



June 2009 | In This Issue

Administration Watch

### Administration Watch

- [FY2010 Budget Sends Mixed Message](#)
- [Due Process for Immigrants Is Restored](#)

### From Capitol Hill

- [Health Care Reform](#)
- [Reuniting Families Act](#)
- [Health Survey for Native Hawaiians and Pacific Islanders](#)

### In the Courts

- [Judge Sotomayor](#)
- [No Retroactive Benefits for Pregnancy Discrimination](#)

## President Obama's FY2010 Budget Sends Mixed Message to the RJ Community

On May 7th, President Obama submitted his [FY2010 budget recommendations](#) to Congress for approval. This budget, the first of his administration, lays the groundwork for funding allocations for the next year as well as policy priorities for the coming years. Some highlights of the proposed budget include striking the provision which currently prohibits the District of Columbia from using local revenues to fund abortions for low-income women; defunding abstinence-only-until-marriage programs; a \$178 million set aside for "evidence-based" sex education programs that prevent teen pregnancy; and creating a state option to extend basic health care to more low-income women through an expansion of Medicaid family planning services.

But although the budget makes some advances toward reproductive justice, it also has its share of shortcomings. Notably, the proposed budget fails to remove restrictions on the use of federal



Everyone has a health care story.  
What's yours?

The health care reform debate is heating up fast, and the time is ripe for NAPAWF members to raise our voices and be heard. NAPAWF wants to hear from you so that we can link real world examples to the policy reforms we want Congress to make. If you have a health care story, please [share it with us](#). We'll post your story on our blog, [Warrior Prose](#), and may deliver your message on one of our Hill visits. *(Please indicate if you would like to remain anonymous when we share your story.)*

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Support Reuniting Families Act!

There are three QUICK ACTIONS you can do TODAY:

1. CALL NOW to urge your Representative to cosponsor the Reuniting Families Act! Contact the Capital Switchboard at (202) 224-3121 to be directly connected to your Representative. (You can find out who your Representative [here](#).)

SAY: "Please co-sponsor the Reuniting Families Act and help reform our outdated family

funds for providing abortions. These restrictions create obstacles to accessing timely abortion services for many low-income API women. To learn more, read NAPAWF's [Hyde Factsheet](#).

[back to top](#)

## Attorney General Holder Restores Due Process for Immigrants

On June 3, Attorney General Eric Holder [vacated a Bush-era order](#) issued in the Matter of Compean, which stated that immigrants do not have a constitutional right to effective assistance of counsel in removal proceedings. In Compean, former Attorney General Mukasey altered the Board of Immigration Appeals' long-established procedures, making it more difficult for immigrants to make ineffective assistance of counsel claims. Attorney General Holder's order restores the law to what it was before the Compean decision, and directs the Executive Office for Immigration Review to solicit public comment and initiate rulemaking procedures to evaluate the existing framework for making ineffective assistance of counsel claims.

Attorney General Holder's order will have a significant impact on the API community. According to the Department of Justice's Executive Office for Immigration Review, in 2007, China, Indonesia, India, Pakistan and the Philippines were among the top 20 nations of origin for individuals appealing decisions in removal

immigration system that is keeping 5.8 million family members separated from their loved ones. Currently, the wait for a family immigration visa can span decades, which is a lifetime for the spouse, child, or parent of a hardworking immigrant. As an Asian American/Pacific Islander, I am especially concerned that family members from Asia and immigrant women are disproportionately hurt by inefficiencies in the system. It's time to update the family immigration system to reflect the needs of our society today."

2. **ENDORSE** this legislation as an organization. Contact Parag Mehta at [parag@alumni.utexas.net](mailto:parag@alumni.utexas.net).

3. **FORWARD this action** to 10 friends and urge them to participate.

### **Tell a friend**



Help us build a social justice movement for APA women and girls!  
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proceedings. NAPAWF praises Attorney General Holder for recognizing the importance of having a fair, accessible process for immigrants to assert ineffective assistance of counsel claims before the Board of Immigration Appeals. NAPAWF believes that when a person's right to be present in the United States is at stake, the integrity of the immigration system requires both adequate representation and a meaningful opportunity to be heard.

[back to top](#)

From Capitol Hill

## **Senate Releases First Draft of Health Care Reform Legislation**

Last week, the Senate Health, Education, Labor and Pensions (HELP) Committee released an unfinished draft of its health care reform proposal. Entitled the "[Affordable Health Choices Act](#)," the bill signifies the first major step in the legislative process toward reforming our broken health care system.

The bill has five major components (providing choice of coverage options, cost reduction, prevention, health system modernization, and long term care and services) and addresses each issue through a variety of proposals and initiatives. The bill also offers a package of reforms to the individual and group insurance market which would end some [discriminatory practices](#) such as using health status, gender, disability,

preexisting conditions and type of work to determine premium rates.

The legislation includes an option to establish "Health Benefit Gateways" in every state, which would provide eligible individuals and businesses greater access to affordable, quality health insurance by providing a marketplace in which they could shop for qualified health plans including a public health plan option. Low- and moderate-income people (earning up to 500% of the federal poverty line) participating in the Gateway would receive subsidies on a sliding scale to help offset the cost of coverage; however, certain categories of immigrants would be ineligible for subsidies.

The bill also creates a new entity called the "Medical Advisory Council," which would set the benefit levels and define affordability in the Gateway. According to the proposal, the benefit packages would cover a wide array of services, including mental health and substance abuse, ambulatory patient services, maternity and newborn care, prescription drugs, rehabilitation and habilitation services, and others. The bill does not specify reproductive health care, but the Council is expected to determine whether a benefit package would include family planning services.

NAPAWF is committed to advocating for reforms in the health care system that make quality health care services affordable and accessible to all. Nearly 18% of Asian American women and 24% of Native Hawaiian women are uninsured. API women are more likely than their white or male counterparts to

live below the poverty line and lack employer-sponsored health coverage.

But health insurance coverage alone does not ensure access to quality health services. The API community includes more than 30 diverse ethnic subpopulations that vary by national origin, language, culture, immigration status and economic status. As such, health services must be patient centered and take into account [the impact of culture, language and gender identity](#) at all levels of assessment, diagnosis and treatment in order to meet the needs of API women and their families. In addition, API women need comprehensive health care services that span a woman's lifetime and address her physical, mental and dental care needs. Access to reproductive and sexual health services is a critical component to well-woman care, particularly because API women experience a range of [health disparities](#) including high [cervical cancer](#) and breast cancer rates and increasing STI rates among young API women.

**[TAKE ACTION.](#)**

**[back to top](#)**

## **Reuniting Families Act Introduced in the House and Senate**

On June 4, Congressman Mike Honda (D-CA), along with Congresswoman

Linda Sanchez (D-CA) and Congressman Raul Grijalva (D-AZ), reintroduced the [Reuniting Families Act](#). This important piece of legislation contains practical solutions for allocating visas more efficiently, alleviating lengthy wait times that keep families separated for years, and decreasing measures that prevent close family members from obtaining visas. The bill is identical to its Senate counterpart introduced by Senator Menendez last month except that it includes [provisions for eliminating discrimination](#) in immigration law against same-sex permanent partners and their families who are seeking to reunite. The Senate Judiciary Committee held its first-ever hearing early this month on [the need for justice for bi-national same-sex partners](#).

There are currently 5.8 million people in the family immigration backlog, and nearly half originate from Asian countries. Family members in China, India, and the Philippines face some of the longest waiting periods--sometimes waiting up to 22 years before reuniting with their loved ones. API women and girls apply for family-based visas more than any type of visa. In 2004, 69% of all female immigrants received their permanent residency through the family-based immigration system. Women were 38% more likely to obtain legal permanent resident status through a family-based visa than men.

**[TAKE ACTION.](#)**

[back to top](#)

## Legislation Introduced

## **to Fund Health Survey for Native Hawaiians and Pacific Islanders**

On May 21, Rep. Madeleine Bordallo (D-GU) introduced H.R. 2581, the [Native Hawaiian and Other Pacific Islander Health Survey Act of 2009](#), which amends the Public Health Service Act to fund a survey to collect health data on Native Hawaiians and Pacific Islanders. This survey is an important step in collecting disaggregated data among Asian Americans and Native Hawaiians and Pacific Islanders to address health disparities among these communities.

[back to top](#)

### **In the Courts**

## **President Obama Nominates First Ever Latina to Sit on U.S. Supreme Court**

On May 26, President Obama announced his nomination of [Judge Sonia Sotomayor](#) to fill the Supreme Court vacancy left by Justice David Souter's retirement. If confirmed, Sotomayor will be the first Hispanic and only the third woman ever to hold a seat on the U.S. Supreme Court.

Sotomayor, the daughter of Puerto Rican parents, was raised in a Bronx public housing project. Sotomayor's life experiences and impressive public service career as a prosecutor, federal

judge on the U.S. District Court, and appellate judge on the Second Circuit Court of Appeals, allow her to fully appreciate the "real-world consequences" of the decisions she makes from the bench. The Senate Judiciary Committee will begin confirmation hearings on July 13.

[back to top](#)

## **U.S. Supreme Court Rules Against Working Women**

On May 18, the Supreme Court ruled in *AT&T v. Hulteen* that employers are not required to credit pension benefits to women for maternity leave taken before the passage of the [Pregnancy Discrimination Act of 1978](#) (PDA). The Court held in a 7-2 decision that the PDA--which states that pregnancy should be treated like other temporary disabilities and that pregnancy-related discrimination is a form of sex discrimination--can not be applied retroactively. The Court concluded that employers are not required to adjust pensions for women who took maternity leave before the PDA was codified.

In November 2008, NAPAWF signed onto the National Women's Law Center's [amicus curiae brief](#) in support of affirming the Ninth Circuit's decision in *Hulteen* that held employers could not discriminate on the basis of pregnancy-related circumstances in calculating the pension benefits that female employees will receive in their retirement.

[back to top](#)

AP(Eye) On the Hill is the monthly policy newsletter of the [National Asian Pacific American Women's Forum](#).

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