

**Joint Legislative Audit and Review Commission
of the Virginia General Assembly**



**Follow-Up: Acclimation of Virginia's
Foreign-Born Population**

**Staff Briefing
Linda Ford
July 12, 2004**

Background

- **At the November 10, 2003 meeting, JLARC directed staff to continue research into issues pertaining to Virginia's foreign-born population, including:**
 - **Continued analysis of 2000 Census sample data**
 - **Identification of additional practices employed in other states and local governments for assisting immigrants**
 - **Identification of additional federal funding opportunities, including identification of additional local jurisdictions that may be eligible for federal funds through the State Criminal Alien Assistance Program (SCAAP)**
 - **Tracking of pending immigrant-related federal legislation**

2000 Census Data

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- **JLARC staff examined a wide range of data from the 2000 Census concerning the foreign-born population in Virginia. Data analyzed includes:**
 - **Percent of the population who are foreign-born**
 - **Percent of the population who are naturalized citizens**
 - **Percent of the population who are non-citizens**
 - **Number of recent immigrants (foreign-born individuals who arrived between 1995 and 2000)**
 - **Percent of the population who are limited English proficient**
 - **Number of foreign-born individuals in poverty**

- **JLARC staff developed a series of 257 maps that display these measures by census tract. These maps are available through the JLARC website at <http://jlarc.state.va.us>**

Practices Employed in Other States to Assist Immigrants

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- **The JLARC website also provides a link which lists examples of initiatives that have been undertaken in other states to assist immigrants. The listing is intended to provide examples of additional programs that could be considered for implementation in Virginia, as resources become available**

- **Examples include:**
 - **Leadership skills training for immigrants to increase their participation in community organizations**
 - **Development of videos (in various languages) explaining the expectations for students, teachers, and parents in the U.S. school system**
 - **Establishment of bilingual nursing assistant programs**

Federal Funding

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- **JLARC staff reported in November 2003 that Virginia is not taking full advantage of the State Criminal Alien Assistance Program (SCAAP), which provides federal funding to the State and some localities toward the costs associated with inmates who are undocumented immigrants**
 - **Two primary reasons: (1) lack of knowledge about the program, and (2) lack of data necessary to submit a compensation request**
 - **Based on a review of current participation by Virginia's jails, it appears that non-participating localities may be able to obtain from \$250,000 up to \$500,000 in additional federal funding**

- **HBs 234 and 235 (Cox), passed during the 2004 Session, provide a framework for collecting the data necessary to obtain these funds and for providing a mechanism for ensuring that localities are aware of this funding opportunity**

Federal Funding

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- **November 2003 JLARC staff report identified three additional federal funding programs for which Virginia does not currently participate:**
 - **College Assistance Migrant Program**
 - **Migrant Education – High School Equivalency Program, and**
 - **Migrant Education – Even Start**

- **No additional federal funding sources have been identified**

Pending Federal Legislation

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- **Provisions of National Defense Authorization Act of FY 2004:** makes it easier for immigrants serving in the military to become U.S. citizens
 - **Status:** Enacted November 24, 2003

- **Clear Law Enforcement for Criminal Alien Removal Act of 2003 (CLEAR Act):** would require states to enact law granting police officers the authority to enforce federal immigration law, and withhold certain federal funds for non-compliance
 - **Status:** In House Subcommittee on Immigration, Border Security, and Claims (house of origin)

- **Agricultural Jobs Opportunity, Benefits and Security Act of 2003:** would allow certain undocumented agricultural workers to adjust to temporary legal resident status
 - **Status:** In House Subcommittee on Immigration, Border Security, and Claims and Senate Judiciary Committee (houses of origin)

Pending Federal Legislation

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- **Development, Relief, and Education for Alien Minors Act (DREAM Act):** would eliminate the federal prohibition against providing in-state tuition benefits to undocumented immigrant students and permit these students to apply for legal status, within certain restrictions
 - **Status:** In Senate (house of origin); has been reported out of committee

- **Legal Immigrant Children's Health Improvement Act of 2003:** would allow states to provide federally funded health care for lawfully present immigrant children and pregnant women, regardless of entry date (thus lifting the five-year bar on Medicaid and SCHIP)
 - **Status:** In House Subcommittee on Immigration, Border Security, and Claims and Subcommittee on Health and in Senate Finance Committee (houses of origin)

- **Workforce Reinvestment and Adult Education Act of 2003:** in part would provide for job training that integrates occupational skills training with language acquisition
 - **Status:** In Conference