



February 9, 2015

Cecilia Muñoz, Director  
Domestic Policy Council  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

León Rodríguez, Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Ave, NW  
Washington, DC 20549

Dear Director Muñoz and Director Rodríguez:

The National Partnership for New Americans (NPNA) applauds President Obama's recent Executive Action on immigration, including his Memorandum establishing a White House Task Force on New Americans. As an organization that has long championed the contributions of the foreign born in the United States, we are thrilled at the Administration's far-reaching effort, working across the agencies of the federal government, to develop "a federal immigrant integration strategy that allows new Americans to contribute to society to their fullest potential and bring new Americans together with their receiving communities to strengthen communities." We are enormously grateful for the opportunity to submit our recommendations to advance this strategy, build more welcoming communities, and promote the full integration of new Americans.

The National Partnership for New Americans (NPNA) is a national multiethnic, multiracial partnership, harnessing the collective power and resources of the country's 20 largest regional immigrant advocacy organizations (see Appendix for a list of NPNA partners). Our members work both at the grassroots level and through research, policy analysis, and advocacy at the state and federal levels. NPNA advances a view of the foreign born as crucial contributors to the social, economic, civic and cultural life of the United States, and a source of the energy, creativity and human resources needed for the country to remain competitive and move forward in an increasingly complex and globalized society. Together with our longtime ally Welcoming America, we also believe that engaging receiving communities is necessary to ensure robust implementation of any federal or state policy changes at the local level. Since 2007, we have hosted an annual New Americans Integration Conference, bringing together leaders from the advocacy, policy, service, corporate, labor, and academic worlds for discussions of practical solutions for immigrant integration. We were also honored to co-host the White House Immigrant Integration Summit in July 2014, in partnership with Welcoming America.

The recommendations presented here were developed by the Massachusetts Immigrant and Refugee Advocacy Coalition, based on contributions from our member organizations. They lay out critical challenges and opportunities that the White House, the members of the Task Force, and federal agencies can work together to address. These include a broad set of issues related to citizenship, language access, adult education and workforce training, civil rights, workers' rights,

immigrant professional integration, immigrant entrepreneurship, administrative relief, early education and care, and healthcare. NPNA has worked closely with other allies who have taken a great deal of time to respond to the White House's request for immigrant integration recommendations. These include Welcoming America, the Migration Policy Institute's National Center on Immigrant Integration Policy, the National Immigration Forum, and Lutheran Immigrant and Refugee Services. We applaud and support their work in this field, and hope the Task Force will take their recommendations into consideration alongside those we are proposing. The Task Force should also explore the feasibility of creating an Integration Success Fund, as recommended by the Migration Policy Institute's National Center on Immigrant Integration Policy and the National Immigration Law Center, including forming a cross-agency working group charged with exploring options and providing recommendations for the fund's creation and implementation.

In closing, we want to draw attention to a proposal not addressed below—the need for a White House Office of New Americans. In our 2012 “Principles of Immigrant Integration,” NPNA called on Congress create and fund a national office on immigrant integration policy within the Executive Office of the President.<sup>1</sup> The immigration reform legislation passed by the Senate in 2013 proposed a similar office under U.S. Citizenship and Immigration Services. At the White House level, such an office would drive and sustain over the long term a national strategy for immigrant and refugee integration, including establishing an agency framework of integration goals and indicators, coordinating consultation with state and local governments to inform federal integration priorities, and coordinating analysis of integration-related data and policy options to determine their impact on the successful integration of immigrants and their children. While the creation of an Office of New Americans is outside the scope of the work of the Task Force, we urge the White House and the Task Force to take into account the need for such a coordinated, outcome focused policy framework when shaping their own immigration integration strategy.

At NPNA, we look forward to working with the White House and the Task Force to advance our common aims, and support the economic, civic, social, and linguistic integration of all immigrants and refugees in the United States.

Sincerely,

Eva Millona

Co-Chair, NPNA; Executive Director, Massachusetts Immigrant & Refugee Advocacy Coalition

Julien Ross,

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<sup>1</sup> <http://www.partnershipfornewamericans.org/npna-integration-principles>

## 1. Citizenship

### *Challenges and Opportunities*

Nationwide, while more than one million immigrants achieved legal permanent resident status in 2011,<sup>2</sup> fewer than 700,000 legal permanent residents successfully naturalized during that time.<sup>3</sup> Immigrants who obtain U.S. citizenship gain a wide range of benefits for themselves and their families, including the ability to vote, shorter wait times for family immigration visas, citizenship for minor children, access to certain federal jobs and various other government benefits, and protection from deportation. Gaining citizenship is also associated with higher earnings and lower poverty levels, and in turn economic gains for all Americans.<sup>4</sup> Yet the process of naturalization itself includes significant costs and complications that hamper applications of potentially eligible immigrants, and discourage many others from applying in the first place.

### *Recommendations*

There are a series of steps that White House, U.S. Citizenship and Immigration Services (USCIS), and other federal agencies can undertake to strengthen citizenship pathways and accrue civic, social and economic benefits to immigrants and the country.

The most important is to work to reduce the sharp increases in fees charged by USCIS over the past decade, which have been needed to offset reductions in Congressional appropriations for USCIS operations. These fee increases have been a major obstacle for eligible legal permanent residents to overcome in applying for citizenship. Congress should increase appropriations to USCIS, allowing the agency to reduce fees and expand waiver programs for applicants based on financial need.

The Administration should also support and expand the USCIS Office of Citizenship's efforts to encourage and assist immigrants to acquire citizenship. These efforts include the Citizenship and Integration initiative that provides competitive grants to non-profit partners to reach out to legal permanent resident immigrants and assist them with their citizenship applications, and a Citizenship Public Education and Awareness Initiative that uses advertising and the Internet to make immigrants more aware of the citizenship application process and the rights and responsibilities that come with citizenship. Additional USCIS efforts could include outreach to receiving communities to support the efforts of legal permanent residents to naturalize.

In addition, a greater effort is required to meet the needs of vulnerable elderly and medically handicapped legal permanent residents who face special challenges in preparing for naturalization and accessing USCIS services. The White House should work with Congress to pass legislation (such as H.R.1543, introduced in the last Congress)<sup>5</sup> expanding English language exemptions for elderly legal permanent residents regardless of length of residency. USCIS

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<sup>2</sup> Office of Immigration Statistics, *2011 Yearbook of Immigration Statistics*, p. 6. (Department of Homeland Security, Office of Immigration Statistics, 2012). [http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois\\_yb\\_2011.pdf](http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois_yb_2011.pdf)

<sup>3</sup> *Ibid.*, p. 52.

<sup>4</sup> Madeleine Sumption and Sarah Flamm, *The Economic Value of Citizenship for Immigrants in the United States* (Migration Policy Institute National Center on Immigrant Integration Policy, 2012). <http://www.migrationpolicy.org/sites/default/files/publications/citizenship-premium.pdf>

<sup>5</sup> Senior Citizenship Act of 2013, H.R. 1543, 113th Congress (2013-2014). <https://www.congress.gov/bill/113th-congress/house-bill/1543>

should simplify and expand procedures for requesting medical exemptions to ensure that all eligible legal permanent residents are able to become citizens regardless of medical disabilities.

Finally, the current citizenship grants of USCIS, while admirable, are much too limited in their requirements. By limiting grants for naturalization only to those organizations that are Board of Immigration Appeals (BIA) accredited, and only to organizations that have completed 500 applications, the USCIS limits these grants only to a narrow band of traditional service providers, and does nothing to build capacity in this field. NPNA recommends that these grants be expanded to support the full range of status adjustment programs, including naturalization, Deferred Action for Childhood Arrivals (DACA), and Deferred Action for Parental Accountability (DAPA). In addition, we recommend that these grants also support training and capacity building within the field to organizations with a proven track record of providing BIA accreditation training and expanding the immigration legal service capacity of this field.

## **2. Language Access**

### ***Challenges and Opportunities***

Upholding central tenets of the Civil Rights Act of 1964, the Federal government requires its state and local agency partners to ensure that meaningful access to federally-conducted and federally-funded programs and activities is not limited due to language barriers; many state and local governments have invested significant resources to meet the needs of their LEP clients and comply with both the letter and spirit of federal language access requirements. The Federal Coordination and Compliance Section within the Civil Rights Division of the Department of Justice provides guidance and informational resources for agencies related to their obligation to appropriately plan for and provide language access services.

However, as the diversity of languages spoken by immigrant and particularly refugee populations has grown, the administrative complexity and expense of providing language access services, especially in the case of low incidence languages, have posed a significant challenge for many states and localities.

### ***Recommendations***

The Federal government should play an expanded leadership role in supporting state and local government partners as they seek to address language access needs created by Federal immigration and refugee policies. The Task Force should create a cross-agency working group that interfaces with state and local governments and agency program leads to consider ways in which the Federal government can begin to better support provision of language access services—for example, by helping to accelerate development and adoption of cost-saving technologies or leading efforts to aggregate service demand within or across service systems in order to obtain more favorable pricing.

## **3. Adult Education and Workforce Training**

### ***Challenges and Opportunities***

English language skills represent one of the keys to educational and employment opportunity for immigrants and refugees, as well as to their full social and civic participation in U.S. life.

Without the ability to build their English proficiency and other basic skills, many immigrant and

refugee adults remain stuck low-wage, unstable and often dangerous jobs. Eligible immigrants also need to build English language skills in order to successfully complete the U.S. naturalization process. Yet in 2012 more than half the immigrants in the U.S. ages five and older were limited English proficient (LEP).<sup>6</sup> Federal and state funding for English for Speakers of Other Languages (ESOL) programs has shrunk even as demand has increased. Federal funding for adult education and English language services declined by 17 percent from 2002 to 2012, in inflation-adjusted terms.<sup>7</sup> Waiting lists for classes can be months and even years.<sup>8</sup>

At the same time, poor alignment in goals, program services, and performance accountability mechanisms in federal workforce programs has made it difficult for LEP workers, especially those with the lowest levels of proficiency, to connect with the English and job training services they need to advance in the workforce.<sup>9</sup> Differences in program accountability goals under the Workforce Investment Act of 1998 between Title I (which funds employment and training initiatives) and Title II (which funds adult basic education and ESOL instruction), have according to many critics created disincentives for One-Stop Career Center staff to place LEP workers in “work first” employment training programs that emphasize rapid re-employment and earning gains—a challenge for many LEP individuals.

Outside of the federal workforce system, strong programs models do exist of Integrated Basic Education and Skills Training (I-BEST) models, bridge-to-college, and contextualized English programs. Such programs have not been widely implemented, however, and typically assume a level of English proficiency and basic skills that makes them challenging to access by lower-educated LEP adults. With both federal and state adult education policies in recent years increasingly emphasizing a “career pathways” model of transitioning adult learners into postsecondary education and training, there is a risk that adult education and workforce services will be all the more out of reach less-educated, limited English proficient adults, however beneficial these programs can be to many better-educated immigrants and refugees.

These trends have an impact, moreover, on the rising generation of children in immigrant families. Low-literate LEP parents with young children, many of whom are entering school with significant risk factors, can especially benefit from efforts to invest in their language and literacy skills and support their engagement in their children’s early educational experiences. Some 25 percent of children of immigrants have parents with less than high school degrees, while one of the most predictive indicators of a child’s academic success is the mother’s educational attainment.

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<sup>6</sup> Migration Policy Institute Fact Sheet (American Community Survey, 2012 one-year estimates).  
<http://www.migrationpolicy.org/data/state-profiles/state/demographics/US>

<sup>7</sup> Marcie Foster, *Adult Education Funding Levels and Enrollment* (Center for Law and Social Policy, 2012).  
<http://www.clasp.org/resources-and-publications/files/adult-ed-funding-enrollment-February-2012.pdf>

<sup>8</sup> J.T. Tucker, *The ESL Logjam: Waiting Times for Adult ESL Classes and the Impact on English Learners* (The National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, 2006).  
<http://files.eric.ed.gov/fulltext/ED527905.pdf>

<sup>9</sup> Chhandasi Pandya, *Limited English Proficient Workers and the Workforce Investment Act: Challenges and Opportunities* (Migration Policy Institute National Center on Immigrant Integration Policy, 2012).  
<http://www.migrationpolicy.org/article/limited-english-proficient-workers-and-workforce-investment-act-challenges-and-opportunities>

## ***Recommendations***

The White House should work with Congress to strengthen federal funding for ESOL and adult basic education programs for LEP adults at all educational levels, including contextualized programs that emphasize vocational and professional English, as well as “soft” workplace skills and cultural orientation. English language learning also should encompass all levels of learning, including support for digital literacy, with contextualized content leading to employment opportunities, improved access to continuing education, and stronger pathways to citizenship. Support for workplace, community-based, and community college instruction is essential. Quality and access should both be prioritized, with opportunities for diverse learners in the community, at the workplace, at schools and early learning centers, and at the community college level.

Title II of the recently reauthorized Workforce Investment and Opportunity Act (WIOA) of 2014, The Adult Education and Family Literacy Act (AEFLA) updates the provisions of the Workforce Investment Act of 1998 in ways that aim to help low-skilled and limited English proficient workers meet the demands of a changing market place.<sup>10</sup> The Department of Labor and the Department of Education’s Office for Continuing, Technical and Adult Education (OCTAE) should work with federal policymakers and other stakeholders, including state adult education programs, to ensure that WIOA regulations are developed and implemented in a way that supports this focus.

Federal regulations should also seek to expand opportunities for low-literate LEP parents with young children to build their literacy and parenting skills, creating a continuum of service models that extends across children’s 0-8 years to help support parents in preparing at-risk children for kindergarten and future school success.

The Departments of Education and Labor should also work to build support for new and emerging ESOL models that attempt to blend best practice in ESOL pedagogy with digital literacy and on-line educational tools and strategies to link ESOL training to contextual environments (e.g., out of classrooms and into community-based organizations, or in partnership with employers, labor unions and other locations within immigrant and refugee communities). Examples include the I-BEST program and Washington State’s English Innovations program, supported by the Gates Foundation, which strengthens the capacity of community-based organizations to build blended ESOL models in their own community context.<sup>11</sup>

Finally, the President should double the amount of funds available under AEFLA in order to begin to address the severe lack of capacity in adult education and training services for immigrants and refugees and to accelerate the adoption of effective integrated education and training program models. These new funds should be distributed via competitive processes, with all or a significant part dedicated for purposes of braiding resources with programs operated by the Departments of Labor, Health and Human Services, and Housing and Urban Development to support the economic and linguistic integration of immigrants and refugees.

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<sup>10</sup> Kisha Bird, Marcie Oster and Evelyn Ganzglass, *Key Provisions of the Workforce Innovation and Opportunity Act (WIOA)* (Center for Law and Social Policy, 2014). <http://www.clasp.org/resources-and-publications/publication-1/KeyProvisionsofWIOA-Final.pdf>

<sup>11</sup> <http://weareoneamerica.org/english-innovations>

## 4. Civil Rights

### *Challenges and Opportunities*

The transition from Secure Communities to the Priority Enforcement Program (PEP) may be a step in the right direction towards reducing violations of residents' constitutional rights and the entanglement of state and local police in immigration enforcement. However, this shift may not eliminate the Fourth Amendment violations that were inflicted under Secure Communities nor restore community trust in state and local law enforcement. Secretary Johnson's Secure Communities memo of November 20, 2014 contains many ambiguities that at minimum require guidance to ensure the most severe harms of the Secure Communities program are not perpetuated under PEP.<sup>12</sup>

Troubling information has also come to light about the Controlled Application Review and Resolution Program (CARPP), which has resulted in discriminatory and unexplained delays of many Arab, Middle Eastern, Muslim and South Asian immigrants' applications for naturalization and other immigration benefits. The program has also resulted in outright denials of such applications without notification of the applicant of the reasons or any opportunity for due process. Such delays and denials are often the result of an applicant's inclusion in the Terrorist Screening Database—a bloated database containing hundreds of thousands of names of persons who are often unaware that they are on the list unless they seek, for example, to board a plane, are not informed of the reasons for their inclusion and do not have a meaningful opportunity to challenge their inclusion.

CARPP violates the Immigration and Nationality Act's requirement that USCIS apply uniform rules to all applicants for naturalization, and it affords no due process that would permit an applicant to learn of and challenge the reasons for application delay or denial.

### *Recommendations*

We support and echo the specific recommendations issued by the American Civil Liberties Union in its December 17, 2014 *Backgrounder on DHS's Discontinued Secure Communities Program, Detainer Reforms, and the new Priority Enforcement Program (PEP)*.<sup>13</sup> In particular, we emphasize that the DHS Office for Civil Rights and Civil Liberties should seek community input to develop its plan to monitor state and local law enforcement agencies participating in transfers of people to Immigration and Customs Enforcement (ICE) custody, issue a plan for such monitoring including a schedule for public reporting, issue new FAQs, and update the briefing materials it has issued to state and local law enforcement regarding PEP and ICE notification requests.

The Community Oriented Policing Services Program (COPS) should require grantees to conduct community forums addressing issues of racial profiling and civil rights. Further, it should work with DHS, the Department of Justice's Civil Rights Division, as well as with leading state and local law enforcement leaders, to develop an integrated plan to address racial profiling and the violation of immigrants' civil rights by agencies across all levels of government.

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<sup>12</sup> Memorandum from Jeh Charles Johnson, Secretary of Homeland Security, to Thomas S. Winkowski, Acting Director of U.S. Immigration and Customs Enforcement, et al. (Nov. 20, 2014).

[http://www.dhs.gov/sites/default/files/publications/14\\_1120\\_memo\\_secure\\_communities.pdf](http://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf)

<sup>13</sup> [https://www.aclu.org/sites/default/files/assets/2014\\_12\\_18\\_-\\_aclu\\_summary\\_of\\_dhs\\_scomm\\_and\\_detainer\\_reforms\\_final.pdf](https://www.aclu.org/sites/default/files/assets/2014_12_18_-_aclu_summary_of_dhs_scomm_and_detainer_reforms_final.pdf)

USCIS should cease applying CARPP to immigration and naturalization petitions and should cease allowing the Federal Bureau of Investigation and other law enforcement agencies to obstruct the adjudication of immigration and naturalization applications.

## **5. Workers' Rights**

### ***Challenges and Opportunities***

Low-income immigrant workers in the U.S.—including millions of factory workers, agricultural laborers, construction workers, food service workers, domestic workers and caregivers, cleaning and maintenance workers, and many others—often work long hours in dangerous, exploitative settings, struggling with unstable work schedules and without basic protections in case of health problems, accidents, family issues, or civil rights violations. Nationwide, the Economic Policy Institute (EPI) estimates that as much as \$50 billion are annually lost to workers through wage theft, in the form of below-minimum wages, not being paid for overtime, illegal deductions, or through employee misclassification.<sup>14</sup> Yet the Department of Labor's Wage and Hour Division (WHD) has only one investigator for every 164,000 employees; from 1997 to 2007, enforcement actions by WHD declined by more than a third.<sup>15</sup> Immigrant workers also suffer a disproportionately high level of workplace injuries and fatalities.<sup>16</sup>

Limited English proficient workers—even those who are better educated—are especially at risk of being trapped in jobs with low wages and poor working conditions. The same is true for undocumented workers, whose employment options are particularly limited, and whose immigration status can be used against them by unscrupulous and exploitative employers. Such conditions also create barriers to accessing education and training that could improve workers' job opportunities and the welfare of their families, and reduce use of public benefits.

### ***Recommendations***

As EPI recommends, the White House Office of Intergovernmental Affairs and the Departments of Labor and Health and Human Service should develop a campaign to empower, recognize and help these crucial workers. The White House should also work with Congress to grant President Obama's request to add 300 investigators to the staff of the Department of Labor's Wage and Hour Division. Ultimately the investigator staff should be doubled, and staff in the office of the Solicitor of Labor, which prosecutes the Division's cases, should be increased proportionally.

The White House and federal agencies should also partner with state departments of labor and attorneys general offices to share best practices and engage in an ongoing public relations campaign, with mandatory notices to be posted in businesses (in English, Spanish and other languages) regarding employer responsibilities and employee course of action in case of wage theft. The White House should work with Congress to enact amendments to FY2015 appropriations bills that prohibit the award of federal contracts to firms convicted of wage and

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<sup>14</sup> Brady Meixell and Ross Eisenbrey, *An Epidemic of Wage Theft Is Costing Workers Hundreds of Millions of Dollars a Year* (Economic Policy Institute, 2014). <http://www.epi.org/publication/epidemic-wage-theft-costing-workers-hundreds>

<sup>15</sup> Ross Eisenbrey, *Improving the Quality of Jobs Through Better Labor Standards* (Center on Budget and Policy Priorities, April 2, 2014). <http://www.pathtofulleremployment.org/wp-content/uploads/2014/04/eisenbrey.pdf>

<sup>16</sup> National Council for Occupational Safety and Health, *National COSH Policy Platform, 2014-15* (National COSH, 2014). <http://www.coshnetwork.org/sites/default/files/uploads/NCOSH%20Policy%20platform%202014-15.pdf>



hour violations, and take action to increase penalties under federal law for violators, which as a recent EPI report has pointed out are minimal even for willful and repeat violations.<sup>17</sup>

NPNA also supports the recommendations of the National Council for Occupational Safety and Health to address the disproportionately high injury rates among immigrant workers. The Occupational Safety and Health Administration (OSHA) should vigorously enforce the requirement that workers receive safety and health training in a language they understand, and that information is posted about workers' rights in those languages. OSHA staff should also make efforts to communicate to immigrant and minority workers their rights to speak up about job safety and health hazards. Finally, OSHA should fully implement its policy granting community and worker advocacy organizations the authority to file complaints on behalf of immigrant and minority workers.<sup>18</sup>

## **6. Integration of High-Skilled Immigrants**

### ***Challenges and Opportunities***

Three out of 10 of immigrants in the US have a college degree or higher, half of those earned outside the US. At the same time, many college-educated immigrants face significant barriers to find employment in their chosen fields here. More than one quarter of high-skilled, foreign-trained immigrants are unemployed or working in low-skilled jobs.<sup>19</sup> Barriers can include: the cost and complexity of credential evaluation; the cost and time of returning to school to refresh skills or meet new educational requirements; limited English proficiency and the lack of ESOL programs serving the needs of high-skilled immigrants; lack of professional networks and unfamiliarity with US labor markets; the lack of clear, accessible information on the educational and work requirements for licensed professions; and the limited capacity of most career services organizations to provide the support needed by high-skilled immigrants with foreign credentials.

The inability of these immigrants—including many teachers, nurses, doctors, engineers, and other professionals—to find employment in their area of expertise funnels immigrants into lower paying jobs, decreasing their earning capacity as well as underutilizing much needed skills in the local labor force. This situation impacts not just these immigrants and their families, but states and localities that could benefit in economic and other respects by the advanced skills these workers bring—particularly in high demand STEM, healthcare, and educational occupations—as well as by the linguistic and cultural expertise that can serve increasingly diverse populations.

With professional licensing overseen primarily at the state level, there is little federal attention to the challenges foreign-trained immigrants face re-entering their careers here or transitioning to alternative high-skilled professions. Restrictions on the use of federal funds for high level ESOL instruction or standardized exam preparation also create a barrier to programs that could meet the needs of this population. Moreover, the “work first” focus of One-Stop Career Centers limits the ability of these workforce development institutions to assist high-skilled, foreign-trained immigrants in the longer-term process of navigating pathways back to their professions.

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<sup>17</sup> Meixell and Eisenbrey, *An Epidemic of Wage Theft*.

<sup>18</sup> See *National COSH Policy Platform, 2014-15*.

<sup>19</sup> Margie McHugh, Jeanne Batalova, and Madeleine Morawski, *Brain Waste in the Workforce: Select U.S. and State Characteristics of College-Educated Native-Born and Immigrant Adults* (Migration Policy Institute National Center on Immigrant Integration Policy, 2014). <http://www.migrationpolicy.org/research/brain-waste-US-state-workforce-characteristics-college-educated-immigrants>

## ***Recommendations***

Many state and local governments and nonprofit groups have come to recognize the economic benefits high-skilled immigrants bring, and are advancing policies to support their career advancement. The Departments of Labor, Education, and Health and Human Services should work together with state and local stakeholders to identify and address policy barriers at the federal level and coordinate sharing of information and resources across states, and to expand the capacity of federally funded workforce development institutions (including One-Stop Career Centers) to meet the needs of this population. Other efforts could include a national streamlined system for transferring credentials and re-licensing, assisting skilled immigrants acquire certifications and meet additional educational and/or job experience requirements, and helping them navigate the often complex and uncertain pathways to returning to their professions.

The recent reauthorization of the Workforce Investment and Opportunity Act (WIOA) provides an opportunity to write these and other program and policy improvements into new Title I and Title II regulations. The Departments of Labor and the Department of Education should also provide matching grants and technical support to states and localities that assist immigrants and refugees with credentials and degrees from their home countries to transfer their skills to credentials and degrees in the United States, with particular focus on high-demand categories.

The White House should also work with Congress to pass the Health Equity and Accountability Act of 2014 (H.R. 5294), which would authorize the Department of Health and Human Services to provide grants to health services organization, community groups, and other organizations to provide services to help foreign-trained health professionals re-enter the healthcare workforce at positions matching their education and expertise, and serve to expand the linguistic and cultural competency of the healthcare workforce.<sup>20</sup> Such grants from HHS would help ensure that a multilingual workforce is available to meet the healthcare needs of all Americans.

## **7. Immigrant Entrepreneurship**

### ***Challenges and Opportunities***

According to a 2012 report from the Small Business Administration, immigrants in the U.S. are 30 percent more likely to start businesses than native born.<sup>21</sup> In the last decade, income from immigrant-owned businesses in the U.S. increased by more than 60 percent, while income from native-owned businesses grew by just 14 percent.<sup>22</sup> Between 2000 and 2013, immigrants accounted for 48 percent of overall growth of business ownership in the U.S.<sup>23</sup>

While active in all sectors of the economy, immigrant entrepreneurs have a dominant presence in “main street” businesses (including retail, food services and accommodation, and neighborhood

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<sup>20</sup> Health Equity and Accountability Act of 2014, H.R. 5294, 113<sup>th</sup> Congress (2013-2014), Title IV, Sec. 313. <https://www.congress.gov/bill/113th-congress/house-bill/5294>.

<sup>21</sup> Robert Fairlie, *Immigrant Entrepreneurs and Small Business Owners, and their Access to Financial Capital* (Small Business Administration, 2012). <http://www.sba.gov/sites/default/files/rs396tot.pdf>

<sup>22</sup> Robert Fairlie, *Open For Business: How Immigrants are Driving Small Business Creation in the United States* (Partnership for a New American Economy, 2012). <http://www.renewoureconomy.org/sites/all/themes/pnae/openforbusiness.pdf>

<sup>23</sup> David Dyssegaard Kallick, *Bringing Vitality to Main Street: How Immigrant Small Businesses Help Local Economies Grow* (Fiscal Policy Institute, Americas Society/Council of the Americas). <http://www.as-coa.org/sites/default/files/ImmigrantBusinessReport.pdf>

services)—a commercial sector that is key to economic revitalization and job development in cities and towns across the country. Nationally immigrants make up 18 percent of business owners, but 28 percent of main street businesses. According to a new report from Fiscal Policy Institute and Americas Society/Council of the Americas, immigrants were responsible for all of main street business growth nationally between 2000 and 2013, as well as in 31 of the 50 largest U.S. metropolitan areas.<sup>24</sup> Even while immigrants are more likely to start businesses than the native born, however, they also face unique challenges to setting up, sustaining, and growing those businesses. These challenges can include limited English language proficiency, poor credit history, structural barriers to lending, and lack of access to technical support, including culturally and linguistically competent services.<sup>25</sup>

Federal support to immigrant entrepreneurs comes through several channels. The government indirectly provides assistance through the Department of Housing and Urban Development's Community Development Block Grants (CDBG) to states and local governments; these grants fund nonprofit community development corporations, whose activities often include support and technical assistance to local immigrant business owners and immigrant-serving organizations.<sup>26</sup> The Treasury Department's Community Development Financial Institutions (CDFI) Fund also supports local and regional CDFIs that provide business financing and technical assistance to underserved populations and communities, as well as incentives to private investors and banks to invest in these communities.<sup>27</sup> These federal programs, however, do not provide systemic oversight of how state and local entities work to target and address the barriers facing particular communities, including the foreign born, or the overall impact of such programs on those communities.<sup>28</sup>

The Small Business Administration's (SBA) district offices and Small Business Development Centers (SBDC),<sup>29</sup> in 900 sites across the country, also offer training, technical assistance, and access to capital to small business and entrepreneurs. This includes support from SBA's "8(a) Business Development Program" which helps small, disadvantaged businesses, including minority owned businesses, compete.<sup>30</sup> Critics have argued, however, that the SBA also lacks both the resources and linguistic/cultural expertise to reach out to and connect with immigrant business owners.<sup>31</sup>

## **Recommendations**

The White House should work with the Department of Commerce, especially the Small Business Administration and the Economic Development Administration, the Department of Housing and Urban Development, and the Department of the Treasury, to explore 1) how the economic

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<sup>24</sup> Kallick, *Bringing Vitality to Main Street*

<sup>25</sup> Marcia Hohn, *Immigrant Entrepreneurs: Creating Jobs and Strengthening the Economy* (U.S. Chamber of Commerce, 2012).

<https://www.uschamber.com/sites/default/files/documents/files/Immigrant%2520Entrepreneur%2520final%25201-22-2012.pdf>

<sup>26</sup> [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/communitydevelopment/programs](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs)

<sup>27</sup> <http://www.cdfifund.gov>

<sup>28</sup> James DeFilippis and Benjamin Faust, *Immigration and Community Development Corporations* (National Housing Institute, 2012). [http://shelterforce.org/article/immigration\\_and\\_community\\_development\\_corporations](http://shelterforce.org/article/immigration_and_community_development_corporations).

<sup>29</sup> <https://www.sba.gov/tools/local-assistance/sbdc>

<sup>30</sup> <https://www.sba.gov/content/minority-owned-businesses>

<sup>31</sup> Alison Moronta, *Immigrants as Small Business Owners: Challenges and Recommendations* (Immigrant Learning Center, 2010). [http://www.ilctr.org/wp-content/uploads/2010/11/SymPP\\_Alison\\_Moronotaweb.pdf](http://www.ilctr.org/wp-content/uploads/2010/11/SymPP_Alison_Moronotaweb.pdf)

development programs discussed above serve immigrants and refugees in U.S. cities and towns, and 2) how to better identify and address the challenges these programs face in reaching and effectively serving immigrant business owners and immigrant-serving organizations that work to support them, including issues of language access and cultural competency.

In addition to an internal review of programmatic and regulatory barriers, these agencies and the White House should convene discussions with state and local program grantees and other stakeholders, including immigrant community members, local business owners, and chambers of commerce, to highlight local challenges and successful local models with regard to how federal programming can support immigrant business owners and the opportunity they represent for states and localities. A key ally in this process can be the community development arms of the Federal Reserve System and the twelve district Federal Reserve Banks, whose mission is to promote fair and informed access to financial markets, with a particular focus on the needs of underserved populations; to work to convene stakeholders to collaborate on community and economic development initiatives; and to conduct and share applied research.<sup>32</sup>

## **8. Administrative Relief**

### ***Challenges and Opportunities***

The President's 2012 executive order on Deferred Action for Childhood Arrivals (DACA), and his more recent executive action expanding the age range for DACA and extending Deferred Action for Parental Accountability (DAPA) status to parents of U.S. citizen children, have opened a historic door of security and opportunity for up to five million foreign born residents of the U.S. Research has shown that DACA beneficiaries experience a significant increase in social and economic opportunities (including new jobs and increased earnings, healthcare access, and drivers licenses), and highlights the strong work ethic among young adult DACA recipients.<sup>33</sup>

However, the experience of the 2012 DACA order also points to pervasive barriers to taking advantage of this policy. Since 2012, only 55 percent of the estimated 1.2 million youth immediately eligible for the DACA program when it was announced have applied.<sup>34</sup> Barriers to application include the complexity and cost of the application process; lack of clear information on that process; difficulty documenting continuous residence; concerns with sharing personal information with government officials; and the lack of support for institutions (including community-based groups and K-12 schools) that can advise and assist potential applicants.

Particular challenges exist for older and less-educated individuals in accessing eligible adult education programs or enrolling in high school equivalency programs, both due to lack of information concerning program options and limited system capacity. High dropout rates among English language learners and low-income students also pose a barrier for those individuals under a program that depends on school enrollment. Moreover, even for many who have gained

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<sup>32</sup> <http://www.federalreserve.gov/communitydev/default.htm>

<sup>33</sup> Roberto G. Gonzales and Angie M. Bautista-Chavez, *Two Years and Counting: Assessing the Growing Power of DACA* (American Immigration Council, 2014). [http://www.immigrationpolicy.org/sites/default/files/docs/two\\_years\\_and\\_counting\\_assessing\\_the\\_growing\\_power\\_of\\_daca\\_final.pdf](http://www.immigrationpolicy.org/sites/default/files/docs/two_years_and_counting_assessing_the_growing_power_of_daca_final.pdf)

<sup>34</sup> Jeanne Batalova, Sarah Hooker and Randy Capps, *DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action* (Migration Policy Institute National Center on Immigrant Integration Policy, 2014). <http://www.migrationpolicy.org/sites/default/files/publications/DACA-Report-2014-FINALWEB.pdf>

DACA status, the benefits are not evenly distributed. Low-income and low-skilled young people are much less likely to benefit from educational and work opportunities, and community college students do not as well as those in four-year institutions.<sup>35</sup>

### ***Recommendations***

The experience of the first two and a half years of DACA implementation provides a strong basis for federal action to address such challenges and to maximize the impact of the President's recent executive order. First, DHS must clearly and broadly communicate the new DACA and DAPA eligibility requirements to potential beneficiaries. In this, they should work closely with state and local governments, as well as with national and local stakeholder groups and immigrant advocates, to ensure that information about the application process and the programs' potential benefits are widely shared. They should also support the efforts of community-based organizations, national advocacy groups, and other organizations, including K-12 schools and adult education programs, in reaching out to and assisting their constituencies.

Recent research from the Migration Policy Institute's National Center on Immigrant Integration Policy highlights the potential impact of K-12 schools in supporting DACA eligible youth in navigating the application process and addressing the barriers to high school graduation faced by many DACA youth. It also underscores the need to expand technical expertise and targeted services in these settings. Adult education, college bridge, and job training programs can also provide a resource for older individuals to meet DACA's educational eligibility requirements.<sup>36</sup>

Even for many who gain DACA status, barriers to opportunity still exist, particularly in the area of higher education. DACA recipients remain ineligible for federal financial aid and for state aid in most parts of the country. Given the high and rapidly increasing costs of postsecondary education, even at public colleges and universities, such restrictions continue to create a barrier for individuals with DACA, particularly those from low-income families. To meet the goals of this executive action, the White House, DHS and the Department of Education must work to expand eligibility requirements for federal financial aid to ensure that DACA beneficiaries are eligible for some form of support.

Finally, DHS, working with the Department of Justice and state attorneys general, must vigorously promote efforts to prevent immigrant community members who aspire to DACA or DAPA status from falling prey to immigration scams and "notario fraud." These criminal activities can cost victims tens of thousands of dollars, as well as undermining community trust and ultimately the viability and impact of these programs.

## **9. Early Education and Care**

### ***Challenges and Opportunities***

More than one in four children under age six in the U.S. live in a household that speaks a language other than English.<sup>37</sup> Yet dual language learners and children of immigrants are far less

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<sup>35</sup> Gonzales and Bautista-Chavez, *Two Years and Counting*.

<sup>36</sup> Sarah Hooker, Margie McHugh and Angelo Mathay, *Lessons from the Local Level: DACA's Implementation and Impact on Education and Training Success* (2014, Migration Policy Institute National Center on Immigrant Integration Policy). <http://www.migrationpolicy.org/sites/default/files/publications/DACA-Fieldwork-Report.pdf>

<sup>37</sup> Migration Policy Institute Fact Sheet (American Community Survey, 2012 one-year estimates). <http://www.migrationpolicy.org/data/state-profiles/state/demographics/US>

likely than other children to participate in early education programs, missing out on the benefit of increased cognitive and socio-emotional development and school readiness. This also creates a disconnect in parental engagement that could otherwise provide support for young learners, and benefit entire families by connecting parents with educational and community resources.

At the same time, even as federal and state EEC systems seek to become more formal and professional, they threaten to drive out many immigrant childcare workers who give systems their current linguistic and cultural competence, and who are the backbone of licensed family-based providers in many parts of the US. These providers and childcare workers—and children in immigrant families—will lose out if they cannot access education and training pathways that support them in obtaining needed licenses and credentials, and if efforts to improve the education and credentials of EEC workers don't also address financial incentives to keep them in the field.

Despite the increasingly well-understood benefits of quality early education and care programs for all children, moreover, federal investment in early education and care (available to states through the Community Development Block Grant [CDBG] and TANF) fell in inflation-adjusted dollars by 27 percent, from \$10.8 billion in 2001 to \$7.9 billion in 2013, even while childcare costs overall have increased, along with the share of children living in poverty<sup>38</sup> State funding, though making up a much smaller share of overall public EEC spending, also declined across most states during this period. The Obama administration in 2013 restored federal EEC funding cut by the sequester (including Head Start and Early Start), adding \$150 million to the CDGB, and \$250 million new funding through a Race to the Top Early Learning Challenge grants to preschool programs, including programs focusing on children in immigrant families.<sup>39</sup> But these increases restore only a fraction of EEC funding lost over the last decade.

### ***Recommendations***

In November 2014 Congress reauthorized the CDBG with strong bipartisan support, for the first time since 1996. The new law makes significant advancements by defining health and safety requirements for child care providers, outlining family-friendly eligibility policies, and ensuring parents have transparent information child care choices. It also requires states to maintain consistent high quality program standards, including ensuring equal access and working to improve supply and quality of services in underserved areas.<sup>40</sup>

The Office of Childcare should work with states to make sure that these requirements are implemented in a way that 1) expands access to quality EEC services for minority and low income families, and 2) at the same time, work to strengthen educational pathways and financial incentives for minority and immigrant family-based providers and childcare workers. This includes provisions of the Act that require states to fund professional development and establish fair reimbursement policies for licensed providers.

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<sup>38</sup> Clare McCann, *Parents Face Barriers in Accessing, Affording Child Care* (New American Foundation, 2013). <http://www.edcentral.org/parents-face-barriers-in-accessing-affording-child-care>.

<sup>39</sup> Dan Lesser, *Major Federal Funding Increase for Child Care and Early Learning* (2014, Sargent Shriver National Center on Poverty Law, 2014). <http://www.theshriverbrief.org/2014/01/articles/budget-and-tax-justice/major-federal-funding-increase-for-child-care-and-early-learning>

<sup>40</sup> Office of Childcare, *Child Care and Development Block Grant Act (CCDBG) of 2014: Plain Language Summary of Statutory Changes* (Administration for Children and Families, Office of Childcare, 2014) <http://www.acf.hhs.gov/programs/occ/resource/ccdbg-of-2014-plain-language-summary-of-statutory-changes>

Finally, the White House and the Task Force should build on the bipartisan consensus that led to the reauthorization of CDBG to advance the President’s Preschool for All Campaign,<sup>41</sup> a federal-state partnership to provide all low- and moderate-income four-year old children with high-quality preschool, through need-based grants to states and school districts from the Department of Education.

## 10. Healthcare

### *Challenges and Opportunities*

Immigrants are far more likely than native-born individuals to lack health insurance,<sup>42</sup> resulting in decreased access to health care services and a likelihood of postponed or foregone cost-effective treatments. Barriers to health care access include laws that bar many immigrants from federally funded programs, recent reductions in funding for safety net programs, a frequent lack of linguistic and cultural competency among providers, and technical barriers to access such as those incorporated into online application processes under the Affordable Care Act (ACA).

Many immigrants are explicitly barred from accessing affordable health care due to federal laws and policies. For instance, “qualified” immigrants are required to wait five years before becoming eligible to apply for Medicaid, though they pay taxes into the system. Moreover, many tax-paying “lawfully present” immigrants—for example those holding Temporary Protected Status (TPS), those granted U visas, and asylum applicants with work authorization—are statutorily excluded from the qualified population and also ineligible for Medicaid.

The ACA has provided 9.5 million Americans with quality, affordable health insurance coverage. Yet, it has also occasioned some retrenchment in immigrant access to health coverage and some missed opportunities to promote universal access to coverage. Two months after President Obama announced the DACA program in June 2012, the Department of Health and Human Services (HHS) issued regulations excluding DACA grantees from the “lawfully present” population eligible to participate in ACA programs—although those programs are available to non-DACA individuals who are also granted deferred action.<sup>43</sup> Prior to that time, DACA recipients were eligible for the same health programs afforded other authorized immigrants. This exclusion has carried into the recently announced expanded DACA and DAPA programs. Still another population of immigrants who are “permanently residing under color of law”—including applicants for statuses such as asylum who have not yet received work authorization—are also excluded from the “lawfully present” population eligible to participate in ACA programs. Undocumented immigrants, in spite of their lacking any current path to status,

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<sup>41</sup> White House Press Office, *Fact Sheet: President Obama’s Plan for Early Education for all Americans* (White House, Office of the Press Secretary, 2014). <http://www.whitehouse.gov/blog/2013/02/14/high-quality-early-education-all-children>

<sup>42</sup> Leighton Ku and Sheetal Matani, “Left Out: Immigrants’ Access To Health Care And Insurance,” *Health Affairs* 34:2 (February 2015). <http://content.healthaffairs.org/content/20/1/247.full.pdf>

<sup>43</sup> Center for Medicaid and CHIP Services, Letter to State Health Officials SHO# 12-002, August 28, 2012, *Re: Individuals with Deferred Action for Childhood Arrivals*. <http://www.medicaid.gov/Federal-Policy-Guidance/downloads/SHO-12-002.pdf>; and 75 FR 45029, July 30, 2010 ([http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2010\\_register&position=all&page=45029](http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2010_register&position=all&page=45029)) as amended at 77 FR 52616, Aug. 30, 2012 ([http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2012\\_register&position=all&page=52616](http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2012_register&position=all&page=52616)) excluding DACA recipients from the definition of “lawfully present.”

could improve the success of ACA programs by increasing participation and spreading risk across a larger population, potentially lowering health care costs across the board, but they are also excluded from participation in ACA programs.

According to a 2011 report from the Urban Institute, upon complete implementation of the ACA 25 percent of the uninsured in the US will be undocumented immigrants.<sup>44</sup> Increased health care access is necessary to protect public health, and benefits the health of the community as a whole. In addition, previous federal support that helped states provide a safety net has been greatly reduced.

While many of the initial technical problems facing the federal ACA website have been overcome, some challenges remain, particularly for immigrant populations. Even states such as Massachusetts that use a state website, as opposed to the federal website, for health insurance applications experience limitations in federal ACA infrastructure as barriers to efficient health care coverage of their residents. States that prioritize maximum health care coverage of their residents, including undocumented residents, are important partners in the long-term success of the ACA. Yet, technical limitations of federal processes can erode state efforts to encourage all residents, particularly immigrant residents, to apply online via a single website for all health insurance programs—both federally- and state-funded.

Finally, a small but vocal nativist segment of the population, including some state policymakers, periodically proposes state policy changes ostensibly aimed at reducing “welfare fraud and abuse,” such as inflexible social security number requirements. In effect, many of these proposals would actually enact barriers to *eligible* immigrants applying for federal programs such as Medicaid, on behalf of themselves or their eligible children, and in some cases would violate federal rules.

### ***Recommendations***

The Task Force should advocate to end the 5-year waiting period for qualified immigrants to apply for Medicaid and should allow states to cover all immigrants “permanently residing under color or law” (including DACA and DAPA grantees and applicants for other statuses, such as asylum, who have not yet received work authorization) in Medicaid and CHIP under state option.

HHS should promulgate amendments to regulations that exclude many immigrants “permanently residing under color of law” from the “lawfully present” group eligible for ACA program participation. Providing these populations with equitable health care access will also help reduce confusion for mixed status immigrant families seeking to enroll in health insurance through the online marketplace. HHS should also partner with states and local communities to provide guidance and support for localities wanting to expand health care coverage beyond ACA programs, including to undocumented immigrants. The White House should review federal regulations that may impede local approaches to provide health care for those who need it, including undocumented immigrants.

HHS should continue to provide support and guidance to states and cities to increase culturally and linguistically appropriate services in health care settings, including access to mental health

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<sup>44</sup> Matthew Buettgens and Mark A. Hall, *Who Will Be Uninsured After Health Insurance Reform?* (Urban Institute, 2011).

<http://www.urban.org/UploadedPDF/1001520-Uninsured-After-Health-Insurance-Reform.pdf>



services. HHS should also issue guidance to states regarding the impermissibility of enacting barriers to eligible immigrants' applications for federally funded programs such as Medicaid.

HHS should also commit to ongoing assessment and improvement of the accessibility of ACA website infrastructure to immigrant populations, including the process of verifying applicants' citizenship or immigration status with DHS databases and the online identity proofing processes administered by private credit agencies, which currently pose obstacles to many populations with limited credit history in their current place of residence.

Finally, the White House should work with Congress, as recommended earlier, to pass the Health Equity and Accountability Act of 2014 (H.R. 5294), a far-reaching effort to address health disparities for racial and ethnic minorities.<sup>45</sup> The Act requires HHS to take steps to improve the diversity of the health workforce, including awarding grants to academic institutions, establishing a health and health care disparities education program, providing for scholarships and loan forgiveness programs, and supporting organizations providing services to help foreign-educated health professionals re-enter the health workforce in positions matching their education and expertise. It also requires the Secretary of HHS to work to expand access to health care and health care insurance for immigrants, designate centers of excellence at public hospitals and other health systems serving minority patients, and provide for the establishment of health empowerment zones in communities with disproportionate disparities in health status and health care.

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<sup>45</sup> Health Equity and Accountability Act of 2014, H.R. 5294, 113<sup>th</sup> Congress (2013-2014). <https://www.congress.gov/bill/113th-congress/house-bill/5294>

## **Appendix: National Partnership for New Americans Member Organizations**

In 2010, the National Partnership for New Americans was founded by 12 of the largest statewide immigrant advocacy organizations in the country, in order to leverage the existing immigrant integration work and expertise among member organizations for greater collective impact:

CASA de Maryland  
Causa Oregon  
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)  
Colorado Immigrant Rights Coalition (CIRC)  
Florida Immigrant Coalition (FLIC)  
Illinois Coalition for Immigrant and Refugee Rights (ICIRR)  
Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA)  
New York Immigration Coalition (NYIC)  
National Korean American Service & Education Consortium (NAKASEC)  
OneAmerica (Seattle)  
Tennessee Immigrant and Refugee Rights Coalition (TIRRC)  
Voces de la Frontera (Milwaukee)

In addition, NPNA has a formal Compact Agreement to work with these immigrant organizations in preparation for comprehensive immigration reform (CIR) implementation and scaled legal services:

Alabama Coalition for Immigrant Justice  
El Centro de Igualdad y Derechos (New Mexico)  
Latin American Coalition (North Carolina)  
Make the Road New York  
Michigan United  
Nebraska Appleseed  
Pennsylvania Immigration and Citizenship Coalition (PICC)  
Promise Arizona

More information about NPNA's partner organizations and the work of NPNA in general is available on our website at <http://www.partnershipfornewamericans.org/partners>.