State of Texas et al v. United States of America et al Doc. 64 Att. 37

EXHIBIT 18

Dockets.Justia.com

10/1/90 Miami Herald 1B
1990 WLNR 2016525

Miami Herald (FL)
Copyright © 2004, The Miami Herald. All rights reserved.

October 1, 1990

Section: LOCAL

FEW IMMIGRANTS USE FAMILY AID PROGRAM

DAVID HANCOCK Herald Staff Writer

Surprisingly few newly legalized immigrants are taking advantage of a program that could help their spouses and children avoid deportation.

Undocumented aliens' fear of the U.S. Immigration and Naturalization Service, confusion over rules and paper work, and language barriers -- the same problems that have slowed INS immigration reforms -- are keeping newly legalized people from seeking aid for their spouses and children, immigrants rights advocates say.

"People are fearful of becoming identifiable to INS," said Cheryl Little, chief counsel for the Haitian Refugee Center. "After living in the shadows for so long, one becomes inherently suspicious and paranoid. Perhaps overly cautious."

In February, Immigration Commissioner Gene McNary announced a "Family Fairness" policy to deal with undocumented spouses and minor children of the three million people who applied for legal residency in this country under 1986 immigration reforms.

After Congress passed the Immigration Reform and Control Act in 1986, the INS spent millions in advertising and community outreach programs to encourage undocumented aliens to apply for the government's amnesty and agricultural worker programs, both of which offered a chance at legal status here.

The Family Fairness policy announced this year addresses a conflict facing INS in the aftermath of the immigration reform: how could INS give legal standing to a person, but be poised to deport the person's spouse or minor children who were ineligible for legalization but remained illegally in this country?

The Family Fairness program allows spouses and children to obtain "voluntary departure" status, which lets them work here and avoid deportation. The voluntary departure status, however, does not give full legal standing to the family members. They must seek INS permission to make visits outside this country, and must have their

status renewed each year.

In the eight months since McNary announced the Family Fairness program, INS received more than 250,000 inquiries about the program -- but only 46,821 applications have been received nationwide.

The number received thus far is just a trickle considering that some experts predicted Family Fairness applications might outnumber the original three million applicants in the government's amnesty and agricultural workers programs. Immigrant organizations that work with Mexicans and Haitians -- the two largest groups of the 170,000 people who applied for legal status in South Florida -- count their Family Fairness applications in the hundreds.

"Some folks aren't applying because they don't like admitting to INS they're here in an undocumented state," said Lisa Levine, head of the South Dade Immigration Association.

Another problem facing spouses is an INS requirement to show proof they've lived in the country since November 1986, when the immigration reform was passed.

In the case of Levine's Mexican farm worker clients, men who received legal status had paycheck stubs, rent receipts and other proof of residency. Many of their wives stayed home with children and have no documents with their names on them.

"It's difficult for people to come up with proof," Levine said.

INS spokesman Rich Kinney said there has been no date set when INS will stop taking the Family Fairness applications.

EDITION: FINAL

Word Count: 670
10/1/90 MIAMIHD 1B
END OF DOCUMENT

© 2015 Thomson Reuters. No Claim to Orig. US Gov. Works.