

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Counsel Office

Series/Staff Member: Jonathan Young

Subseries:

OA/ID Number: 40206

FolderID:

Folder Title:

Disability Action Center of Georgia "Human Rights for Undocumented Immigrants with Life
Threatening Disabilities"

Stack:

S

Row:

112

Section:

1

Shelf:

9

Position:

3

**Human Rights
For Undocumented Immigrants
With Life Threatening Disabilities**

Prepared by
Federico Abreu
Disability Action Center Of Georgia
November 1998

DISABILITY
ACTION CENTER
OF GEORGIA

*We must learn to live together as brothers
or perish together as fools.*

Martin Luther King Jr.

Note:

Pages I and II are an extract of the entire document. The purpose of these pages is to be used as ***talking paper*** by advocates and any other person(s) interested in the dissemination of the petition.

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights (UDHR). This Declaration guarantees the rights of all people and encompasses a broad spectrum of economic, social, cultural, political and civil rights.

***Article 5** of the “Universal Declaration of Human Rights”.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The majority of undocumented immigrants with life threatening disabilities in the United States have been condemned to seclusion and permanent mental, physical, and emotional torture because they (and their family) are afraid of deportation. They are sentenced to a slow and painful death without basic medical attention.

***Article 25** of the “Universal Declaration of Human Rights”.

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Many people come to the United States out of desperation and fear of starvation, or because of genocidal conditions in their countries. Others are attracted by American farms and industries. Unfortunately, many of these farms and industries provide inhumane working conditions that, in many cases, will leave the workers with a life threatening disability. What makes these cases even more deplorable is that the workers will be also left without medical coverage by their employers.

Insurance companies have a huge market in the immigrant community. These multimillion dollar corporations do not require documentation when they are selling an insurance policy, but when the insured suffers an accident, coverage is denied because his or her “LEGAL STATUS”.

When the Proposition 187 of California was passed on November 8, 1994, it established a state-run system in which the *LEGAL STATUS OF ALL PERSONS* seeking public health, education, and other public benefits have to be verified. This screening process has increased the risk of disabilities among immigrants because they do not seek medical attention or vaccination for their children for fear of deportation. After the system was implemented in California a notorious case was reported in which undocumented immigrants did not take their twelve year old son to the hospital for fear of being deported; the boy died. Other reports have indicated that thousands of undocumented children are not going to schools, and stay wonder the streets, and become easy targets for *drugs/violence*, the number one cause of disabilities in the nation.

Today, at the brink of a new millennium a terrible negative anti-immigrant sentiment has emerged in the United States. It is like a terrible plague, spreading serious misperceptions and misinterpretation of historical facts and contemporary research.

We strongly believe that the leaders of this country have an obligation to respect the dignity and integrity of the people struggling for a better future, away from fear of tyranny, starvation, and persecution. We strongly believe that the Government of the United States has an immediate and imperious responsibility to develop a *rational and humanitarian alternative policy*, that could provide medical assistance and services to undocumented immigrants with life threatening disabilities.

Failure to develop such a policy would cause irreparable damage to the lives of many men and women in this country, becoming another scar on the face of a nation which stands for freedom and justice for all.

Welcome To America?

Since the 180 gross ton vessel, the *Mayflower*, with 101 passengers, left Plymouth, England, on September 16, 1620, North America became the World's melting pot and land of opportunity.

There are several major factors that make people leave their country; economic, social, religious, and political. According to the history of the United States and some other countries that receive immigrants, most people who move from one country to another do not intend to leave their homelands permanently. In recent decades, million of *REFUGEES* have been driven by civil war, natural disaster, and persecution to seek safety outside of their countries.

Large countries such as Argentina, Australia, Brazil, and Canada, as well as the United States, actively recruited permanent settlers (Immigrants). The United States started as a *NATION OF IMMIGRANTS* in the 17th century, as recruiters from different colonies urged citizens from northern and western European countries to become Americans.

By 1880, employers who still sought worker-immigrants, and not just temporary workers, looked increasingly to southern and eastern Europe. When Italians, Greeks, Turks, Russians, Slavs, and Jews arrived in the United States in number, new anxieties arose about making Americans of so many different kind of strangers.

Employers in the West and Southwest had never found it necessary or desirable to recruit laborers from immigrants. Instead, they relied upon alien workers from Asian countries, who were made ineligible for citizenship under the U.S. Naturalization laws. They also relied on sojourner immigrants from Mexico, whose *MUSCLES WERE WANTED, BUT WHO WERE NOT WELCOME AS MEMBERS OF AMERICA SOCIETY*. However, the system of sojourner Mexican workers, some who came lawfully and others illegally, was permitted to continue. During the World War I this was formalized in the first of a series of temporary-worker programs through which workers were imported to do hard agricultural labor with the understanding that they would be sent back to Mexico when the work was finished.

By 1917, however, most Americans were convinced that there were too many immigrants. This opposition to newcomers from eastern Europe particularly, resulted in the passage of a law in 1924 that limited the number of immigrants permitted to come to the United States (154,000 annually plus the wives and minor

children of U.S. citizens). This law established national origin quotas aimed at sharply reducing immigration from southern and eastern European countries on the grounds that such immigrants were not likely as those from northern and western Europe to *MAKE GOOD AMERICANS*.

By the 1960s it was clear that the United States national origins quota system of selecting immigrants was bad policy, not only because it failed to handle refugee situations, but also because it was totally inconsistent with the growing rights movements.

Despite all the restrictions on immigration, national concern about immigrants continued to grow. The concerns were:

1. The eruption of conflicts producing large number of refugees (when South Vietnam and Kampuchea fell to the communists in 1975); and
2. The large and increasing inflow of illegal aliens from all over the World, especially Mexico.

CALIFORNIA AND PROPOSITION 187

The "*SAVE OUR STATE*" (*SOS*) initiative, or more commonly known as *PROPOSITION 187 OF CALIFORNIA*, was approved on November 8, 1994. It established a system run by the state in which the *LEGAL STATUS OF ALL PERSONS* seeking public health care, education and other public benefits, must be verified.

Many people believe that Proposition 187 was *THE BEGINNING* of efforts to reduce legal and illegal immigration. But this is nothing new. Even in the 19th century many American born citizens became nervous about the *CAPACITY OF AMERICAN SOCIETY* to absorb newcomers. However, the real concern was that the new large-scale Irish-Catholic immigration to the United States could put their Anglo-Protestant culture in jeopardy. In 1882 the prejudice against Asians was so strong that Congress passed the first of the Chinese Exclusion Act, preventing the importation of Chinese laborers.

Throughout human history immigration issues have been the social cover for racial prejudice and Proposition 187 is not an exception.

Many American politicians and interested groups blame the Asian and Latin-American immigrants for the national economic problems in the United States today. And these same concern were directed toward the Italians, Jews, Poles, and Irish immigrants who came before.

Proposition 187 was created to control the states' escalating public services cost. But according to a study made by the Urban Institute in 1994, immigrants received about 13.1% of all cash benefits distributed in the United States. At that time, \$181.3 billion was spent on all programs (including Food Stamps, Medicaid, etc.). If immigrants received 13.1% of these expenditures, that would be \$23.8 billion. At the same time, immigrants paid about \$85.4 billion in taxes. The numbers show that immigrants paid more in taxes than they received in public benefits.

The Urban Institute concluded that immigrants paid over \$27 billion more in taxes than it cost to provide them with schooling and welfare services together.

Additionally, immigrants have been blamed for hurting the work force of American workers, but not much is said about how immigrants spur economic growth, lower prices for American consumers, and increase the demand for goods and services by American-owned industries.

These facts illustrate one more time how the United States' economy benefits from immigrants, and that there is a clear and significant contradiction when immigrants are blame for the economic problems in the United States.

Myths About Immigrants

Many people come to the United States out of desperation and fear of starvation, or because of genocidal conditions in their countries. Others are attracted by American farms and industries. Unfortunately, many of these farms and industries provide inhumane working conditions that, in many cases, will leave the workers with a life threatening disability. What makes these cases even more deplorable, is that the workers will be also left without medical coverage by their employers.

Insurance companies have a huge market in the immigrant community. These multimillion dollar corporations do not require documentation when they are selling an insurance policy, but when the insured suffers an accident, coverage is denied because of his or her "*LEGAL STATUS*".

When the Proposition 187 was passed on November 8, 1994, it established a state-run system in which the *LEGAL STATUS OF ALL PERSONS* seeking public health, education, and other public benefits, have to be verified. This screening process has increased the risk of disabilities among immigrants because they do not seek medical attention or vaccination for their children for fear of deportation. After the system was implemented in California a notorious case was reported in which undocumented immigrants did not take their twelve year old son to the hospital for fear of being deported; the boy died. Other reports have indicated that thousands of undocumented children are not going to schools, wander the streets, and become easy target of *drug/violence*, the number one cause of disabilities in the nation.

It is impossible to determine the number of undocumented immigrants with life threatening disabilities in this country. They can be our next door neighbor, but they are condemned to seclusion and permanent mental, physical and emotional torture. They are sentenced to a slow and painful death without basic medical attention.

There is no difference between yesterday's and today's immigrants. They come to the United States looking for jobs and a better life and not for public health care and schools (many of them do not know what health care and schools are). Undocumented immigrants do not seek government benefits because they do not have legal papers and because they are afraid of being deported back to the political persecution and misery of their countries (remember hurricane Mitch that devastated Honduras, Guatemala, and Nicaragua in 1998).

What is wrong and immoral is to exploit immigrants' labor and then deny benefits when they most need them. What is wrong and immoral is to deny medical services to immigrants with severe disabilities for the reason of being illegal (if a human being can be illegal on this Earth). What is wrong and immoral is to forget the traditions that made America a nation of immigrants and to ignore the importance of the economic, social, and cultural contributions that immigrants (including "**ILLEGALS**") have made to the enhancement of the United States. What is wrong and immoral is to forget the thousands of immigrants that gave their lives for this country, defending freedom and democracy all over the world. What is wrong and immoral is to forget the sweat that immigrants (the majority "**ILLEGALS**") leave in the fields of North America every day.

Federico Abreu is an Independent Living Coordinator with The Disability Action Center of Georgia, Vice President of the Statewide Independent Living Council of Georgia, Secretary of the Georgia Advocacy Office PAIMI Advisory Board, Member of the Multicultural Coalition on Disability and Diversity of Georgia, and National Advocate for Disability and Immigrants Rights.

For more information contact:

**Federico Abreu
Disability Action Center of Georgia
246 Sycamore Street, Suite 100
Decatur, Georgia 30030**

**404-687-8890 Voice
404-687-9175 TTY
404-687-8298 Fax**