

June 25, 2003

Immigrants Feel the Pinch of Post-9/11 Laws

By RACHEL L. SWARNS

FALLS CHURCH, Va., June 23 — Jorge, an illegal immigrant from Honduras, walked into the Department of Motor Vehicles here this month and applied for a driver's license. Friends of his had in the past been granted licenses, so he was surprised when he was turned away, along with more than a dozen other Central American migrant workers.

A new state law, one of many intended to increase security since Sept. 11, 2001, is squeezing legal and illegal immigrants alike — and not only those from Arab and Muslim nations viewed as potential sources of terrorists. Last month, officials tightened rules that require applicants to prove they have residences in the state; come January, anyone who cannot prove he or she is in Virginia legally will not qualify for a license.

This spells trouble for Jorge and the other Central Americans who gather daily on a bustling corner here, hoping contractors will come by and hire them. The men say many bosses reserve better-paying positions for laborers who can drive.

"We're just trying to survive," said Jorge, who had been advised by a legal advocate against allowing his last name to be published. The authorities, he said, "look at us like we're terrorists."

"Everywhere they're changing the law," he said. "Life is getting harder."

Across the United States, state and federal officials acting out of concern for national security are applying post-9/11 measures in a way that affects a broad cross-section of illegal and legal immigrants.

West Virginia and Utah have recently enacted laws that will prevent or make it difficult for illegal immigrants to get licenses, according to the National Conference of State Legislatures. Legislators in Georgia blocked a measure that would have eased such rules. All told, more than a dozen states have considered such legislation this year, sending

waves of anxiety coursing through Hispanic and Asian communities.

In Texas, social service agencies say some Mexican and Asian illegal immigrants have responded to the pressure by burrowing deeper underground — closing bank accounts and declining to report incidents of domestic violence. People are said to be increasingly fearful of attracting attention from the local police, whose powers in some jurisdictions are being increased by the new measures.

Last month, for instance, about 600 Alabama state police officers sat down for their first classes in civil immigration law. By the end of the year, officials say, a small team of local police officers there will have the power to arrest illegal immigrants for the first time in recent memory.

Officials at the Department of Homeland Security say other states have also expressed interest in using local police officers to enforce civil immigration laws, but declined to identify them, saying the discussions were still preliminary.

In California, hundreds of Hispanic and Asian legal immigrants who worked as baggage screeners in airports are still struggling to make ends meet six months after losing their jobs because of a federal law requiring such employees to be American citizens.

Federal agents conducting security sweeps of airports across the country say they have arrested nearly 1,000 undocumented workers, including many Hispanics and Asians who had been hired to sweep floors and serve food.

Citing security concerns, the Justice Department has in recent months ruled that asylum seekers fleeing persecution in Haiti and elsewhere can be indefinitely detained.

On Capitol Hill this month, Republican members of Congress highlighted risks of terrorism when they persuaded the Treasury Department to consider barring the nation's banks from accepting foreign identification cards, primarily from Mexican and Central American immigrants interested in opening bank accounts.

Politicians in state legislatures and in Congress who support the toughened approach say it is justified by broad public support, asserting that the 9/11 attacks served to wake up a nation too complacent about immigrants. Virginia in particular decided to tighten its rules after learning that several of the Sept. 11 hijackers — some of whom entered the country with valid visas — fraudulently obtained driver's licenses and state identification cards here.

"Since 9/11, there's more of a concern with illegal immigration," said Senator Jeff Sessions, Republican of Alabama, who has been working to ensure that police officials in his state have the right to arrest immigrants for sneaking into the country or overstaying

their visas for the first time.

"People want this country to be open," Mr. Sessions said in an interview. "They want people to be able to come and go. But we've operated essentially with very little immigration enforcement. The American people want that fixed."

Advocates for immigrants sharply criticize the new measures, saying they penalize people who have nothing to do with terrorism.

"This is affecting huge numbers of people who have nothing to do with terrorism," said Michele Waslin, a senior immigration policy analyst at the National Council of La Raza, an advocacy group in Washington. "These measures make it look like the government is doing something, but we haven't seen evidence that this is helping them catch the bad guys."

James K. O'Brien, the Republican legislator who sponsored the driver's license bill in the Virginia Senate, disagreed. He said officials must scrutinize immigrants more carefully.

Yet Mr. O'Brien and other proponents of immigration restrictions are not winning every battle.

Despite concerns about terrorism, Maryland and New Mexico have enacted laws liberalizing access to driver's licenses for immigrants. Virginia's governor vetoed a measure that would have denied illegal immigrants the right to in-state tuition. (Maryland's governor took the opposite stance, vetoing a bill that would have granted illegal immigrants the right to in-state tuition.)

Still, advocates for immigrants say they fear that the waves of restrictions will spread. One sign of that concern is La Raza's recent publication of a report titled "Counterterrorism and the Latino Community Since Sept. 11."

"We should be spending our resources on information sharing and intelligence gathering," said Ms. Waslin, who wrote the report, "rather than broadening the terrorism profile to include anyone who is not a citizen of the United States."

Among those noncitizens is Cora Conanan, a legal immigrant from the Philippines who lives in San Francisco. Still reeling from the loss of her job as an airport baggage screener six months ago, she says she has so far found only temporary work that does not offer health insurance. She is still trying to understand why noncitizens can serve in the military but are barred from checking luggage.

Mario Morales Mata, a Guatemalan living in Virginia who is also a legal immigrant, says he was turned away in May when he tried to renew his state identification card at the

Department of Motor Vehicles.

Officials there raised the objection that his passport listed two surnames while his green card had only one. Mr. Morales says that he explained that in Central America people typically use two surnames but that he had adjusted to the American tradition of using one after more than two decades in this country.

The officials said he would have to get a new green card and Medicaid card that matched his passport before they would renew his identification card. Mr. Morales has epilepsy and is still trying to maneuver through the bureaucracy to make the necessary changes.

Here in Falls Church, the migrant workers chime in with similar complaints. The men who already have driver's licenses fear that they will not be renewed. And as the traffic whizzes by, all describe a growing helplessness and frustration.

"Here there are no Iraqis, no Muslims," said Juan, a day laborer from El Salvador. "We are Central Americans and Mexicans. Yet we are the ones suffering the consequences here."

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