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IN THE NEWS

The Council Announces Creative Contest Winner

5/21 - The American Immigration Council is pleased to announce Olivia Chiu, 11 of South Pasadena, CA.

Report Reveals Importance of Immigrants to Housing Market

5/13 - A recent report from the Pew Hispanic Center sheds new light on the value of immigration to the U.S. econ

EDUCATION

International Exchange Center Visits Poland

IEC's second ever outbound exchange trip brought more than a dozen American professionalsf...

2000 Immigration Educators' Resource Guide

Check out the Community Education Center's annual Educators' Resource Guide for the latest resources that ...

Ana Catalina Santos Embraces American Culture

IEC is pleased to announce Ana Catalina "Caty" Santos, 26 of Nuevo Laredo, Mexico...

HSS Food (5)

LAW

Litigation Clearinghouse Newsletter Volume 4, Issue 6

This issue covers recent Supreme Court developments, a favorable decision in the surviving spouse...

AILF's LAC Lauds Supreme Court Decision in ID Theft Case

All F's Legal Action Center applauds the May 4th unanimous decision of the U.S. Supreme Court that rejects...

Electronic Filing and Access to Electronic Federal Court Docs

This Practice Advisory explains the federal rules authorizing electronic filing in federal court; describes...

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POLICY

The Unemployment and Immigration Disconnect

The Immigration Policy Center released two installments of a three-part series, Unlying the Knot...

Unemployment Across Racial/Ethnic Groups

Data from the U.S. Census Bureau reveals that there is little apparent relationship between recent...

Immigration and the U.S. Economy

IPC released a wide-ranging review of academic and government data that shows what legalizing...

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EVENTS

2009 American Heritage Awards

Join your All A friends and colleagues as we honor Carlos Santanaat the 2009 Annual Benefit. Details and tickets here

ine 6, 2009

Books and Bagels!

The American immigration Council and LawLogix will launch Davy Brown Discovers His Roots on June 3, 2009.

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2009 Brings A New Name and New Look

In 2009, the American Immigration Law Foundation changed its name to the *American Immigration Council*. Along with the name change, we have unveiled a dynamic new website: www.AmericanImmigrationCouncil.org, that enables us to reach a broader audience and provide a more navigable platform that allows visitors to access information more efficiently.

The decision to change our name was driven in part by the fact that we do not operate as a foundation, and are concerned and involved with more than just the law (although our important legal work will continue). Furthermore, our new name is a recognition that the organization has grown both in size and stature over the last five years. Our program work has expanded beyond the courtroom and into the halls of congress and the public square. As a result of the dedication and vision of our Board and staff, both past and present, our organization has emerged as a powerful voice for sensible, humane immigration policies that are consistent with fundamental constitutional rights and reflective of our proud history as a nation of immigrants. A new name and new look for our organization gives us the opportunity to celebrate and publicize this remarkable evolution.

As a "Law Foundation" we spent more than 20 years working with passionate and creative, people within the immigration bar to develop the programs we have today. Our relationship with the immigration bar will always be a valuable asset in our work. However, we have learned from the experiences of our *Immigration Policy Center, Legal Action Center, Community Education Center*, and *International Exchange Center* that to have an even more profound impact, and to really change people's hearts and minds about immigration, we need to continue to build lasting relationships with a broad range of people and organizations who share our vision and mission.

As an *Immigration Council* we will continue to position ourselves as a prestigious, national organization where intelligent, committed people can come together to make a positive change in how America thinks about and acts towards immigration. The attorneys who serve the immigrant community will always play a critical role on the *Immigration Council*, but we will continue to actively reach out to invite people from all walks of life to serve on our Board and sit at the table with us to find even more ways to pursue our mission.

Our name has changed, but our commitment to our mission has not. The *American Immigration Council* will continue to stand up for immigration policies that reflect America's greatest hopes, not our darkest fears. We will continue to demand that our laws be implemented in accordance with fundamental principles of fairness and due process of law. And, we will continue to celebrate our proud history as a nation of immigrants.

On behalf of the entire Board and staff of the new *American Immigration Council*, we thank our supporters for the time, and resources they have given and continue to give. We are the organization we are today because of the support we receive from groups and individuals across the country, and we look forward to working with them to create an even more effective and dynamic organization in the future.

Benja_

Benjamin Johnson Executive Director American Immigration Council



The Curriculum Center changed its name in 2009 to the Community Education Center (CEC) to better reflect the Center's work and to enable the Center to grow along with the American Immigration Council. The CEC strives to promote a better understanding of immigrants and immigration by providing educational resources that inspire thoughtful dialogue, creative teaching and critical thinking. Dedicated to the American values of fairness, social justice and respect for all people, the CEC is committed to making immigration an "everybody issue." The CEC also highlights the positive contributions immigrants have made and continue to make to American society through its programmatic work.



Community Education Center

COMMUNITY CONNECTIONS

The Immigrant Experience and University Partnerships

The CEC partnered with George Washington University's Graduate School of Education and Human Development in June for the third year in a row as presenters of curricula related to immigration law and policy for pre-service educators.

Michigan State University and the (CEC) created a program on Asian Americans that will be piloted with pre-service teachers in 2010. These teachers will then teach the lessons to others in the community

Educators' Workshop

The CEC partnered with the <u>Lower</u> East Side Tenement Museum and Breakthrough to host an educators' workshop entitled *The Immigration* Debate: Exploring the Issue. The event was held at the Lower East Side Tenement Museum in New York City on Saturday, January 24, 2009. The workshop provided high school educators, youth leaders and community activists with historical and modern perspectives on immigration, innovative teaching tactics and a presentation on immigration law and policy through a variety of interactive mediums

Strategic Partnerships

The Community Education Center is collaborating with <u>Street Law</u>, a nonprofit organization that creates and disseminates quality curricula, professional development, and educational resources about law, democracy, and human rights.

American Immigration Council and Street Law are developing and implementing service learning projects around the country with volunteers who will visit classrooms to discuss immigration and organize community outreach events with participating schools.

Because Everyone Has an Immigration Story ...

In June 2009 The CEC and Keely Velani Publishing published and released Davy Brown Discovers His Roots, an illustrated children's book relevant to the discussion of immigration. Keely Velani Publishing has generously donated one dollar for every book sold, which will help raise money for the Community Education Center.

The story features various types of immigration paths through the stories of the characters. The book also drives home the message that the things that unite us are far greater than anything that may divide us.

Hundreds of copies of the book have been sent to communities that have had incidents of hate crimes against immigrants.

2009 Educators' Resource Guide Published

The American Immigration Council publishes a new free resource guide each year because we know how important it is to promote respect, dignity and an appreciation for everyone in this country, regardless of where you were born. By ensuring our children learn that every person deserves respect and that celebrating multiculturalism is at the heart of our American values, the sooner the next generation can end the divisive rhetoric that has divided America for too long.

The new resource guide includes innovative lesson plans, book and film reviews and extension activities and hyperlinks to educational websites so educators and community leaders can plan lessons with a multidisciplinary approach.

Creative Writing Contest

The "Celebrate America" Fifth Grade Creative Writing Contest continued to engage communities in discussions on immigration for the 13th year in a row. The Creative Writing Contest brings immigration into the classroom and allows students to freely express his/her unique immigration perspective. Over the years the contest has been entered by close to 50,000 fifth grade students.

In July 2009 the winner Olivia Chiu, a fifth grader from South Pasadena California, and her family, as well as her teacher Ms. Nan Freitas joined us in Las Vegas, where Olivia read her winning piece during the American Immigration Council gala in front of an audience of 1,000 and in the company of event honoree Carlos Santana.

The 2008-2009 National Judging Panel included Pulitzer Prize winning author, Junot Diaz, author Firoozeh Dumas, Senators Edward Kennedy and Charles E. Schumer.

Teacher Grant Program

The Community Education Center continues to award educational grants on behalf of the American Immigration Council. The Center seeks to fund activities that are innovative and supportive of the Council's mission of promoting the benefits of immigrants to our nation. The Center has recently focused on service learning oriented projects that can be duplicated in other communities, particularly projects that focus on:

- Innovative use of technology
- Underrepresented minorities
- Community outreach and partnerships with community-based organizations
- Math and science

Immigration Policy Center



The Immigration Policy Center (IPC) was founded in 2003, as the American Immigration Council's policy arm, and is dedicated to shaping a rational conversation on immigration and immigrant integration in America. Its mission is to inform and change attitudes toward immigrants and highlight their contributions to American society, with the goal of achieving comprehensive immigration reform (CIR). IPC provides policymakers, the media, and the general public with accurate information about the role of immigrants and immigration policy on U.S. society. IPC reports and materials are widely disseminated and relied upon by the press and policy makers.



The Immigration Policy Center's most notable reports in 2009.

Immigration Policy Center

Leadership

In early 2009, IPC experienced some big changes. Mary Giovagnoli was named Director bringing an incredible wealth of experience and knowledge to the IPC. She previously worked at the National Immigration Forum where she served as their Senior Policy Director. Mary was also trial attorney and associate general counsel with the Immigration and Naturalization Service and associate chief counsel for United States Citizenship and Immigration Services (USCIS). She is a former Congressional Fellow from USCIS, serving for a year in Senator Edward M. Kennedy's office working on comprehensive immigration reform and refugee issues in 2007.

IPC continues to blaze a trail for itself in immigration policy research and analysis. The IPC has become one of the most reliable and nimble outlets for good information on immigration and rapid response work to nativist and restrictionist groups in Washington. The nuts and bolts of our work continue to be ongoing affirmative research, special reports, fact sheets, blog posts, and perspectives pieces we generate and distribute.

Throughout 2009, the IPC focused its work and directed the attention of lawmakers, journalists, and the public towards five important immigration topics:

The Political and Economic Clout of New Americans, Latinos, and Asians

The current economic crisis has led to finger-pointing at immigrants around the country by anti-immigrant groups that seek to portray them as an economic drain. To combat this, IPC spent 2009 issuing state fact sheets and press releases, and holding press calls to roll out the localized data highlighting the positive contributions immigrants, Latinos and Asians make to the economy. We are more than halfway

done, having issued 25 state fact sheets. IPC analyzes not only the economic benefits which immigrants bring to states, but also the political clout they demonstrated in the November 2008 elections. We will pursue similar efforts in 2010.

Pushing Back on Restrictionist and Nativist Groups

Restrictionist groups repeatedly assert a wide range of falsehoods about immigrants, particularly the myth that they tend to be criminals, drain public resources, steal U.S. jobs and cause global warming. IPC continues to rebut these assertions by highlighting research which demonstrates that immigrants are actually less likely to commit crimes than the native-born, do not compete with most U.S. workers for the same jobs, do not use public services at the same rates as natives and are no more responsible for global warming than anyone else.

The Failures of a Deportation Only Approach to Undocumented Immigration

Restrictionists constantly assert that undocumented immigration can be stopped through enforcement measures alone, without comprehensive immigration reform that might bring the U.S. immigration system in line with the economic realities which drive undocumented immigration in the first place. IPC continues to explain why the deportation-only approach to controlling undocumented immigration has failed for decades, and how this approach actually undermines the U.S. economy and U.S. national security in the long run.

Monitoring the Incoming Administration and Congress

With a new administration in power, there is much work to be done from monitoring appointments and confirmations to paying close attention to immigration-related amendments to pieces of legislation passed in the new Congress. We have placed particular emphasis on the stimulus bill and health care debate by providing information about how immigrants are impacted and participate in health care and by showing how E-Verify amendments to the stimulus would stall rather than stimulate the economy.

Breaking Down the Problem and Focusing on the Solutions

In anticipation of reform discussions in Congress, IPC spent late 2009 laying out a series of "problem" and "solutions" papers. These papers make clear the problems with our broken immigration system and the areas which must be resolved through comprehensive immigration reform legislation. Breaking Down the Problems, What's Wrona with Our Immiaration System? discusses the structural failures of our system and the subsequent solutions series focuses on the remedies in the areas of Employment Verification, Earned Legalization, Naturalization and Integration, Enforcing Immigration Laws, Family Immigration, and Future Employment-Based Immigration Flow.

ImmigrationImpact.com

In 2009, our blog, ImmigrationImpact. com, continued to help shape an online conversation on immigration that shifts the terms of the national debate towards achieving workable and effective comprehensive policy reform, particularly in the blogosphere. Over the year the blog received 112,000 total visits from 70,000 unique visitors. IPC staff post news and research analysis every day and a News Flash feature that has been established for shorter, up-to-the-minute posts on the latest breaking immigration news. The IPC blog continues to be one of the most widely-read immigration blogs anywhere.

International Exchange Center



The International Trainee Exchange Program changed its name in 2009 to the International Exchange Center. The IEC continues to bring people together across international boundaries to connect, learn, and innovate. We firmly believe that the movement of people across borders improves quality of life worldwide. When international trainees on J-1 visas improve their career skills through training in the United States, they are better equipped to take care of their own families and communities. On a larger scale, the positive ties created between US hosts and international trainees lead to a more stable world. When J-1 interns learn and share cutting edge technologies through internships with American companies, we all gain. In a world all too often defined by "us" and "them," our exchanges result in a wonderfully diverse "us."



International Exchange Center group visits Poland in May 2009.

International Exchange Center

Expanded Offerings

Our in-bound exchange visitor trainee program expanded to include exciting occupational categories in art & culture, social services, and tourism. These were added to our existing offerings in the fields of business, the sciences, law, and communications. Our host companies report that the trainees and interns provide an important window on technical developments overseas while they gain a view of the United States that can only occur through direct personal contact with Americans.

Our Exchange Visitor of the Month featured on our website www.
internationalexchangecenter.org
provides a snapshot of how our trainees and interns become involved in American communities and explore America culture. Exchange Visitors come to the United States expecting to learn skills related to their career fields, but they return to their home countries with far richer experiences of America.

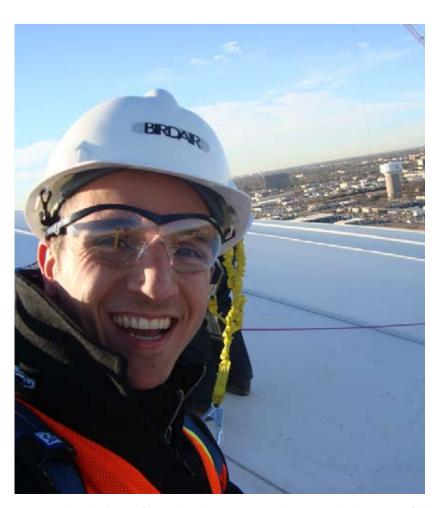
Trip to Poland

Short-term exchange is not a one way ticket. In May 2009, the American Immigration Council took a group of Americans to Warsaw and Kracow, Poland to look into immigration and human rights issues from a Polish perspective. While there, we heard from several speakers about the change in immigration patterns resulting from Poland's entry into the European Union. The focus of young Poles has changed from looking to America for opportunity in education and employment to looking to Europe. The information formed a sharp reminder of the role economics and politics play in the movement of people across borders.

We are proud of the exchanges we facilitated in 2009 while meeting the challenges of the economic recession in the United States. We are harnessing the power of people to move the world in ways that move us all past restricting boundaries and fear of those unknown.



Jo Oyanagi of Tokyo, Japan is a J-1 trainee in Waterloo, Wisconsin in the business field.



 $\textit{Mauricio do Pinho Chivante of Sao Paolo, Brazil is a \textit{J-1 trainee} in Amherst, New York in the engineering field.}$



The Legal Action Center (LAC) strives to increase the accountability of government agencies that administer the immigration laws and to ensure these laws are interpreted and implemented in a way that honors fundamental constitutional and human rights. The LAC engages in impact litigation, appears as amicus curiae (friend of the court) before administrative tribunals and federal courts in significant immigration cases on targeted legal issues, and has long worked to protect the right to counsel for noncitizens facing removal from the United States.



The front of the US Supreme Court in Washington, DC.

SAFEGUARDING THE RIGHT TO FAIR PROCEDURES FOR IMMIGRANTS IN REMOVAL PROCEEDINGS

Right to Counsel

The right to counsel must mean that a person has a remedy for ineffective assistance of counsel. The LAC has long argued for fair standards and procedures for remedying the sometimes devastating results of ineffective assistance of counsel. In 2009, the LAC led a successful nationwide effort to convince Attorney General Holder to withdraw an opinion by his predecessor which all but eliminated the right to a remedy for ineffective assistance of counsel. Subsequently, the LAC submitted extensive comments to the Department of Justice encouraging it to adopt fair and comprehensive regulations on providing for a remedy when prior counsel was ineffective.

Fixing an Unworkable Adjudication Process

In a precedent-setting case before pending before the Board of Immigration Appeals (the highest administrative tribunal) in 2009, the LAC successfully argued in a brief of amicus *curiae* that immigration judges must be allowed to decide all issues relating to noncitizens' employment-based applications for lawful permanent residency. Prior to the LAC's victory, the government was employing an unworkable, overly bureaucratic, and ultimately unlawful system that split decision-making in certain cases between immigration judges and the United States Citizenship and Immigration Services.

Protecting the Right to Seek Reopening of a Removal Order

In some cases, after a person is ordered removed from the United States, there are changes in his or her circumstances that affect the validity of the removal. For example, a person may now have an approved visa that makes him eligible to remain the in United States. Under the immigration statute, the immigrant may file a motion to reopen – a procedural mechanism that allows individuals to present new evidence to an immigration judge – in order to challenge the removal order and seek lawful status in the United States. However, the government takes the position that if a person is deported before his or her motion is decided by the agency, that person no longer has the right to seek reopening. Following up on an earlier success on this issue with one federal court of appeals, in 2009, the LAC argues in several additional cases before different courts of appeals that the government's policy conflicts with the immigration statute, which provides noncitizens the right to seek reopening regardless whether the government has deported the person, and unlawfully deprives immigrants a fair process.

Protecting access to federal court review

Given the stakes involved in immigration cases, federal court review is an important check on the government's decision-making. In a case before the court of appeals in 2009, the LAC argues that a federal court has the jurisdiction to decide whether the immigration agency was wrong when it denied a person's application for lawful permanent resident status. Although Congress has limited judicial review over some agency decisions, the LAC argues that Congress did not intend for any such limitation to apply to nondiscretionary agency decisions, such as whether a person meets the eligibility requirements for residency.

Challenging the retroactive application of the law

In a currently pending class action, the LAC is seeking to preserve class members' right to apply for lawful permanent residency. A new rule makes class members – all of whom have approved immigrant visas and were eligible for residency under the prior rule – ineligible for residency. The immigration agency maintains that the new rule applies retroactively, even though class members came forward and applied for residency in reliance on the law as it existed before the new rule was announced. The LAC and co-counsel argue that the retroactive application of the rule is unlawful and violates basic notions of fair play.

PRACTICE ADVISORIES

The LAC writes and distributes authoritative, timely Practice Advisories to assist lawyers with challenging areas of the law. The advisories provide in-depth analysis of select issues and offer practical guidance and possible arguments. In 2009, the LAC issued 14 new or updated practice advisories on federal court procedure; issues related to removal proceedings; and immigration benefits. All the advisories are available at http://www.legalactioncenter.org/practice-advisories.

LITIGATION CLEARINGHOUSE

The Litigation Clearinghouse serves as a national point-of-contact for immigration litigators nationwide. The Clearinghouse publishes and widely circulates an online newsletter and maintains a website, both of which provide timely updates about ongoing immigration litigation. In 2009, the LAC issued 14 newsletters and maintained 14 web-based Litigation Issue Pages. The LAC also provides information about immigration cases that are pending or decided by the Supreme Court. The Clearinghouse resources are available at http:// www.legalactioncenter.org/litigationclearinghouse. In addition to the online resources, the LAC also hosted two in person litigation strategy meetings.

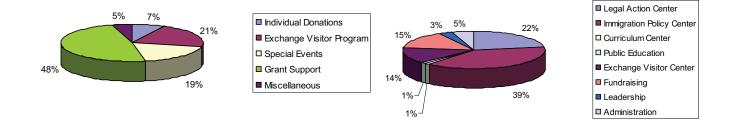
LITIGATION TRAINING

The LAC developed and conducts the innovative Litigation Institute, an intensive, interactive, participatory weekend workshop for immigration lawyers. The annual program enables lawyers to acquire new skills, practice their litigation technique, and become more knowledgeable and confident about litigation in immigration and federal courts.

2009 American Immigration Council Financial Report

	2008	2009
REVENUE		
Individual Donations	189,090	188,116
Exchange Visitor Program	825,658	533,478
Special Events	593,539	472,460
Grant Support	1,760,234	1,230,292
Miscellaneous	265,611	115,237
Total Revenue	3,634,132	2,539,583
EXPENSES		
Legal Action Center	658,617	565,850
Immigration Policy Center	791,053	972,224
Curriculum Center	211,489	27,486
Public Education	21,955	32,283
Exchange Visitor Center	328,062	350,147
Fundraising	259,478	378,628
Leadership	209,832	77,793
Administration	98,971	126,288
Total Expenses	2,579,457	2,530,699
Revenue Less Expenses	1,054,675	8,884

Revenues 2009 Expenses 2009



2009-2010 Leadership Roster



The Board, Staff and Guests of the American Immigration Council, June 2009.

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* Appointed to serve the remainder of an existing term following a vacancy on the Board. Updated May 24, 2010

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Awards and Events



Carlos Santana, multiple Grammy award winning recording artist and founder of the Milagro Foundation.

ANNUAL BENEFIT

In June, the Foundation held its 21st Annual Benefit, the *American Heritage* Awards, at the Palazzo Resort-Hotel-Casino in Las Vegas, Nevada

The honorees, representing the arts and entertainment, were celebrated by over 750 attendees. The evening's award ceremony recognized the outstanding contributions of the following outstanding immigrants to the United States: Mr. Carlos Santana, multiple Grammy award winning recording artist and founder of the Milagro Foundation. We also highlighted the 5th Grade Creative Writing Contest Winner, Olivia Chiu, and featured ALMA Award winner Alex Reymundo as our Master of Ceremonies. Special entertainment by Jean François Detaille was a highlight of the evening, as was the Las Vegas Performing Arts Academy band.



Gerda Weissman Klein Holocaust survivor, acclaimed author, Academy Award winner Co-founder of the Gerda and Kurt Klein Foundation.

WASHINGTON, DC IMMIGRANT ACHIEVEMENT AWARDS

In March, the American Immigration Law Foundation, along with the Washington, DC Chapter of the American Immigration Lawyers Association recognized two outstanding immigrants with our Immigrant Achievement Award and our Council Youth Immigrant Achievement Award. The Foundation also awarded our annual Stephen K. Fischel Distinguished Public Service Award.

The honorees included Ms. Gerda Weissmann Klein, Holocaust survivor, author and Academy Award winner with an Immigrant Achievement Award; Ms. Nandie Oosthuizen with our Youth Award, and the Southern Poverty Law Center, with our Stephen K. Fischel Distinguished Public Service Award.

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