.S. to adjust their immigration status while remaining in the U.S., provided the application pays a penalty fee of $1000.

    Estimated Receipts in FY 2001 – $75 million. Half of the receipts will fund INS' detention and deportation program with the remaining half directed to the Immigration Services Capital Investment Account to support backlog reduction and system and infrastructure improvement.

- $1.5 million is also provided to support **citizenship test development** and pilot implementation in 2001. In FY 2000, INS plans to standardize testing and scoring procedures. In 2001, INS will revise the written English and civics test for nationwide use in 2002.

- Seeks language that will **fence and safeguard immigration service fee revenue** to ensure its use for immigration benefit program operations. The immigration groups drafted this proposed language in discussions last year on restructuring INS. We have included the language in the Justice General Provisions. The language is primarily optics but will reinforce the Administration's position that fees should only support immigration services.

Background:

New Proposals:

- The immigration groups support the creation of the Immigration Services Capital Investment Account as a means to reduce the fee burden on immigration benefit applications resulting from capital improvements and backlog reduction efforts. They also support a permanent extension of the 245(i) adjustment of status penalty provision.

- At this point, they have not endorsed the premium processing fee proposal. They fear INS will process only business applications that include a premium processing fee and result in "mom and pop" organizations and universities at a disadvantage in obtaining business visas. Attached is a Copley News Service article that spells out their concern.

  - INS, DPC and OMB have met with the groups to gain their support (or at least not hostile opposition to the fee). We have assured them that INS will develop regulations that will help ensure fair and equitable receipt and processing of all business-related immigration visas prior to FY 2001. We plan to monitor INS' completion of these visa.

Backlog Reduction Accomplishments:

- The INS achieved its FY 1999 goal of a 12 month nationwide average processing time for naturalization applications. INS completed over 1.2 million applications for citizenship and reduced the application backlog by over 500,000 applications. In 1998, processing time for naturalization was approximately 27 months on average.

- INS is on track to complete over 1 million naturalization applications in FY 2000 resulting in a 6-9 month average processing time by the end of the fiscal year.

- For 2001, the Administration is committed to maintaining a 6-9 month average processing time for naturalization and to target backlog reduction efforts at other immigration benefit programs.

RESTORING FAIRNESS TO LEGAL IMMIGRANTS

Upon signing the 1996 welfare reform law, the President made a commitment to reversing unnecessary cuts in benefits to legal immigrants that had nothing to do with the law's goal of moving people from welfare to work. In 1997, the President fought for and ultimately was successful in ensuring that the Balanced Budget Act protects the most vulnerable. In 1998, the President continued his proposals to reverse unfair cuts in benefits to legal immigrants. The Administration's FY 2001 budget continues to fight for restoring important disability, health, and nutrition benefits to additional categories of legal immigrants, at a cost of $2.5 billion over five years.

- **Disability and Health.** The Balanced Budget Act of 1997 and the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998 invested $11.5 billion to restore disability and health benefits to 380,000 legal immigrants who were in this country before welfare reform became law (August 22, 1996). The President's FY 2001 budget proposes to restore eligibility for SSI and Medicaid to legal immigrants who enter the country after that date if they have been in the United States for five years and become disabled after entering the United States. This proposal will cost approximately $1.2 billion and assist an estimated 53,000 legal immigrants by 2005, about half of whom would be elderly.

- **Nutritional Assistance.** The Agricultural Research, Extension and Education Reform Act of 1998 provided Food Stamps for 225,000 legal immigrant children, senior citizens, and people with disabilities who entered the United States by August 22, 1996. The President's FY 2001 budget restores eligibility to legal immigrants in the United States before August 22, 1996 who either subsequently reach age 65 or who live in a household with Food Stamp eligible children. This proposal will restore benefits to about 165,000 legal immigrants by 2005 at a cost of $565 million.

- **Health Care for Children and Pregnant Women.** Under current law, states have the option to provide health coverage to legal immigrant children and pregnant women who entered the country before August 22, 1996. The President's FY 2001 budget gives states the option to extend Medicaid or SCHIP coverage to low-income legal immigrant children and Medicaid to pregnant women regardless of their date of entry, including those who entered after August 22, 1996. The proposal would cost $695 million and provide critical health insurance to approximately 144,000 children and 33,000 women by FY 2005. This proposal would help reduce the number of high-risk pregnancies and ensure healthier children. The budget's Medicaid/SCHIP FamilyCare initiative also covers legal immigrant parents of children who are covered by Medicaid or SCHIP.

(1) I assume that the immigrant portion of the expanded SCHIP eligibility (to include parents) is included in that line-item in the budget, and is not included in the $2.5 billion cost of immigrant restorations. Do you know if that's right?

Yes. The costs of the parents are included in the overall family coverage initiative, not in the $2.5 billion for immigrants.

(2) Speaking of the expanded SCHIP eligibility to include parents. How is that structured? Do states have a separate option whether to include immigrant parents? or, do they have the option to include immigrant kids and citizen parents, but not immigrant parents? I realize this may not yet have been decided.

States do not have a separate option to cover legal immigrant parents. If they are covering legal immigrant children (or citizen children of legal immigrant parents), and they elect the family coverage option, then they must serve legal immigrant parents -- the same as they would serve any other parent of a child in Medicaid or SCHIP.

(3) Finally, which kids and pregnant women are included in the SCHIP/Medicaid restoration? If you recall, there was a difference between the Chafee/Moynihan/Levin approach and that of the FY2000 budget proposal. Chafee/Moynihan/Levin included all "lawfully residing" kids and pregnant women, whereas last year's budget proposal was limited to "qualified" or "legal immigrant" kids and pregnant women. Obviously, we prefer the Chafee/Moynihan/Levin approach. Has this issue been resolved for this year?

I clarified for him that we did resolve this last year. The legislative language covers qualified aliens and certain other lawfully present immigrants as determined by the Secretary in consultation with the AG.

I also told him that this year's proposal is expanded to cover these groups regardless of date of entry, rather than just those who entered after 8/22/96. (Last year's proposal created an inequity between the non-qualified lawfully present aliens who entered before and after 8/22/96. Our proposal only covered those who entered after 8/22/96; it did not cover those who entered before 8/22/96. We changed that this year to remove the inequity and cover these individuals regardless of date entry.)

I hope these questions are easy to answer. If not, don't worry. I can go elsewhere, to OMB or wherever. Thanks for everything,

-- Josh.

-----Original Message-----
From: Irene_Bueno@opd.eop.gov [mailto:Irene_Bueno@opd.eop.gov]
Sent: Monday, February 07, 2000 2:07 PM
To: bernstein@NILC-DC.org
Subject: Summary

(See attached file: Budget Summary_LegImmig.0203Final)

J. Eric Gould 02/16/2000 10:52:49 AM

Record Type: Record

To: Irene Bueno/OPD/EOP@EOP

cc: Cynthia A. Rice/OPD/EOP@EOP, Jeanne Lambrew/OPD/EOP@EOP, Eugenia Chough/OPD/EOP
Subject: Re: Questions re: Legal immigrant benefits

FYI

--------------------- Forwarded by J. Eric Gould/OPD/EOP on 02/16/2000 10:52 AM ---------------------------

Jeffrey A. Farkas
02/10/2000 10:03:55 AM

Record Type: Record

To: J. Eric Gould/OPD/EOP@EOP
cc:
bcc:
Subject: Re: Questions re: Legal immigrant benefits

Actually, Josh called me late Monday afternoon and asked me the same questions. Below are the responses, if you want to get back to him, but he already has this information. If you have any questions on the responses, let me know. Thanks.
J. Eric Gould 02/09/2000 06:53:28 PM

J. Eric Gould 02/09/2000 06:53:28 PM

Record Type: Record

To: Jeffrey A. Farkas/OMB/EOP@EOP

cc:
Subject: Questions re: Legal immigrant benefits

Jeff - do you know the answers to these questions so I can accurately respond to Josh instead of guessing? They are from Josh Berstein at the National Immigration Law Center. Thanks
--------------------- Forwarded by J. Eric Gould/OPD/EOP on 02/09/2000 06:51 PM ---------------------------

I have a few questions:

CLINTON-GORE ADMINISTRATION
IMMIGRATION FY 2001 BUDGET PROPOSALS

The United States has a long history of immigration. The Federal Government must welcome and treat fairly immigrate who come to this country by legal means, those who come here to contribute to American society, to reunite with family members, and who fear persecution in their homeland. In recognition of these principles, the Clinton-Gore Administration's FY2001 budget provides funding for a variety of purposes including: a Immigration Services Capital Investment Account to improve the INS service to its customers; a substantial funding increase for the English as Second Language/Civics Education Initiative; and the restoration of vital benefits to legal immigrants.

IMMIGRATION AND NATURALIZATION SERVICE (INS)

Funding and Restructuring INS to Improve Services. In a continuing effort to improve INS services, this budget provides $35 million to address backlogs in naturalization, adjustment of status, and other immigration benefit applications. It establishes a $93 million Immigration Services Capital Investment Account to fund on-going backlog reduction efforts and to cover major capital acquisitions. The President also calls on Congress to move forward with a restructuring of the INS – along the principles outlined by the Administration – to improve immigration service delivery and border enforcement.

Legislative Proposals: The Administration will continue to urge Congress to pass legislation that provides fairness for immigrant families by restructuring the INS; approving the Administration's proposal to support the process of democratization and stabilization now underway in Central American and Haiti by ensuring equitable treatment for migrants from these countries; and changing the registry date to permit long-term migrants to adjust their status.

ENGLISH LANGUAGE/CIVICS INSTRUCTION INITIATIVE

Immigrant adults--and other adults who have limited-English proficiency--need access to opportunities to master English literacy in order to further their education, obtain good jobs, and become full participants in American society. To this end, President Clinton is proposing an increase for the English Language/Civics Initiative an innovative program to help states and communities provide limited English proficient (LEP) individuals with expanded access to high-quality English-language instruction linked to civics and life skills instruction, including understanding and navigating the U.S. government system, the public education system, the workplace, and other key institutions of American life. This important initiative is a powerful tool in building a stronger American community. For FY 2001, the Administration's budget request $75 million for this initiative, a nearly $50 million increase from FY 2000 enacted level to help an additional estimated 250,000 LEP individuals.

RESTORING BENEFITS TO LEGAL IMMIGRANTS

The President believes that legal immigrants should have the same economic opportunity, and bear the same responsibility, as other members of society. In the Balanced Budget Act of 1997 and the Agricultural Research Act of 1998, the President fought for and succeeded in reversing unfair cuts in benefits to legal immigrants. The FY 2001 budget builds on the Administration's progress of restoring these important benefits by providing $2.5 billion over five years to: (1) restore SSI and Medicaid to legal immigrants who entered the United States after August 22, 1996, have been here for five years, and become disabled after entry; (2) restore Food Stamp eligibility to legal immigrants who were in the country before August 22, 1996 and either subsequently reach age 65 or have children who are eligible for Food Stamps; and (3) allow states to provide Medicaid or SCHIP to legal immigrant children and pregnant women regardless of their date of entry to the United States, and legal immigrant parents of children who are covered by Medicaid or SCHIP in the proposed FamilyCare program.

DEPARTMENT OF LABOR PROPOSALS

Labor Certification. In FY 2000, the Department of Labor's goal is to complete its implementation of needed reforms to the permanent labor certification program that will result in dramatically improving the efficiency and effectiveness of this program. Therefore, the FY 2001 Budget is based on a redesigned, streamlined application process that will provide timely adjudication while pursuing post-admission enforcement.

AgNet Proposal. The President's FY 2001 Department of Labor budget includes a request $10 million to fund America's Agricultural Labor Network ("AgNet") that would benefit agricultural industry and farmworkers by establishing an efficient alternative mechanism to match workers with employment opportunities.