



NEW YORK
CITY BAR

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March 24, 2006

Senator Hillary Rodham Clinton
United States Senate
476 Russell Senate Office Building
Washington, DC 20510

Dear Senator Clinton:

We write with regard to the proposed immigration legislation currently pending before the Senate, and in particular the legislation sponsored by Senator Specter currently under consideration by the Senate Judiciary Committee.

This proposed legislation will negatively affect immigrant communities in the United States, in several significant regards. The following are but a few of the more egregious aspects:

- criminalizing millions of non-citizens in the U.S. solely on the basis of their immigration status, as well as the activities of immigrant advocates including, among many others, congressional staffers;
- placing judicial review of all federal immigration cases before one court -- the D.C.-based Federal Circuit Court of Appeals-- which traditionally handles patent cases and is neither equipped nor experienced in this drastically different area of law. Additionally, instituting a one judge certification requirement before review may proceed will effectively restrict most immigrants' access to judicial review;
- vastly expanding the categories of non-citizens subject to long-term mandatory detention, and greatly limiting judicial review of this detention;
- implementing new penalties and restrictions that will make it more difficult for deserving asylum seekers to obtain the protection they need and deserve under our law;
- mandating local enforcement of immigration laws by non-immigration state and municipal employees, thus stretching beyond capacity already-scarce local resources;

- putting into place a hastily-conceived "guest worker" program without adequate input from immigrant representatives or the business community. The program proposed by this legislation includes, among many flaws, a requirement that applicants sign a concession of removability and waive any future removal hearing and provides no possibility for permanent residence and citizenship.

The effects of this legislation -- the relegation of immigrants to permanent second class status, the continued separation of families, and even further erosion of due process for immigrants -- would reverberate most strongly in those parts of the United States, such as New York, which have large immigrant populations. We urge you to speak out forcefully in favor of comprehensive meaningful immigration reform and against the punitive and irrational measures being proposed and to protect due process for immigrants and asylum seekers.

Very truly yours,



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Hon. Charles Schumer
United States Senate
313 Hart Senate Building
Washington, DC 20510

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The effects of this legislation -- the relegation of immigrants to permanent second class status, the continued separation of families, and even further erosion of due process for immigrants -- would reverberate most strongly in those parts of the United States, such as New York, which have large immigrant populations. As a Senator from New York on the Senate Judiciary Committee, we are aware of the extremely important role you play in this legislative process. Without your voice, the important concerns of your constituents - immigrants, the business community, and state and local law enforcement, among others - will simply not be reflected in whatever new immigration legislation is sure to be ultimately passed.

We urge you to speak out forcefully in favor of comprehensive meaningful immigration reform and against the punitive and irrational measures being proposed and to protect due process for immigrants and asylum seekers.

Very truly yours,



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