



## Beyond the Legalization Programs: The hidden proposals that strike at our core fundamental values and Rights

- **Increasing the use of secret evidence:** Sections in the immigration proposals allow for the use of secret evidence in denying an application for naturalization and therefore bars the person from ever becoming a U.S. Citizen. We have already witnessed how the use of **secret evidence undermines the accused's right** to be able to respond to alleged claims, thus undermining our justice system.
- **So called "terrorist activity":** Proposals would add a **"terrorist activity"** and security-related grounds provision that would be used in the finding of good moral character for naturalization requirements. This type of language is vague and unclear in what activities this entails. In the past we have seen disastrous outcomes in applying ambiguous terms such as these.
- **Increasing racial profiling:\*** The house bill gives inherent authority to local law enforcement agencies to apprehend and detain immigrants. Allowing our **police officers to become federal immigration officers** and ask for status of those who "look like immigrants" only promotes racial profiling and jeopardizes our public safety.
- **Life Sentences for Immigrants that cannot be deported:** The Department of Homeland Security (DHS) would be permitted to **indefinitely detain** a person that is unable to be deported. Due to political situations, many individuals have no country that will accept their return and would be detained indefinitely rather than apply alternative methods. This includes many **Palestinians** who fall into this category.
- **Factual or Legal errors by DHS will go unchecked:** Several provisions would limit a person's access to court to contest decisions by the Department of Homeland Security (DHS). This removes the necessary role of the court to **review abuses** and discretionary decisions made by immigration officers everyday.
- **Detention without your day in court:** The proposals call for **mandatory detention** of undocumented immigrants at a port of entry that are not Mexican or Cuban. This would prevent a person's right to fair and just judicial review of their individual circumstances.
- **"Flight Risk" if you don't change your address:** The Department of Homeland Security would be permitted to label a person as a **flight risk** based on the number of times they failed to change their address.
- **Turning Minor Offenses into grounds for deportation and prosecution:** Several provisions would make a number of acts such as omitting information or including a wrong address or birth date on an application as grounds for **deportation and criminal prosecution**. This is extremely alarming since many individuals unintentional make mistakes and/or leave information out of their application.
- **Criminalization of millions of undocumented or out of status immigrants:\*** Creates a **new federal crime** of "unlawful presence" and would define immigration violations so broadly as to effectively include every violation, however minor, technical or unintentional, as a federal crime.
- **Criminalization of humanitarian assistance:\*** Makes churches, mosques, synagogues, service providers and other institutions into **criminals for providing much needed aid** to undocumented or out of status immigrants and their children.

*\*These provisions were passed in the House immigration bill titled Border Protection, Anti-Terrorism, and Illegal Immigration Control Act (H.R. 4437, passed in December 2005) and are included, completely or partially, in the Senate proposals.*

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