

HR-2. IMMIGRATION AND REFUGEE POLICY

2.1 Immigration Policy

2.1.1 Preamble. The nation's Governors recognize the important contribution immigrants have made and continue to make to our nation. Although the federal government has the primary role in directing overall policy regarding immigration and refugees, the effects of such policy on local communities present challenges that cannot be ignored by the states. These challenges include demands for education, job training, social and health services, and other assistance designed to promote the integration of immigrants into our communities.

Decisions regarding the admission and placement of legal immigrants and refugees rest solely with the federal government. Similarly, the illegal entry of other individuals also is a direct responsibility of the federal government. ~~When these decisions are coupled with federal mandates to serve both legal and undocumented immigrants and refugees in joint federal-state categorical assistance programs, the consequence is a significant increase in the state share of these program costs.~~

The federal government's unwillingness to provide adequate funding for refugee resettlement and immigrant assistance services has resulted in a dramatic shift of program costs from the federal government to state and local taxpayers. This reduced federal commitment has strained the states' ability to provide the programs and services necessary to promote economic self-sufficiency within the immigrant and refugee community. **GOVERNORS RECOGNIZE CONGRESS' WELL-INTENTIONED EFFORTS AND AGREE THAT SPONSORSHIP REQUIREMENTS CAN HELP PREVENT IMMIGRANTS FROM BECOMING PUBLIC CHARGES. HOWEVER, THE PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 THAT DENY CERTAIN BENEFITS TO THIS POPULATION, BOTH RETROACTIVE AND PROSPECTIVE, REPRESENT A considerable COST TRANSFER TO some STATE AND LOCAL GOVERNMENTS. THE GOVERNORS ARE PARTICULARLY CONCERNED ABOUT THE EFFECT OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 ON IMMIGRANTS WHO WERE IN THE UNITED STATES ON THE DATE OF ENACTMENT, BUT WHO CANNOT MEET THE CITIZENSHIP REQUIREMENTS BECAUSE OF AGE OR DISABILITY. The nation's Governors urge Congress and the administration to work in partnership with the National Governors' Association to ensure that the immigration system and its requirements are fair to both citizens and noncitizens and meet the needs of aged and disabled legal immigrants who cannot naturalize and whose benefits may be affected. The Governors further believe that an equitable solution to this issue could be achieved without reopening the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. We look forward to working cooperatively with Congress and the administration to decide the appropriate vehicle. THESE INDIVIDUALS SHOULD NOT BE BARRED FROM FEDERAL SUPPLEMENTAL SECURITY INCOME (SSI) BENEFITS AND FOOD STAMPS.**

EVEN THOUGH MANDATES HAVE BEEN TERMINATED AND STATES HAVE BEEN PROVIDED THE OPTION TO ESTABLISH ELIGIBILITY FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF), MEDICAID, AND SOCIAL SERVICES, IT IS NOT CLEAR THAT THE JUDICIAL SYSTEM WILL PERMIT STATES TO BAR REFUGEES AND OTHER LEGAL

IMMIGRANTS WHO ARE IN NEED FROM CRITICAL SERVICES PROVIDED TO OTHER RESIDENTS OF THE STATE. AT THE LEAST, DURING AN INITIAL PERIOD OF JUDICIAL DELIBERATION, STATES COULD BE REQUIRED TO SUSTAIN BENEFITS.

FURTHER, *we call upon Congress and the administration to consider whether* THOSE INDIVIDUALS WHO ARE RECEIVING FEDERAL BENEFITS AND WHO HAVE SUBMITTED AN APPLICATION TO NATURALIZE SHOULD CONTINUE TO BE ELIGIBLE TO RECEIVE THESE BENEFITS WHILE THEY ARE PARTICIPATING IN THE APPROXIMATE SIX- TO NINE-MONTH NATURALIZATION PROCESS.

Because immigration and refugee policy is under the sole jurisdiction of the federal government, the Governors believe that the federal government must be prepared to bear the costs of such policy.

2.1.2

Principles. Because immigration decisions have a broad influence upon our society and involve the states, the Governors urge Congress to consider the following principles in the deliberation and formulation of immigration policies.

- The decision to admit immigrants is a federal one that carries with it a firm federal commitment to shape immigration policy within the parameters of available resources we as a nation are determined to provide.
- The fiscal impact of immigration decisions must be addressed by the federal government. The states, charged with implementing federal policy, have shared and are sharing in the costs; however, there should be no further shift of costs to the states.
- Immigration policy shall be developed within the context of our national interest, which takes into consideration preservation of the family, demographic trends, economic development, labor market needs, and humanitarian concerns.
- Immigration decisions shall not discriminate against nor give preference to potential immigrants because of their nationality, race, sex, or religion.
- A basic responsibility of the federal government is to collect and disseminate timely and reliable statistical information on immigration and its consequences for the United States.
- ~~The increase of the social and economic strength of our hemisphere neighbors is an efficient method to reduce migration.~~
- Immigration policies and administrative systems should be modernized and reviewed periodically to ensure that they are fair and workable.
- FEDERAL IMMIGRATION POLICIES SHOULD ENSURE THAT NEW IMMIGRANTS DO NOT BECOME A PUBLIC CHARGE TO FEDERAL, STATE, OR LOCAL GOVERNMENTS.
- A TRANSFERRED PRISONER'S EARLY RELEASE BEFORE THE BALANCE OF THE STATE-IMPOSED MAXIMUM SENTENCE IS SERVED SHOULD BE CALCULATED AND GOVERNED UNDER THE LAWS OF THAT STATE AND NOT THE PRISONER'S COUNTRY OF ORIGIN.
- THE FEDERAL GOVERNMENT MUST PROVIDE ADEQUATE INFORMATION TO AND CONSULT WITH STATES ON ISSUES CONCERNING IMMIGRATION DECISIONS THAT AFFECT THE STATES.

- STATES SHOULD NOT HAVE TO INCUR SIGNIFICANT COSTS IN IMPLEMENTING FEDERAL LAWS REGARDING IMMIGRATION STATUS AS A CONDITION OF BENEFITS.

2.1.3 **Immigration Ceiling and Preference System.** The National Governors' Association supports control of legal immigration at a level consistent with our national interest and resources, under a ceiling adjusted periodically by Congress as conditions warrant. The ceiling should continue to exclude immediate relatives of United States citizens, refugees, asylees, and aliens whose adjustment of status is not subject to immigration quotas under current or future laws.

The ceiling should provide for the separation of the two major types of immigrants—families and independent immigrants—into distinct admission categories. In designing the preference system, the principle of family unity should be preserved and the independent immigration system should reflect economic and labor market needs.

2.1.4 **Prohibition on the Hiring of Illegal Immigrants.** THE GOVERNORS AGREE THAT to help control illegal immigration, the employment of illegal immigrants should be prohibited. TO THIS END, ENFORCEMENT MECHANISMS AND VERIFICATION SYSTEMS MUST BE ENHANCED. The appropriate federal agencies selected to enforce this prohibition should have the resources necessary to carry out their task. EMPLOYERS SHOULD HAVE ACCESS TO A RELIABLE VERIFICATION SYSTEM THAT WILL ASSIST THEM IN COMPLYING WITH THE LAW. SUCH A SYSTEM SHOULD The federal government should develop enforcement mechanisms that will minimize the administrative burdens on employers and SHOULD that do not discriminate against the employment of workers and potential workers.

THE GOVERNORS ALSO SUPPORT THE DEVELOPMENT OF METHODS TO PREVENT IDENTIFICATION DOCUMENT FRAUD. HOWEVER, THE GOVERNORS DO NOT SUPPORT THE DEVELOPMENT OF THOSE METHODS THAT UNNECESSARILY INVADE THE PRIVACY OF INDIVIDUALS, INFRINGE UPON AREAS THAT TRADITIONALLY HAVE BEEN UNDER THE SCOPE OF STATE AND LOCAL AUTHORITY, OR DIRECTLY OR INDIRECTLY CREATE UNFUNDED MANDATES TO STATE AND LOCAL GOVERNMENTS.

2.1.5 **Legalization AND NATURALIZATION.** The Governors urge the following.

- ~~The federal government must provide full and timely reimbursement to state and local governments for costs incurred as a consequence of the legalization program. The Governors call upon the federal government to make available without further delay the state legalization impact assistance funds (SLIAG) promised the states under the Immigration Reform and Control Act of 1986 (IRCA).~~
- States require maximum flexibility in determining and allocating resources to meet the needs of newly legalized aliens.
- THE IMMIGRATION AND NATURALIZATION SERVICE MUST BE DILIGENT IN ITS EFFORTS TO ENSURE THAT FELONS ARE NOT NATURALIZED AND BEING GIVEN THE BENEFITS OF CITIZENSHIP RATHER THAN BEING DEPORTED.

- THE NATURALIZATION PROCESS SHOULD BE STREAMLINED TO BE MORE EFFICIENT AND ACCESSIBLE TO ELIGIBLE APPLICANTS WISHING TO BECOME CITIZENS, WITH ALL THE RIGHTS AND RESPONSIBILITIES THEREOF. IN ADDITION, AS CONGRESS ALLOWED EXEMPTIONS TO NATURALIZATION TESTS FOR PHYSICALLY AND MENTALLY DISABLED APPLICANTS, THERE SHOULD BE AN EXEMPTION FOR THOSE INDIVIDUALS WHO ARE ELIGIBLE FOR NATURALIZATION EXCEPT FOR THE INCAPACITY TO COMMUNICATE THE DESIRE TO NATURALIZE.

~~• The current legalization program provides the opportunity for illegal immigrants to become lawful residents. Because of insufficient national and community outreach efforts resulting from a compressed timetable as required by law, application deadlines should be extended.~~

- 2.1.6 **Supplemental Worker Program.** In implementing any supplemental worker programs, the federal government must conduct timely labor certifications to ensure labor availability in the event of labor shortages. This program should not cause displacement of American workers.
- 2.1.7 **Cooperation with Western Hemisphere Countries.** A workable immigration program must recognize and involve the major sending countries. The federal government must work cooperatively with Mexico and other western hemisphere countries in the development of mutually beneficial policies. The Governors believe that trade and investment policies are critical elements to reduce illegal immigration.
- 2.1.8 **Research and Data Collection.** Congress should direct the federal government to develop a reliable data system and strengthen the research capacity on migration and its consequences to the United States, especially concerning the immigration flow, estimates of illegal migration, and impact of immigration on states and local communities. To do so, better coordination of federal agencies is needed.

~~Congress should implement the findings of the panel on immigration statistics convened by the National Research Council in 1985.~~

In order to provide the necessary information on immigration flows and secondary migration, alien registration by the federal government must be reinstated. In addition, data collected should be analyzed and disseminated to the states in a timely manner for the purpose of planning, implementing, and evaluating immigration policy.
- 2.1.9 **LEGAL Immigration Law Enforcement.** The federal government should provide sufficient funding to the Immigration and Naturalization Service and other appropriate agencies to enforce the immigration laws, modernize management, and provide for an adequate and reliable data collection system.
- 2.1.10 **Exclusion/Asylum Proceedings.** Individual claims for asylum should be handled in a fair and expeditious manner. Prompt efforts should be made to address the current backlog problems.
- 2.1.11 **Emergency Authority and Contingency Plan.** As the President has contingency planning authority, the federal government must develop a contingency plan to deal with unanticipated flows of refugees, PAROLEES, or asylum applicants. The states expect an immediate federal government response to such a situation. The Governors must be consulted in determining the role of the states. The states anticipate full federal reimbursement of any state and local costs.

2.1.12 IMPACT AID. SPECIAL IMPACT AID TO STATE AND LOCAL GOVERNMENTS SHOULD BE PROVIDED TO MEET UNUSUAL BURDENS ON COMMUNITIES. IMPACT AID SHOULD BE PROVIDED IN THE EVENT THAT ANY OF THE FOLLOWING OCCUR:

- A REFUGEE FLOW IS UNEXPECTEDLY LARGE OR SUDDEN;
- THE RESETTLEMENT AREA IS HIGHLY CONCENTRATED BY INITIAL PLACEMENT OF REFUGEES, INCLUDING SECONDARY MIGRANTS;
- THE RESETTLEMENT AREA HAS UNFAVORABLE ECONOMIC CONDITIONS; OR
- THE REFUGEE POPULATION HAS SPECIAL NEEDS.

~~**2.1.13 Coordination with States.** The Governors are concerned about the lack of information and adequate consultation on issues concerning immigration that affect the states. Federal agencies must develop ongoing communication mechanisms to inform and consult with states on both legal and illegal immigration matters.~~

2.2 ILLEGAL IMMIGRATION

2.2.1 LAW ENFORCEMENT. RECOGNIZING THE NEED FOR STRONGER ENFORCEMENT AGAINST ILLEGAL IMMIGRATION, CONGRESS SHOULD CONTINUE TO PROVIDE SUFFICIENT FUNDING FOR THE IMMIGRATION AND NATURALIZATION SERVICE (INS) AND OTHER APPROPRIATE AGENCIES TO CONTROL OUR NATION'S BORDER AND TO REMOVE CRIMINAL ALIENS FROM THE UNITED STATES. THE GOVERNORS STRONGLY SUPPORT PROVISIONS IN THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996 THAT WILL DOUBLE THE NUMBER OF BORDER PATROL AGENTS BY 2001, ENHANCE INVESTIGATIVE AND ENFORCEMENT AUTHORITY FOR ALIEN SMUGGLING AND DOCUMENT FRAUD, AND STREAMLINE THE PROCESS OF REMOVAL OF CRIMINAL ALIENS AND ALIEN TERRORISTS. THE GOVERNORS CALL ON THE FEDERAL GOVERNMENT TO EFFECTIVELY USE THE RESOURCES PROVIDED FOR THESE PURPOSES.

THE GOVERNORS ALSO ARE CONCERNED ABOUT THE INCREASE IN DRUG TRAFFICKING BY ILLEGAL IMMIGRANTS ALONG THE BORDERS OF THE STATES AND TERRITORIES. CONTROL OF THE FLOW OF DRUGS ACROSS OUR BORDERS IS A FEDERAL RESPONSIBILITY, AND SMUGGLING DRUGS INTO THE UNITED STATES IS A FEDERAL FELONY. THE GOVERNORS ARE CONCERNED THAT THE FEDERAL GOVERNMENT'S CURRENT DRUG-SMUGGLING POLICY IS ALLOWING A LARGE NUMBER OF PEOPLE CAUGHT SMUGGLING ILLEGAL DRUGS INTO THE UNITED STATES TO BE RETURNED TO MEXICO WITHOUT PROSECUTION. THE GOVERNORS URGE THE FEDERAL GOVERNMENT TO REVERSE THIS POLICY AND TO VIGOROUSLY ENFORCE OUR DRUG CONTROL LAWS.

2.2.2 Prosecution and Removal of Undocumented Felons. According to a recent study published by the Urban Institute, the seven states most impacted by illegal immigration housed more than 21,000 adult CRIMINAL illegal aliens in their state prisons in March 1994, at an annual cost of nearly \$500 million. These figures do not include the cost of incarcerating CRIMINAL illegal aliens in youth facilities or supervising paroled CRIMINAL illegal aliens.

THE GOVERNORS ARE CONCERNED ABOUT THE LACK OF RESOURCES IN THE IMMIGRATION AND NATURALIZATION SERVICE DEVOTED TO THE EARLY IDENTIFICATION OF CRIMINAL ALIENS IN STATE CRIMINAL JUSTICE SYSTEMS. CURRENTLY, A LARGE NUMBER OF CONVICTED UNDOCUMENTED FELONS DO NOT COME TO THE ATTENTION OF THE INS AND ESCAPE FORMAL DEPORTATION BECAUSE OF A LACK OF PRESENCE OF INS OFFICIALS IN LOCAL FACILITIES. THE GOVERNORS BELIEVE THAT PROGRAMS LIKE THE EARLY IDENTIFICATION PILOT PROGRAMS CURRENTLY OPERATING IN SEVERAL STATES SHOULD BE EXPANDED SIGNIFICANTLY TO ENSURE THAT UNDOCUMENTED FELONS ARE FORMALLY DEPORTED.

IN ADDITION, THE GOVERNORS BELIEVE THAT GREATER EFFORTS SHOULD BE MADE BY THE FEDERAL GOVERNMENT TO FACILITATE THE TRANSFER OF CRIMINAL ALIEN FELONS TO THEIR HOME COUNTRIES TO SERVE THEIR SENTENCES. CURRENT TRANSFER TREATIES ARE UNWORKABLE BECAUSE THEY REQUIRE THE CONSENT OF THE PRISONER AND THEY PROVIDE LITTLE INCENTIVE FOR THE COUNTRY OF ORIGIN TO COOPERATE WITH THE UNITED STATES IN THE ENFORCEMENT OF TRANSFER TREATIES. ALTHOUGH THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996 ECHOES THESE CONCERNS, CURRENT FEDERAL ACTION IN THIS AREA CONTINUES TO BE LACKING.

FOR THIS REASON, THE GOVERNORS CONTINUE TO CALL ON THE FEDERAL GOVERNMENT TO NEGOTIATE AND RENEGOTIATE PRISONER TRANSFER TREATIES TO EXPEDITE THE TRANSFER OF CRIMINAL ALIENS IN THE UNITED STATES WHO ARE SUBJECT TO DEPORTATION OR REMOVAL. THE NEGOTIATIONS FOR SUCH AGREEMENTS SHOULD FOCUS ON:

- ENSURING THAT THE TRANSFERRED PRISONERS SERVE THE BALANCE OF THEIR STATE-IMPOSED PRISON SENTENCE;
- REMOVING ANY REQUIREMENT THAT THE PRISONERS CONSENT TO BE TRANSFERRED TO THEIR COUNTRIES OF ORIGIN;

- STRUCTURING THE PROCESS TO REQUIRE THAT THE PRISONERS SERVE THE REMAINDER OF THEIR ORIGINAL PRISON SENTENCE IF THEY RETURN TO THE UNITED STATES; AND
- CONSIDERING ECONOMIC INCENTIVES TO ENCOURAGE COUNTRIES OF ORIGIN TO TAKE BACK THEIR CRIMINAL CITIZENS.

ADDITIONALLY, THE GOVERNORS BELIEVE THE FEDERAL GOVERNMENT SHOULD:

- INCREASE THE USE OF INTERIOR REPATRIATION WITH COUNTRIES CONTIGUOUS TO THE UNITED STATES;
- PLACE INS OFFICIALS IN STATE AND LOCAL FACILITIES FOR EARLY IDENTIFICATION OF POTENTIALLY DEPORTABLE ALIENS—NEARER THE POINT OF THEIR ILLEGAL ENTRY—TO ENSURE FORMAL DEPORTATION PRIOR TO RELEASE; AND
- UPON THE REQUEST OF A STATE GOVERNOR, PLACE INS OFFICERS IN STATE COURTS TO ASSIST IN THE IDENTIFICATION OF CRIMINAL ALIENS PENDING CRIMINAL PROSECUTION.

FINALLY, THE GOVERNORS ARE CONCERNED ABOUT THE LARGE NUMBER OF DEPORTED FELONS THAT ARE RETURNING TO THE UNITED STATES. A SIGNIFICANT NUMBER OF THE CRIMINAL ALIEN FELONS HOUSED IN STATE PRISONS AND LOCAL JAILS ARE PREVIOUSLY CONVICTED FELONS WHO REENTERED THE UNITED STATES AFTER THEY WERE DEPORTED. IN CALIFORNIA, FOR EXAMPLE, REPORTS INDICATE THAT MORE THAN 300 PREVIOUSLY DEPORTED PAROLEES ARE ILLEGALLY REENTERING THE COUNTRY EACH MONTH AND COMING INTO CONTACT WITH LAW ENFORCEMENT OFFICIALS. CRIMINAL ALIEN REENTRY IS A VIOLATION OF FEDERAL LAW PUNISHABLE BY UP TO TWENTY YEARS IN FEDERAL PRISON AND SHOULD BE ENFORCED FOR ALL STATES.

THE GOVERNORS URGE THE FEDERAL GOVERNMENT TO PROVIDE SUFFICIENT FUNDS FOR PROVEN POSITIVE IDENTIFICATION SYSTEMS, LIKE CALIFORNIA'S CRIMINAL ALIEN FLAGGING PROJECT AND THE AUTOMATED FINGERPRINTING IDENTIFICATION SYSTEM (AFIS) SYSTEM, TO ALLOW FOR THE EXPANDED USE OF THE SYSTEM IN THE REST OF THE NATION.

A significant number of the illegal alien felons housed in state prisons and local jails are previously convicted felons who re-entered the United States after they were deported. Though illegal alien re-entry is a violation of federal law—punishable by up to fifteen years in federal prison—it is rarely enforced by the federal government.

In addition, the Governors are concerned about the lack of resources in the Immigration and Naturalization Service (INS) devoted to early identification of illegal aliens in state criminal justice systems. Because a large number of convicted undocumented felons serve time in local facilities or are placed on probation, they do not come to the attention of INS and thus, escape formal deportation. Formal deportation is necessary to ensure that convicted aliens who re-enter can be prosecuted under federal law.

Finally, the Governors believe that more efforts should be made by the federal government to facilitate the transfer of illegal alien felons to their home countries to serve their sentences. Current transfer treaties are unworkable because they require the consent of the prisoner. Also, there is little incentive for the country of origin to cooperate with the United States in the enforcement of transfer treaties. The Governors note that economic incentives from the federal government to these countries can be more cost effective than federal incarceration or reimbursement to state and local governments.

In response to these concerns, the federal government should undertake the following initiatives:

- increasing enforcement of federal laws pertaining to the re-entry of illegal aliens, especially those that apply to previously convicted felons;
- identifying potentially deportable aliens earlier in the process to ensure formal deportation prior to release from state or local facilities;
- renegotiating prisoner transfer treaties and the removal of the requirement that prisoners consent to be transferred to their countries of origin; and
- considering economic incentives to encourage countries of origin to take back their criminal citizens.

2.1.13 Incarceration and Deportation Costs of Undocumented Alien Felons. Under Section 501 of IRCA, the federal government is authorized to reimburse state and local governments for the costs associated with the incarceration of undocumented alien felons. The Governors repeatedly have called on the federal government to appropriate the funds authorized under Section 501; however, no funds have ever been appropriated to assist the states and thus fulfill this federal obligation, despite rising costs in many states. The Governors believe Section 501 has proven to be an ineffective mechanism for fulfilling the federal government's responsibility to pay the correctional costs of undocumented felons.

The Governors call on the federal government to replace or amend Section 501 so that the federal government takes custody of undocumented felons convicted of state crimes. If federal incarceration is infeasible, the Governors call on the federal government to establish a billing mechanism to allow state and local governments to bill the federal government directly for the incarceration of undocumented felons.

2.2.3 Education Costs of Undocumented Aliens. The Governors are concerned about the COSTS ASSOCIATED WITH presence of ever-larger numbers of undocumented children in our school systems. In a number of states, this has led to classroom overcrowding and has seriously exacerbated the funding crunch faced by public school systems. Because of the federal government's failure to provide funding for the education of undocumented children, Governors have had to cut back on other vital public services.

In the case of Plyler v. Doe, the U.S. Supreme Court upheld a lower court ruling striking down as unconstitutional a state law that denied educational services to undocumented children. The Court's narrow 5-4 decision was based in part on the absence of any "identifiable congressional policy" on the subject and "absent any contrary indication fairly discernible in the legislative record," the Court could "perceive no national policy that supports the state." The Court's dissenting opinion noted that the majority was "making no attempt to disguise that it is acting to make up for Congress' lack of effective leadership in dealing with the serious national problems caused by the influx of uncountable millions of illegal aliens across the border."

The Governors believe the Plyler decision was in fact a call for Congress to legislate in this area. Yet, since that ruling, the federal government has done nothing to set a national policy regarding the education of undocumented children. Instead, the federal government disingenuously cites Plyler as the

final word. Meanwhile, state and local governments are forced to devote scarce resources to comply with a constitutional mandate born of federal inaction and irresponsibility.

The Governors are not advocating the denial of educational services to undocumented persons. HOWEVER, SOME GOVERNORS BELIEVE THAT EACH STATE SHOULD HAVE THE RIGHT TO DECIDE WHETHER IT WILL PROVIDE FREE EDUCATIONAL SERVICES TO UNDOCUMENTED PERSONS, WHILE SOME GOVERNORS BELIEVE THAT ALL CHILDREN ARE GRANTED THIS RIGHT UNDER THE U.S. CONSTITUTION. The Governors oppose being a captive source of funding for the costs of educating millions of undocumented children. Therefore, the Governors call on the federal government to recognize its exclusive responsibility for costs associated with THE UNFUNDED MANDATE THAT IS THE RESULT OF failed immigration policies by establishing a direct billing mechanism to ensure that any educational services provided to undocumented children are financed entirely by the federal government.

- 2.2.4 **Study of Costs of Citizen Children.** Governors across the country are providing education, health, and social services to citizen children of undocumented immigrants at extremely high costs. However, the true costs are not known, as no systematic survey has been undertaken to examine these costs and the fiscal impacts on states of providing services to citizen children of undocumented immigrants. The Governors call upon Congress and the administration, working jointly with state budget officers, to undertake a study of these costs and to report back within one year, so that an accurate assessment can be made.

2.3 **Refugee Policy**

- 2.3.1 **PREAMBLE.** INTERNATIONAL POLITICAL CONDITIONS OVER THE PAST TWO DECADES HAVE FORCED NUMBERS OF PEOPLE TO LEAVE THEIR HOMES AND SEEK REFUGE IN OTHER COUNTRIES. THE UNITED STATES HAS PROVIDED LEADERSHIP TO THE WORLD COMMUNITY IN ADDRESSING THE NEEDS OF REFUGEES AND DISPLACED PERSONS. THE NATION'S GOVERNORS ARE SUPPORTIVE OF THIS EFFORT TO ASSIST THOSE INDIVIDUALS WHO HAVE BEEN DISPLACED BECAUSE OF THEIR BELIEFS AND SUPPORT OF U.S. POLICY.

~~Federal Responsibility.~~ The National Governors' Association has supported and will continue to support the domestic resettlement of refugees as defined by the Refugee Act of 1980, as amended. WE The Governors believe that refugee issues are an international responsibility and that resettlement must be shared as equitably as possible. Further, there must be a genuine effort to protect refugees worldwide.

STATES PLAY A MAJOR ROLE IN REFUGEE RESETTLEMENT. THEY MUST WORK WITH THE REFUGEES TO ASSIST IN THEIR ADJUSTMENTS TO AMERICAN LIFE AND TO EXPEDITE THEIR ECONOMIC SELF-SUFFICIENCY. EFFECTIVE RESETTLEMENT OF REFUGEES REQUIRES THE DEVELOPMENT OF SYSTEMS THAT PROVIDE CULTURALLY APPROPRIATE SERVICES TO MEET THE NEEDS OF ETHNICALLY DIVERSE COMMUNITIES, AS WELL AS EXTENSIVE NETWORKING WITH EXISTING HUMAN SERVICE SYSTEMS.

THE GOVERNORS RECOGNIZE THAT RESETTLEMENT IS NOT A ONE-TIME EVENT, BUT A PROCESS OF ADJUSTMENT THAT MAY TAKE MONTHS OR YEARS. IN ORDER FOR THIS PROCESS TO BE SUCCESSFUL, FEDERAL, STATE, AND LOCAL OFFICIALS MUST WORK TOGETHER WITH THE PRIVATE SECTOR AND LOCAL VOLUNTARY AGENCIES TO BUILD A SEAMLESS CONTINUUM OF SERVICES FROM INITIAL RECEPTION THROUGH LONGER TERM NEEDS, LEADING THE WAY TO SELF-SUFFICIENCY.

2.3.2 FEDERAL RESPONSIBILITY. ~~For those who are resettled in this country,~~ THE states are committed to working toward the rapid integration of refugees into our communities. However, the federal government has the total responsibility to meet the basic needs of refugees and entrants (e.g., cash, medical, social services, and special educational costs) for the initial three years. The federal government also has the total responsibility for determining and accounting for secondary migration to areas of saturation.

If the federal government is unwilling to sufficiently fund the necessary services, then it is incumbent upon the federal government to decrease the flow of refugee admissions. Under no circumstances should there be any further shift of costs to state and local governments.

In recent years, there have been significant funding reductions in refugee programs. These budget reductions represent a major federal policy change that shifts fiscal responsibility for meeting the basic needs of refugees and entrants from the federal government to states and localities. This fiscal policy change occurs at a time when state and local resources have experienced significant cuts in human service programs because of federal budget balancing. Because the states do not have the authority to set immigration quotas or limit secondary migration, they are unable to effectively control the additional costs incurred because of this change in policy.

Governors, Congress, and the administration should work together to identify the appropriate mechanism to address those aged and disabled refugees who are unable to become citizens. ~~AGED AND DISABLED REFUGEES SHOULD NOT BE BARRED FROM FEDERAL SUPPLEMENTAL SECURITY INCOME BENEFITS AND FOOD STAMPS AFTER FIVE YEARS OF RESIDENCE.~~ THE NEW WELFARE LAW NO LONGER PROVIDES FEDERAL BENEFITS TO THIS POPULATION AFTER FIVE YEARS, AND SHIFTS THE RESPONSIBILITY TO STATES TO DECIDE WHETHER TO PROVIDE STATE BENEFITS TO THESE REFUGEES ADMITTED TO THE U.S. BY FEDERAL POLICY. THE AGED REFUGEES, IN PARTICULAR, CONFRONT EXTRAORDINARY DIFFICULTIES IN BECOMING NATURALIZED CITIZENS, E.G. INABILITY TO PASS THE TESTS, OR LOSS OF DOCUMENTS. UNLIKE LEGAL IMMIGRANTS, REFUGEES DO NOT HAVE SPONSORS. EVEN THOSE REFUGEES ABLE TO NATURALIZE WOULD BE IN JEOPARDY FOR A SIX- TO NINE-MONTH PERIOD DURING THE PROCESS OF APPLYING FOR CITIZENSHIP.

RECENTLY, EFFORTS TO PRIVATIZE REFUGEE RESETTLEMENT HAVE BEEN UNDER DISCUSSION. UNDER THE WILSON-FISH AMENDMENT TO THE REFUGEE ACT, STATES HAVE THE OPTION OF IMPLEMENTING PRIVATIZED RESETTLEMENT PROGRAMS. THE

GOVERNORS SUPPORT MAINTAINING THE CURRENT PREMISE THAT THE DECISION TO PRIVATIZE SHOULD BE LEFT UP TO EACH INDIVIDUAL STATE.

Underlying the implementation of the Refugee Act of 1980 was the recognition that if refugee resettlement programs are to be successful, they must be developed in concert with the states and communities most directly affected by federal refugee admission decisions. The Governors are committed to working with the federal government to develop new ways of implementing resettlement programs in order to reduce reliance on public assistance programs, including increased utilization of private voluntary agencies in the service delivery process. However, any new program revisions must address the increasing fiscal burden that has been unfairly placed on the states as a result of the federal government's unwillingness to appropriate funds sufficient to support the number of refugees being admitted.

Program changes currently being implemented by the Office of Refugee Resettlement are not in the best interest of the states or the refugee population. The Governors call on the administration to place an immediate moratorium on the implementation of these changes and to work with states, local governments, and voluntary agencies to develop an effective resettlement program based on the partnership that was envisioned in the Refugee Act of 1980.

2.3.3 Principles. IN KEEPING WITH THE ABOVE PRECEPTS, GOVERNORS SUPPORT THE REAUTHORIZATION OF THE REFUGEE ACT OF 1980, WITH THE FOLLOWING PRINCIPLES AS GUIDANCE FOR DEVELOPING NEW LEGISLATION. In addition, the Governors emphasize that the following principles are important components of a federal domestic assistance program:

- The goal of resettlement assistance efforts is to help refugees achieve self-sufficiency as quickly as possible. The key to economic self-sufficiency is entry into unsubsidized employment at a living wage at the earliest possible time with concurrent removal from dependency on public aid.
- Social services are vital to reaching the goal of self-sufficiency, and federal funding should not be decreased as a means of reducing the federal refugee or entrant budget.
- UNDER THE FASCELL/STONE AMENDMENT (SECTION 501 OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980), CONGRESS INTENDED FOR CUBAN AND HAITIAN ENTRANTS TO BE TREATED AS REFUGEES FOR THE PURPOSES OF FEDERAL BENEFITS. CUBAN AND HAITIAN ENTRANTS SHOULD CONTINUE TO RECEIVE SIMILAR "REFUGEE" STATUS AS A TEMPORARY MEANS TO SELF-SUFFICIENCY.
- THE FEDERAL GOVERNMENT HAS REDUCED THE PERIOD OF ELIGIBILITY FOR REFUGEE SERVICES FROM THIRTY-SIX MONTHS TO EIGHT MONTHS. AT LEAST TWELVE MONTHS ARE REQUIRED TO ASSIST REFUGEES IN ACQUIRING BASIC LANGUAGE SKILLS, HOUSING, AND WORK TO ACHIEVE RUDDIMENTARY SELF-SUFFICIENCY. THE FEDERAL GOVERNMENT SHOULD PROVIDE ADEQUATE RESOURCES TO ENSURE A FULL TWELVE MONTHS OF ACCESS TO REFUGEE BENEFITS.
- Stability of federal funding is crucial if states are to implement an effective resettlement program. In addition, the timely provision of funding is essential to enable states to discharge their administrative responsibilities in an expeditious manner, relative to funding decisions and program planning.

- States must be consulted in a timely manner when changes in the current program are being considered. A process for ongoing state participation in program review should be incorporated into the federal administrative structure.
- The federal government should synchronize ADMISSIONS AND APPROPRIATION CYCLES TO ALLOW FOR MORE EFFECTIVE MANAGEMENT OF THE PROGRAM. ~~the funding cycles and streamline its administrative and reporting requirements for the states to allow for more cost-effective management of the program, while maintaining state flexibility.~~
- Because the refugee program is state-administered, it is essential that all funding should flow to the states to allow for centralized program planning, administration, accountability, and coordination of local planning efforts.
- Although the states are willing to consider changes in the current program that would improve the efficiency or effectiveness of the program, the Governors would oppose any attempt to convert funding for the program to a block grant.

2.3.4

Coordination and Consultation. The Governors continue to be concerned about the lack of adequate consultation on the part of the voluntary agencies (VOLAGs) and their local affiliates in the initial placement of refugees and on the part of the federal government in the equitable distribution of refugees and entrants.

States have continually urged the federal government to establish a mechanism to ensure appropriate coordination and consultation. However, significant progress has not been made and the following mechanisms need to be considered to address this problem.

- There should be a requirement in the State Department/VOLAG contract to limit placement to areas conducive to resettlement. In addition, VOLAGs and their local affiliates should be required to have a letter of agreement that specifies that there has been consultation and planning for the initial placement of refugees and sets forth the continuing process of consultation. The requirement in the State Department/VOLAG contract to limit placement to areas conducive to resettlement should include concurrence by the state.
- INS, THE U.S. DEPARTMENT OF STATE (DOS), AND THE OFFICE OF REFUGEE RESETTLEMENT (ORR) SHOULD COORDINATE WITH STATES RECEIVING ENTRANTS AND REFUGEES. ENTRANTS SHOULD BE MADE ELIGIBLE FOR DOS ASSISTANCE FOR THIRTY DAYS, OR ANOTHER MECHANISM SHOULD BE DEVELOPED TO ALLOW FOR A SMOOTH TRANSITION OF ENTRANTS INTO A COMMUNITY. THE CURRENT SYSTEM, IN WHICH AN ENTRANT SIMPLY ARRIVES IN THE UNITED STATES WITHOUT ANY KNOWLEDGE OF THE STATE, CREATES A TREMENDOUS BURDEN ON THE COMMUNITY, LEAVES GAPS IN THE PROVISION OF SERVICES, AND PROVIDES NO FOUNDATION FOR PLANNING PURPOSES.
- ~~The State Department should enter into agreements with the states for the purpose of planning and consultation on refugee placement strategies within available federal resources. This should include state participation in identifying appropriate areas for resettlement.~~
- There should be a continued requirement that sponsors not be on welfare. The sponsorship program should be modified, and existing sponsorship obligations should be more strictly enforced.

~~It is essential that the U.S. Coordinator for Refugee Affairs actively coordinate the resettlement of refugees and provide Governors with relevant information on activities within their states. In addition, there needs to be a clear delineation of the roles of the U.S. coordinator, the State Department's Bureau of Refugee Affairs, and the Department of Health and Human Services' Office of Refugee Resettlement.~~

An advisory committee should be established, representing state and local government officials, VOLAGs, and the refugee community, to examine and advise Congress and federal agencies on a full range of refugee resettlement issues.

The Governors should be closely involved in the congressional consultation process through which new refugee admissions levels are determined to ensure that program funding is provided to support the level of refugee admissions.

2.3.3

Impact Aid. Special impact aid to state and local governments should be provided to meet unusual burdens on communities. Impact aid should be provided in the event that any of the following occur:

- a refugee flow is unexpectedly large or sudden;
- the resettlement area is highly concentrated by initial placement of refugees, including secondary migrants;
- the resettlement area has unfavorable economic conditions;
- the refugee population has special needs; or
- **THERE IS A CONTINUING STREAM OF REFUGEES TO ONE GEOGRAPHIC AREA.**

2.4

Habitual Residents

For clarification purposes, the immigration and refugee policy provisions also pertain to habitual residents, as defined in the compacts of free association.

Time limited (effective WINTER MEETING 1997-WINTER MEETING 1999). ~~Winter Meeting 1995-~~
~~Winter Meeting 1997~~

Adopted Winter Meeting 1988; revised Winter Meeting 1992, Winter Meeting 1993, Winter Meeting 1994, and Winter Meeting 1995 (formerly Policy C-14).

Refugee Program Budget Authority and Obligations FY 1985 -- FY 1995

	FY 1985	FY 1995	% Change
	\$475,082,000*	\$399,772,001**	-15.9%
Arrivals	67,167	122,060	+81.7%

* Includes \$4,977,272 authorized in FY 1984 but not obligated until FY 1985.

** Does not include \$6,000,000 appropriated from Foreign Operations P.L. 103-306.

**Social Services and Targeted Assistance Per Capita
Adjusted for Inflation**

	FY 1985	FY 1995	% Change
Social Services	\$918	\$397*	-56.8%
Targeted Assistance	\$744	\$320*	-57.0%

*** Adjusted for changes in the consumer price index and
stated in 1985 dollars.**

Voluntary Agency Reception and Placement Grants FY 1985 -- FY 1995

	<u>FY 1985</u>	<u>FY 1995</u>	<u>% Change</u>
Per capita Rates	\$560	\$700	+25%
Adjusted for Inflation:	\$560	\$494	-11.8%

ck regs

Bornians 40% → new entrants in
Fillipino

Small Business Administration da help.

elderly specific ^{English material} - more repetition, bigger type

100 employees in particular
ESL - Weber grill people
gave time and provided van

Senate - to get straight reauthorization
not sure about lanes

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001****LRM NO: 5676****FILE NO: 1241****9/24/96****LEGISLATIVE REFERRAL MEMORANDUM****Total Page(s): _____****TO: Legislative Liaison Officer - See Distribution below:****FROM: James JUKES***J. Schroeder for Jukes* (for) Assistant Director for Legislative Reference**OMB CONTACT: Ingrid SCHROEDER 395-3883 Legislative Assistant's Line: 395-3454****C=US, A=TELEMAIL, P=GOV+EOP, O=OMB, OU1=LRD, S=SCHROEDER, G=INGRID, I=M
schroeder_i@a1.eop.gov****SUBJECT: STATE Proposed Testimony on Refugee Resettlement and Admissions Program for
Fiscal Year 1997****DEADLINE: Noon Wednesday, September 25, 1996**

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: Justice and HHS are also testifying at the Sept. 26th Senate Judiciary Committee hearing.

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Please include the LRM number shown above, and the subject shown below.

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet

DRAFT

Timothy Wirth
Under Secretary for Global Affairs
Department of State

FY 1997 Refugee Admissions Consultations
Before the
Senate Committee on the Judiciary
September 26, 1996

DRAFT

EMBARGOED UNTIL 2:00 p.m., SEPTEMBER 26, 1996

draft

Mr. Chairman and members of the Committee:

I appreciate very much the opportunity to meet with you to reaffirm the President's deep commitment to the United States refugee program and to present to you his proposal for the fiscal year 1997 refugee admissions program.

The United States has a long and cherished history of welcoming refugees to become part of our country. Many of us trace our ancestry to one of the refugee groups that have sought freedom here -- groups that go back as far as the history of the colonization of North America. Indeed, that most American of holidays -- Thanksgiving -- has its origins in a religious minority seeking freedom from persecution. The world continues to look to America for leadership in responding to refugee crises. We accept more refugees for resettlement than any other country in the world. In fiscal year 1995, we accepted nearly 100,000 refugees for resettlement; this current fiscal year we expect about 80,000.

For several years, we have been witnessing a major shift in the forces that generate the refugees who come to the United States. Since World War II, most of the refugees we have welcomed have been fleeing Communism. With the end of the Cold War, old nationalist and ethnic tensions -- suppressed for half a century and more -- have again sprung to virulent life, claiming victims around the world.

- 2 -

In this context, I note that 16 of the 55 countries -- 29 percent -- from which the U.S. resettled refugees in 1995 did not even exist at the beginning of this decade. In Europe, in Africa, in the Middle East, victims of ethnic strife seek refuge. The vast majority of these refugees want to go home as soon as it is safe to do so. That simple wish often conceals staggering political, social, and logistical problems for the international community to address.

For other refugees, integration into other countries in the region will be the best resolution of their situation. Even though the capacity of nations to absorb repeated and growing influxes of refugees is strained, we continue to see host nations accept refugees for permanent local integration. For a small percentage of refugees, resettlement is the only real option. The United Nations High Commissioner for Refugees -- UNHCR -- and the nations of the world all recognize that among the three durable solutions to a refugee situation -- repatriation, local integration, and resettlement -- resettlement will always be a distant third. Yet it plays a vital role in the resolution of refugee crises.

In the past year, we have made progress on improving coordination of activity among the resettlement nations of the world. In October, the United Nations High Commissioner for

- 3 -

Refugees hosted a major Resettlement Conference, where the nations that accept significant numbers of refugees came together to discuss issues of common concern. The group convened again in June, and this time included non-governmental organizations from around the world. Including these partners in our formal discussions was an important sign of our high regard for their role in the resettlement process. The group will meet again regionally -- the U.S. and Canada, and Europe, Australia and New Zealand -- six months from now and convene on a global basis a year hence.

We believe this institutionalized consultation process will improve coordination among the resettlement community. It also provides a chance for the United States to exercise its leadership in encouraging burdensharing among the nations of the world to ensure that appropriate resettlement arrangements can continue to be made available throughout the world -- and extended to non-traditional resettlement countries.

The complex interrelations of these three "durable solutions" -- repatriation, local integration, and resettlement -- are nowhere more clearly seen than in Bosnia and Southeast Asia. Nor are the inextricable linkages to our broader foreign policy interests more clear than in these two regions of the world. In Bosnia, the President is committed to making the Dayton

- 4 -

Accords work. Those accords cannot work unless the displaced persons in Bosnia and the refugees scattered across Europe feel safe to return to their homes.

Large-scale repatriation of refugees and return of internally displaced persons have not yet begun. Thus far, only about 100,000 people have returned to their homes. The U.S. is collaborating closely with UNHCR and other humanitarian organizations to promote and facilitate returns.

At the same time, we continue to fund humanitarian assistance to those who are not yet able to return. The United States remains the largest single donor to the region. U.S.-funded programs have provided desperately-needed food, fuel, shelter and medical care to millions of refugees and displaced persons and refugees in Bosnia and elsewhere in the region. So far in FY 96, the U.S. has provided over \$56 million in refugee assistance in the former Yugoslavia.

Since 1991, the U.S. Government has provided over \$1 billion in humanitarian assistance, including both cash and in-kind contributions, such as invaluable military airlift support.

In the post-Dayton map of Bosnia, some refugees find themselves now unwelcome, as ethnic minorities, in their former homes.

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Others, partners in marriages that cross ethnic lines, may find themselves unwelcome in any part of Bosnia. For some of these groups of refugees, resettlement in third countries may be their only hope for returning to stable and productive lives. We have admitted more than 22,000 Bosnian refugees since our program began -- almost 6,300 already this year. In FY-97, as I will discuss in a few minutes, we propose to broaden our program to make it more responsive to the rapidly evolving situation there.

In Southeast Asia, our refugee resettlement program is rapidly drawing to a close, as it should. That program, born of war and expanded in response to waves of dangerous boat departures from Vietnam in the decade that followed, reflects old realities. The new realities are a Vietnamese government seeking to expand its role in the world and to become an attractive center for investment. These Vietnamese desires complement our policy of encouraging human rights and freedom of movement.

I believe the Vietnamese government understands that freedom of movement for its citizens relates not just to doing business with the United States, but it is also an international norm. For its neighbors in Southeast Asia, Vietnam's acceptance of the return of its citizens who have been determined not to be

- 6 -

refugees marks the healing of an irritant that has been festering for too long.

As this program draws to a close, we have undertaken an important new initiative -- the Resettlement Opportunity for Vietnamese Returnees, or "ROVR." This initiative was designed to encourage boat people in the camps of Southeast Asia to return home voluntarily and to give those of special interest to the U.S. an opportunity for an interview with the Immigration and Naturalization Service for possible resettlement in the U.S. More than 6,300 people registered for interviews between late April and the end of registration on June 30.

June 30, 1996, also marked the end of the Comprehensive Plan of Action for Indochinese refugees, the 1989 international agreement that responded to the waves of departures. The vast majority of the approximately 17,000 people remaining in the camps of Southeast Asia are not refugees. Over 79,000 more have returned to Vietnam already and resumed their lives. Neither we nor UNHCR -- which monitors returnees more intensely in Vietnam than it does anywhere else in the world -- has seen evidence of persecution or systematic discrimination against those who have returned.

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We and the nations of Southeast Asia are determined to conclude this chapter of our common history safely, with dignity and humanity.

Also in Southeast Asia, we are now interviewing, with the assent of the Thai Government, the remaining Hmong and other Lao residents of the first-asylum camps. Unlike the Vietnamese in the region, most of these people are refugees for whom direct resettlement to third countries is possible. The first of these refugees arrived in the U.S. in mid-July. We expect about 2,500 Hmong to arrive before the end of this fiscal year, with perhaps a few hundred more early in FY 97. We are working with the UNHCR to provide appropriate reintegration assistance for those who choose to return to Laos -- or who must do so because they are ineligible to come to the U.S.

These two programs will virtually end our refugee processing in Southeast Asia, bringing to a close the largest single program of refugee admissions in U.S. history. Since 1975, we have admitted more than 1.2 million Indochinese refugees and Amerasians. As conditions change inside Vietnam and our relationship with that country moves away from the legacy of war toward a partnership in peace, it is appropriate that the migration flow shift from refugees to immigrants.

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We have welcomed the energy and talent of the Vietnamese for the past twenty years and hope to do so for many more years -- as they come to join their families and bring the skills we seek through our regular immigration programs.

Let me turn now to the President's proposal for refugee admissions in FY 1997. I believe the Committee has already received a copy. We are proposing to admit 78,000 refugees in FY 97. This represents a 13% decrease from the FY 96 ceiling of 90,000. Most of the reduction from the FY-96 levels is the result of lower admissions needs in East Asia.

Of this 78,000, the President's budget request -- for both the Department of State and the Department of Health and Human Services -- supports the admission of 75,000 refugees. Because we anticipate that we will be very close to this number by the end of the fiscal year, we are proposing that 3,000 additional numbers be held in the Unallocated Reserve. We anticipate that these numbers would be needed for admissions from Vietnam, Liberia or Bosnia. Because conditions in Bosnia are so rapidly evolving and the ROVR program is still in its early stages, it is particularly difficult to predict how many people will come from those program. The continued instability of Liberia despite recent progress in the peace process also make that country of particular importance in the next year.

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We would use these additional numbers only if two conditions are present:

-- The ceiling is otherwise exhausted.

-- The Departments of State and Health and Human Services can support the admissions out of existing appropriations.

We would consult with the Congress if we need to use these numbers.

As I noted earlier, we are witnessing a sea change in the nature of refugee crises. Not only are the forces that create refugees changing, but the nature of the flows is changing. No longer do we see large, ethnically homogenous, camp-based groups. Rather, we see smaller groups, ethnically heterogenous, geographically dispersed, and often mixed, with host populations. Our NGO partners also urged the Administration to consider opening the program to refugees from all nations, particularly in Africa.

In response to both of these developments, we propose to move away from the practice of "designating" nationalities for participation in the program. Rather, we propose to accept referrals for admission to the U.S. of refugees of any

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nationality, either by UNHCR or by any U.S. Embassy. This practice will give us the flexibility to respond quickly where resettlement is appropriate. Also to make the program more responsive to current realities, and consistent with the Dayton Accords, we propose to open resettlement to more Bosnians. In FY-96, only Bosnian Muslims with relatives in the U.S. were eligible to apply for resettlement in the U.S. as refugees. In order to promote the return of Bosnia to peace and stability without jeopardizing the safety of some of the most vulnerable Bosnians, we believe it appropriate to open the program to all of the ethnic groups of Bosnia.

Let me also say a word about the regional ceilings we propose for FY 97. As the Indochina program winds down in what we believe will be its final year, the regional ceiling is set at 10,000. If it appears that additional admissions numbers will be needed -- particularly in order to complete our ROVR initiative and other Orderly Departure Program caseloads -- we will consult with you about utilizing numbers available in the Unallocated Reserve.

We are also proposing expanded criteria that will allow us to resettle a small number of additional Burmese refugees now in Thailand.

In Bosnia, we expect that the Dayton Accords will continue to stabilize the country. We have resettled fewer refugees than

- 11 -

expected this year because many refugees are waiting to see how Bosnia stabilizes before they decide whether to return home. We expect that some of those who are now taking a wait-and-see attitude about their future will approach UNHCR to seek permanent third-country resettlement in the next year; we also expect that broadening the eligibility for family-reunification applications to all ethnic groups will lead to increased numbers of applications. For these reasons, we are proposing 18,000 places for Bosnia, 3,000 more than this year. Also within the overall European ceiling, we seek 30,000 places for refugees from the countries of the former Soviet Union, which will continue to be processed under current guidelines and applicable statutory provisions.

In Africa, we propose a ceiling of 7,000. While the continent has some of the world's most intractable refugee situations, there is hope in many instances that some may be able to return home. Significant repatriation to Somalia,

Ethiopia, Mauritania and Mali has taken place this year. Integration of more than 1.5 million returnees to Mozambique has been successfully completed.

The last remaining refugees are often those who truly cannot return home. This year, after discussions with UNHCR, the U.S.

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is accepting approximately 2,500 Benadir, a non-Somali minority of Somalia, who continue to be unable to return home after several years in camps in Kenya. Other Somali minority groups are likely to be in a similar position in the future.

We propose a Latin American regional ceiling of 4,000 next year, to be filled primarily from our in-country processing program in Havana. We remain committed to the Migration Accords, and will approve for admission the 20,000 migrants we have committed to in FY 96, including some 4,000 refugees.

In the Near East and South Asia, we propose to keep the regional ceiling at 4,000 again next year. The largest single component of this program will continue to be Iraqi refugees from the Rafha camp in Saudi Arabia. This population is unique in the world in that UNHCR has identified resettlement as the only durable solution for the entire population. UNHCR is making a strong effort to close the camp by the end of 1997. We support that effort, and will work with UNHCR and other nations to ensure appropriate burdensharing. More than 30 nations have resettled refugees from Rafha in the past four years.

Mr. Chairman, a final word about refugee admissions and immigration reform. The American people are rightfully

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concerned about the magnitude of our illegal immigration problem. The Administration supports reform to attack that problem vigorously. But study after study has shown that the American people overwhelmingly support the continued acceptance and support of bona fide refugees. We are a generous people, with a strong sense of fairness. Refugees, we know, are not trying to "beat the system." They often have been the victims of the system, sometimes literally. It is imperative that we continue to do what is right and accept people for whom the United States holds particular humanitarian concern if we are to remain true to our values, our traditions, and our dreams.

That concludes my remarks. I will be happy to respond to your questions.

The cultures of illness

Physicians are learning to appreciate new immigrants' diverse beliefs and experiences

Shotsy Faust walks into the examining room wearing casual clothes and her best bedside manner, and introduces herself to a Russian patient recently arrived in San Francisco. She smiles. "Hi, nice to meet you. I'm a nurse practitioner. How are you today?" The man looks uncomfortable. He scowls and mutters to the interpreter in Russian, "Who is this fool?" Later, the interpreter

does not want her to die at home; her spirit, they insist, will linger in the apartment after her death.

In clinics and emergency rooms across the country, Western medical science is colliding headlong with the beliefs and practices of other cultures as a new wave of migration turns even many a suburban hospital into a small United Nations. In 1992, more than 1 million legal immigrants and refugees entered the United States. Most of the newcomers speak little or no English. Many regard doctors with exaggerated awe, distrust or a mixture of the two. And more than a few carry the scars of horrifying experiences—rape, torture, imprisonment, slaughter of family members—experiences making them prime candidates for both physical and psychological illness.

This multicultural flood is changing the way health workers practice their profession, creating a surge of interest in cross-cultural research and challenging

American medicine's traditional ethnocentrism. In Boston and Fresno, Minneapolis and Miami, a growing number of hospitals are hiring full-time interpreters for significant patient minorities, providing training for staff in cultural differences and even adding ethnic foods to their menus. "There is much more awareness of cultural issues than there was 10 years ago," says Judith Barker, a University of California at San Francisco medical anthropologist and editor of a recent *Western Journal of Medicine* issue devoted entirely to cross-cultural studies.

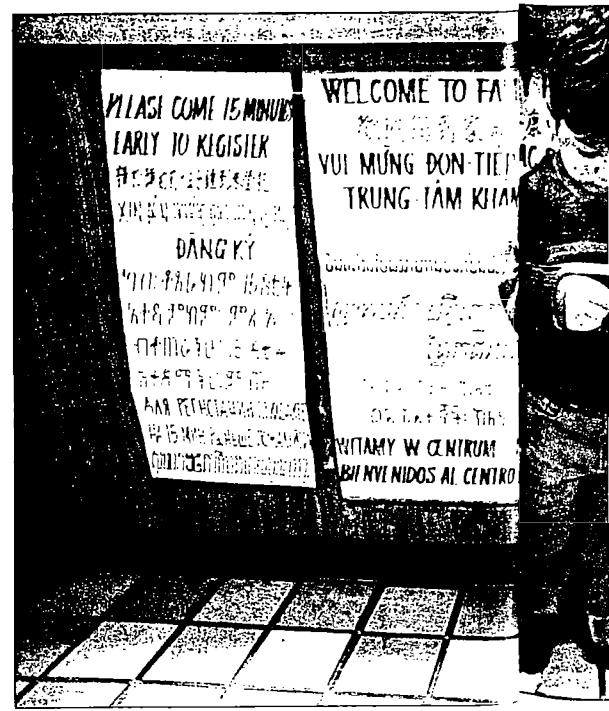
More than words. Yet, as clinicians who treat immigrant populations rapidly discover, overcoming language barriers—or even serving rice and vegetables—is not nearly enough. Providing effective medi-



Faust. "We can learn to ask the right questions."

explains: "He thought you were a ninny because you were so friendly. Next time you have a Russian patient, try wearing a white coat and acting more formal."

It is one of the twists and turns Faust has become accustomed to as director of San Francisco General Hospital's bustling refugee clinic; one of the hazards of stepping into a different world each time she greets a new patient, moving seamlessly from Saigon to Ethiopia to Baghdad to Cuba to a small village in the hills of Laos. A Haitian man refuses a blood test, fearing that the blood, which holds the soul, might be used for sorcery. A Vietnamese patient cuts his medication in half, convinced that American drugs, meant for large people, will be too strong. A Cambodian woman's family





More than just Berlitz. Interpreters like Souchai Ly (above left) explain medical procedures in terms that fit patients' cultural experience. Below, clinic signs: a new Tower of Babel.



cal care, these experts say, requires understanding not just what patients say but what they mean when they say it—that is, the attitudes toward illness and treatment they bring with them into the consulting room. Says Alan Kraut, an American University historian: "There is always a cultural negotiation that goes on in the physician's office about what he thinks is going on and what the patient is willing to accept."

Often the best solution to such clashes of world view is compromise, a bargain in which health workers accommodate traditional beliefs and healing practices in exchange for the patient's cooperation with a prescribed regimen of treatment. A Chinatown outreach team from New York's St. Vincent's Hospital, for example, is tolerant of elderly patients' use of herbal remedies as long as they don't

interact with Western medications, says Dr. Philip Brickner, the program's director. And at the University of Minnesota Hospital in Minneapolis—a primary care center for a large community of Laotian Hmong refugees—folk healers are sometimes brought into the hospital to join in treatment. "Our attitude is, you bring your shaman and we'll bring our surgeon and let's see if we can work on the problem together," says pediatrician Amos Deinard, director of the hospital's community clinic.

Spiritual needs. At times, particularly for victims of severe psychological trauma, an appeal to patients' cultural roots may be the only medicine that works. Take the case of a Cambodian woman who came to Faust's clinic complaining of headaches, back pain and disturbed sleep. The woman, born in a rural province, had been raped repeatedly by Khmer Rouge soldiers, lost her husband and older brother to the Pol Pot regime and witnessed her sister-in-law's brutal murder. Doctors tried treating her with antidepressants, sedatives and psychotherapy, but nothing seemed to help. Finally, the staff thought to bring in priests from a Buddhist temple to conduct a *ban skol*, a ceremony for the loss of the dead. The service, allowing the woman to mourn her loved ones in a traditional ritual, helped more than any Western prescription.

Medical insensitivity to diverse backgrounds can in extreme instances border on cruelty. In displaced-person camps after World War II, according to historian Kraut, U.S. medical workers expressed astonishment when female concentration-camp survivors refused to take showers and then screamed when the orderlies tried pushing them into the stalls. More recently, a Vietnamese man was arrested for child abuse when he brought his feverish son to an emergency room and doctors there failed to recognize the marks on the boy's skin as signs of "coin-ing"—a harmless folk remedy in which warm coins are rubbed along acupuncture meridians to draw out bad energy. The father, humiliated, later committed suicide.

Today, as hospital staffs become more familiar with immigrant cultures, such tragic errors are less likely, but misunderstandings still occur. Many physicians, for example, enlist a visiting relative or

SCIENCE & SOCIETY

hospital janitor to translate for a non-English-speaking patient. The result can be misdiagnosis, as in the case of a Mexican peasant woman who invented vague symptoms because she was too embarrassed to describe her real problem—a rectal fistula—while her son was translating. But being pressed into service as a translator can also cause unnecessary trauma for the person caught as go-between. At Stanford University Medical Center, Spanish interpreter Linda Haffner was called to a room on the obstetrics ward, only to be met by a 7-year-old girl in tears, the patient's daughter. "I couldn't explain to my mom everything the doctors were telling me," the little girl told Haffner. The interpreter later found out that the child had been asked to inform her mother that the baby—her little brother-to-be—was dead.

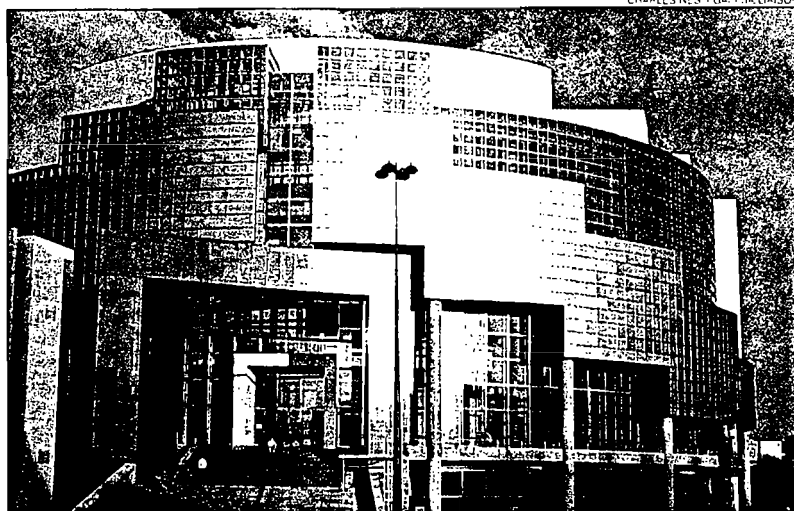
Ethical conflicts. Perhaps inevitably, the most difficult cultural negotiations take place when ethical issues are at stake, areas in which there are no clear-cut answers. A case in point is the relatively recent Western custom of informing dying patients that their illness is terminal, the rationale being that this information allows them to participate in medical decisions about treatment. Many countries, however—Japan, Italy and Russia, to name a few—consider this practice reprehensible because it robs the patient of hope. A San Francisco surgeon, in a case described by medical anthropologist Yewoubdar Beyene, discovered this fact the hard way. He told an Ethiopian woman she had inoperable stomach cancer, ignoring her husband's advice to withhold the diagnosis. Upon hearing the news, the woman refused to speak to the surgeon again. His action, she said, was "cruel and inconsiderate."

Yet as thorny as the constant brushing up against cultural variations may be for health workers, it also teaches them tolerance and curiosity—virtues that go far with any patient. Indeed, at Faust's clinic, part of UCSF's Family Practice program, residents are taught that miscommunication is rarely limited to interactions involving exotic languages. A white doctor may jump to incorrect conclusions in treating an African-American patient. A young female doctor may misunderstand the needs of an elderly man. The residents quickly learn to avoid easy stereotypes: "Latinos do X; Chinese do Y." Says Faust: "We can't know everything about every culture. We're not anthropologists. But we can learn to ask the right questions."

BY ERICA E. GOODE



Mixed reviews. The Louvre's controversial glass pyramid (left) has turned out to be a handsome winner with popular opinion, the Bastille Opera (below) a banal loser. Mitterrand never faced much criticism over the sleek and much admired Grand Arch of La Défense.



The shifting Parisian skyline

A stir over Mitterrand's architectural adventure

Paris is the most toured city in the world. Americans cannot keep away. After them in spellbound numbers come Japanese, Germans, British and now all those starry-eyed East Europeans whose reaction to being locked away for decades is to make a beeline for the City of Light. What 20 million foreign visitors a year see is a capital with a skyline their guidebooks cannot keep up with. In a short decade, Paris has undergone an architectural renewal it had not experienced over the whole of the rest of this century.

Put that down to a "royal" urge that even the French had believed was extinguished. In the past, rulers of France made a habit of eternalizing themselves

through grand monuments. Louis XIV built Versailles; Napoleon ordered up the Arc de Triomphe and a lot more; Napoleon III, in league with the scything Baron Haussmann, created a new 19th-century Paris of broad avenues. Such *grands travaux* were symbols of their rule. The monuments had of course to be in or near Paris, center of the French universe.

Reviving tradition. For most of this century, Paris stood largely unchanged because there were no longer monarchs around to develop it. But President François Mitterrand, resuming royal tradition with modernist gusto, has left his monumental personal seal from one end of the city to the other. With the end of his architectural adventure now in sight—



The temple in the triple-decker

*Inspired by one man's
vision, a handful of
Vietnamese immigrants
turned an abandoned
Dorchester drug house into
a Buddhist center —
and transformed more
than a building*

By Seth Rolbein

Sunday morning, 11 o'clock:
A dozen worshipers bow
and then sit cross-legged on a carpeted
floor in front of an altar. The flames of
thick, red candles flicker beside burning
sticks of incense. Blue smoke rises past
arrangements of oranges and persimmons,
past ceramic jars, past photographs of the
loved ones whose cremated remains rest in
those jars, past a window that reveals a

*Seth Rolbein is a frequent contributor to the
Globe Magazine and lives in Truro. His
last piece for the magazine was on the Cuban
baseball player Liván Hernández.*

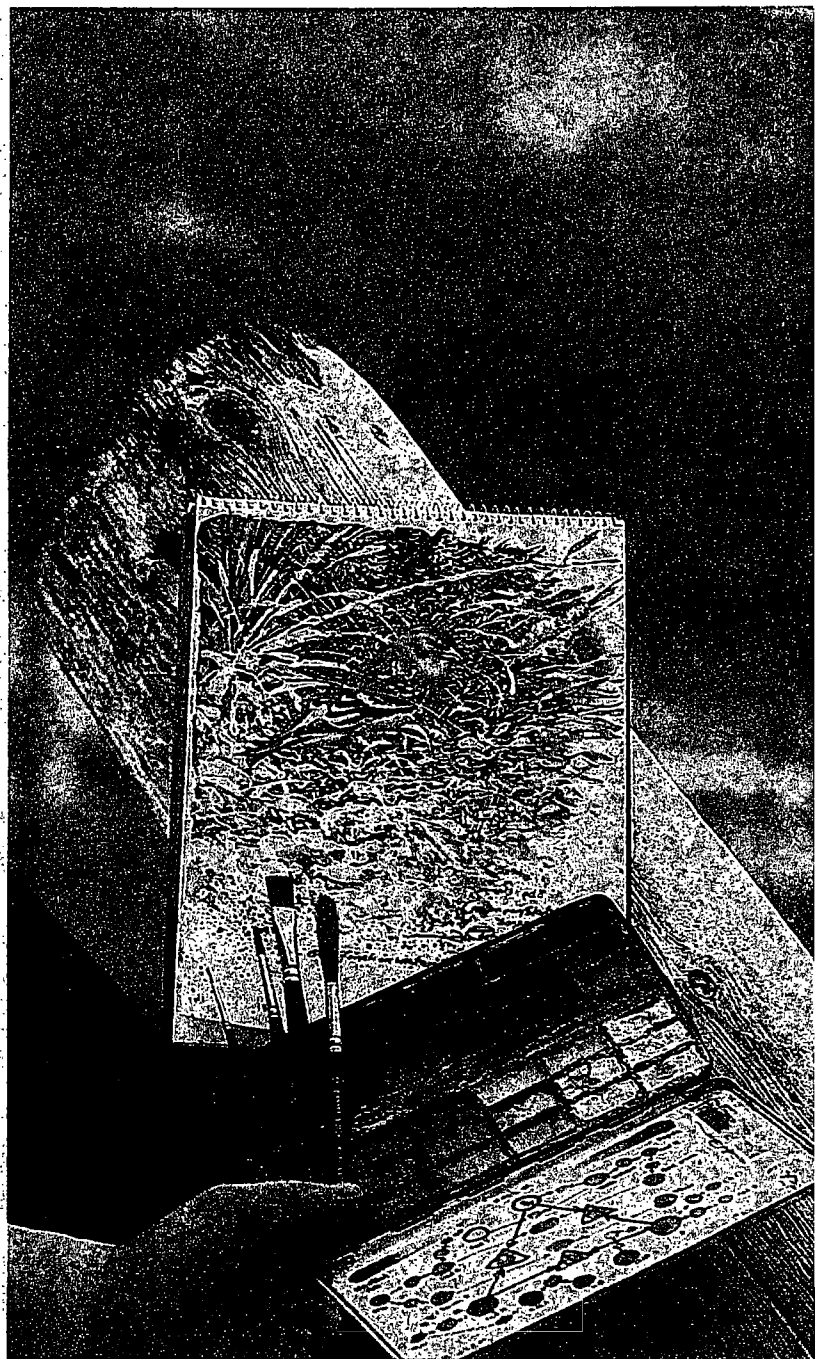
neighborhood of worn, urban buildings. A
chant rises with the smoke, a prayer sung
in Vietnamese.

Voices rise and fall for an hour. At
the altar, a large statue of Buddha in his
highest incarnation, known to the
Vietnamese as Thich-Ca, is topped by a
multicolored halo of small electric lights.
Another statue portrays Buddha as a
child, one hand pointing up, the other
pointing down, eyes staring straight
ahead. It serves as a reminder: Above is
the sky; below is the ground. And you?

wild

Though his wildlife paintings are considered among the best of their kind, it has taken Vermont's John Pitcher years to call himself an artist. It may take the fine-art world even longer.

By Yvonne Daley



The fog seems reluctant to rise from the Dorset Marsh, as if the thick autumn clouds, nickel-gray and somber, weigh it down. A murder of crows squawk from some unseen corner of the swamp, penetrating the silence. The air is raw and sodden, the grass heavy with rain, the last asters browned by recent frosts. "Isn't it beautiful?" says John Pitcher, a wildlife artist and naturalist. Rather than a dismal, cold world, Pitcher sees and hears something else entirely: the soft *chrrr-chrrr* of songbirds as they begin their morning feeding, the variations of light and darkness in the mist and clouds, the potential for one more day when weather will stay the Canada geese, mallards, black ducks, and other migratory fowl that have been waiting out the late-fall storms in this dense and barren wilderness in southern Vermont. "It's not barren," he says. "It's teeming with life. You just have to be still and look."

To be still and look, and then to share what he has seen: That's the task of the wildlife

Continued on Page 31

Yvonne Daley is a frequent contributor to the Globe who writes and teaches in Vermont and California.

You are here.

"Here" is the top floor of an old triple-decker in the Fields, Corner section of Dorchester, on an unpaved dead-end road off Park Street called Greenwood Park. For years, this has been a tough part of town. This building had been known as a drug house. The lot next door served as a dumping ground for stolen, stripped cars. In that lot now, a brick walkway meanders past a fountain; newly planted flowers and trees complement a statue, two stories tall, of a woman, a character from Buddhist tradition who embodies compassion.

From the outside, the triple-decker bears only a small sign to announce that this is Chua Luc Hoa, a Buddhist temple and cultural center. Otherwise, it looks much like any other triple-decker in Dorchester — except on Saturdays, when dozens of pairs of small shoes and boots are piled on the porch, and Vietnamese children in stocking feet run inside to attend religious classes before lunch.

Inside the building, many interior walls have been removed, especially on the third floor. The sounds of chants, gongs, and bells echo through the open space, overwhelming the din of nearby traffic and rap music. While none of the devout wear the saffron robes of a monk, one man leads the congregation in prayer, eyes closed, hands joined together. At noon, as the service ends, he smiles to greet newcomers. His name is Bao Truong, and Bao, more than anyone, is responsible for creating this temple.

For Dorchester, a community that for generations has defined its neighborhoods by Roman Catholic parishes — St. Ann's, St. Peter's, St. William's, St. Gregory's — this tri-

new institutions and strong personalities often create tension — and because any honest account of the American immigrant experience is not solely about the fulfillment of dreams.

"**C**AM ON," SAYS BAO Truong, bowing, palms together, and then he vanishes into a kitchen beside the meeting room on the temple's first floor. "Thank you," translates Huy Tran, "for

visiting." Tran, a Vietnamese-American who works as a liaison and translator in Dorchester for the Boston Police Department, adds, "And now, I think he is going to bring us some fruit. Fruit is very



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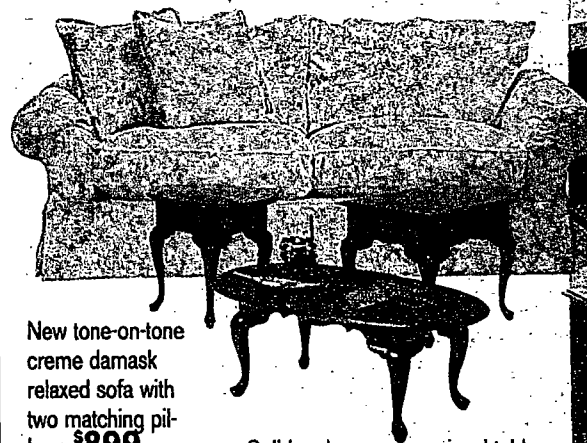
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For Dorchester, a community that for generations has defined its neighborhoods by Roman Catholic parishes — St. Ann's, St. Peter's, St. William's, St. Gregory's — this triple-decker has become a remarkable, symbolic focal point. Perhaps one day, as tradition continues to evolve, as change shocks some and delights others, people might even refer to this part of Fields Corner by a new name, perhaps "First Buddhist."

If so, then the story of how this little temple was brought to life will become part of a new tradition that, like those of earlier generations, celebrates both the courage of recent immigrants and the enduring power of faith. At the same time, this tale contains threads of discord and disappointment. That's because

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important to Buddhist people. I'm Roman Catholic myself, but this is one thing I know."

Sure enough, Bao returns with a cluster of large red grapes beside a small pot of tea, which he sets before his visitors with another bow. And then, in typically orderly Vietnamese fashion, he finds a piece of paper and composes an outline, so he can organize his thoughts and make his presentation complete.

Bao's story begins, of course, in Vietnam, and, from this soft-spoken, slight man, it slowly emerges as a tale of violence, hardship, and trial. It is as if, two decades ago, Bao Truong became driftwood, caught in a powerful historic current that carried him halfway around the world, finally dropping him at the doorstep of a Dorchester triple-decker.

Bao's home was the Ninh Thuan province, more than 200 miles north of Saigon. As a young man, he studied in his temple to become a monk, but he was an only son, and his mother wanted him to marry and carry on the family name. "I did as my mother asked," he says, a hint of a smile playing around the edge of a serious pronouncement about filial piety.

In 1971, while the Vietnam War raged, Bao was elected to public office, to a position much like our state representative. He was 32 years old. He served until 1975, when North Vietnam won the war. "At that time,

journeys, but Bao made it to Phnom Penh, the Cambodian capital. Bao took what work he could find — mending slippers, making keys — but he also began building a boat. When it was finished, he took it out in the Gulf of Thailand, fishing a little, learning his way out of the port. Finally, after several months, he and some family members set out for Thailand.

"The trip took eight hours," Bao remembers. "And we made it. When we arrived, the people stripped us of all our clothes, looking for gold that maybe we had hidden. But we didn't even care. Freedom! The euphoria!"

"Freedom" meant joining the huge numbers of Vietnamese in refugee camps, first in Thailand for six months, then in the Philippines for another six months. Finally, sponsored by a relative, Bao was allowed to come to the United States as a political refugee. In 1988, he landed in Maryland, where he stayed for a week before joining the large Vietnamese community in Virginia. He stayed there for a year, then, in 1989, migrated to Boston.

"I heard there was no Vietnamese newspaper here, so I decided to create one," he says, as if that were a simple, obvious thing to do. He published biweekly, everything from international political stories to local news, and sold advertising to the burgeoning Asian business community and

do something. Not a temple quite yet, just a "congregation."

The first attempt was in 1992, at a big house owned by a sympathetic friend in South Boston, but the location was wrong. The second try was on Dorchester Street, also in South Boston; quickly, it became too small. A building was found on Arcadia Street, in Fields Corner, where Bao and his small congregation met for one year. He stopped publishing the newspaper to devote himself full time to the creation of a temple.

"Then, one day, one of the members told me about this place," says Bao, gesturing to the walls around him. It was the spring of 1995. The building had been damaged by fire, and the Vietnamese owner wanted \$40,000. Bao, who didn't have \$40,000, made an offer of \$20,000. After some time, the owner accepted.

Bao smiles. "Of course, I didn't have that kind of money, either." The congregation met, and people chipped in what they could, from a few hundred to a few thousand dollars. Most were loans, some were donations. In May 1995, title in hand, Bao took over the building.

THERE WAS NO WAY for Bao Truong to know that his life would soon intersect with the life of a man whose experiences of Vietnam were very different. Bao Truong had

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After several failed attempts to escape by boat, he set off on foot through the jungles for Cambodia in 1987. Many died on such

us-of all our clothes, looking for gold that maybe we had hidden. But we didn't even care. Freedom! The euphoria!"

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"I heard there was no Vietnamese newspaper here, so I decided to create one," he says, as if that were a simple, obvious thing to do. He published biweekly, everything from international political stories to local news, and sold advertising to the burgeoning Asian business community in and around Dorchester. The paper grew to as many as 120 pages per issue. But Bao felt that the community he had moved into was lacking something — lacking, as Huy Tran translates, what might most accurately be described as "spiritual food."

"There needed to be a place here to celebrate Vietnamese culture," Bao says. "And I have always been Buddhist, so I decided to

full time to the creation of a temple.

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THERE WAS NO WAY for Bao Truong to know that his life would soon intersect with the life of a man whose experiences of Vietnam were very different from his own: John Eade, commissioner of inspection services for the city of Boston.

When Bao and other Vietnamese refer to Eade, giving him much thanks and some credit for the creation of Dorchester's Buddhist temple, they sometimes have a hard time pronouncing his name. So they pantomime to identify him, holding a hand over one eye. Meeting Eade, the meaning is obvious: His

trademark is his black eye patch. It is the most visible reminder of his military service in Vietnam, where he was shot more than once and earned, as he wryly puts it, "legitimate Purple Hearts."

Now 53, Eade served in the Carter administration as director of the National Commission on Neighborhoods. He is an architect who has taught at the Boston Architectural Center and who has chosen to live in South Boston's Andrew Square rather than in a more posh part of town. He took the inspectional services job in November 1994.

From his earliest days on the job, Eade was aware of the Park Street/Greenwood Park section of Fields Corner. "This was a very troubled block," he says. "By and large, for 30 or 40 years, it had been the worst place in the neighborhood to live — a street noted for violence and prostitution."

The building that would later house the temple, as well as several other buildings on the block, was used for illicit drug activity. Eade once entered the future temple to conduct a condemnation inspection. "There were needles around," he says. "It was a fire trap and unsanitary to live in."

But one weekend in the spring of 1995, driving around the neighborhood, Eade noticed activity of a different sort down the dead-end road. He stopped in. "They had a faded building permit in the window, which I wasn't sure was legitimate," he remembers. "The building was open; there was no plumbing, no electricity, and in fact, under the regulations, it was condemnable if people were living in it."

Eade tried to find out what was going on, but no one spoke English, so he returned with an interpreter. "They explained that they

signed a deputy inspector to the project and made it clear that he wanted it to succeed.

In Vietnam, Eade says, he learned that the country's poorer, rural communities were predomi-

nantly Buddhist, whereas Roman Catholics tended to be wealthier and to live in Saigon. Many Buddhists, coming from a more traditional society, have had difficulty acclimating to American culture. A

Buddhist temple in Fields Corner, Eade believed, could help build a sense of community and give residents a sense of connection with their roots.

"So maybe my experiences

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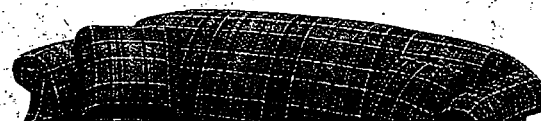
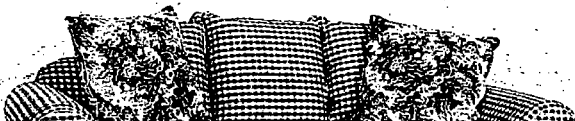
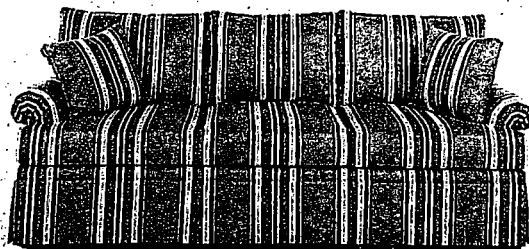
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Eade tried to find out what was going on, but no one spoke English, so he returned with an interpreter. "They explained that they were part of a temple, that this was going to be a Buddhist temple," he says. "At that point, I got very interested in what was going on here."

Eade called Diane Huynh McMahon, Vietnamese liaison at Boston City Hall, to find out what she knew about the situation. "At first, he wanted to condemn it," remembers Huynh McMahon. "But he asked, 'Is this good for the community?' And I said, 'Give them a chance; we need a temple in Dorchester.'" Satisfied, Eade as-

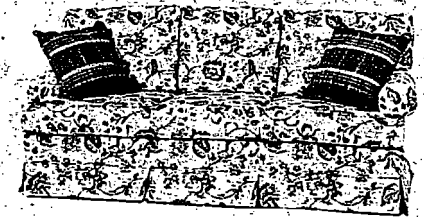
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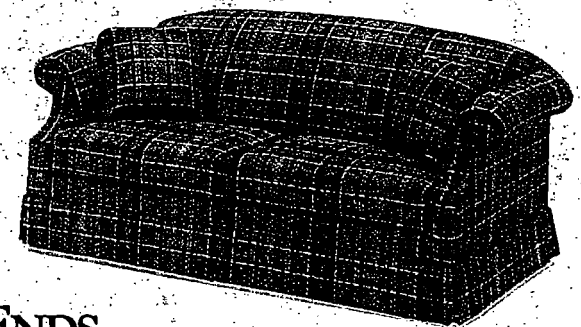
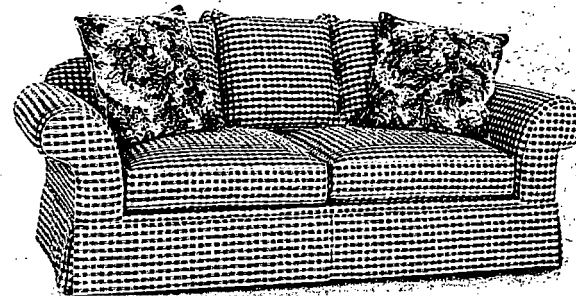
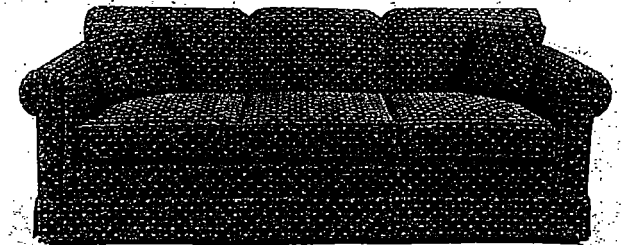
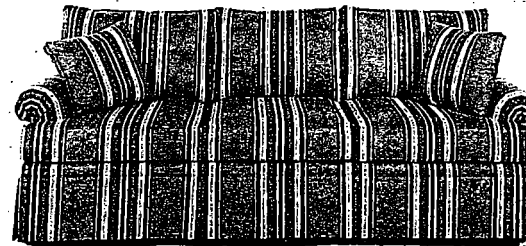
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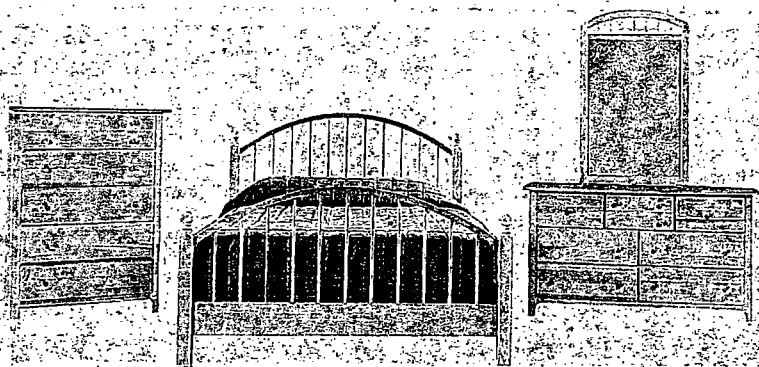
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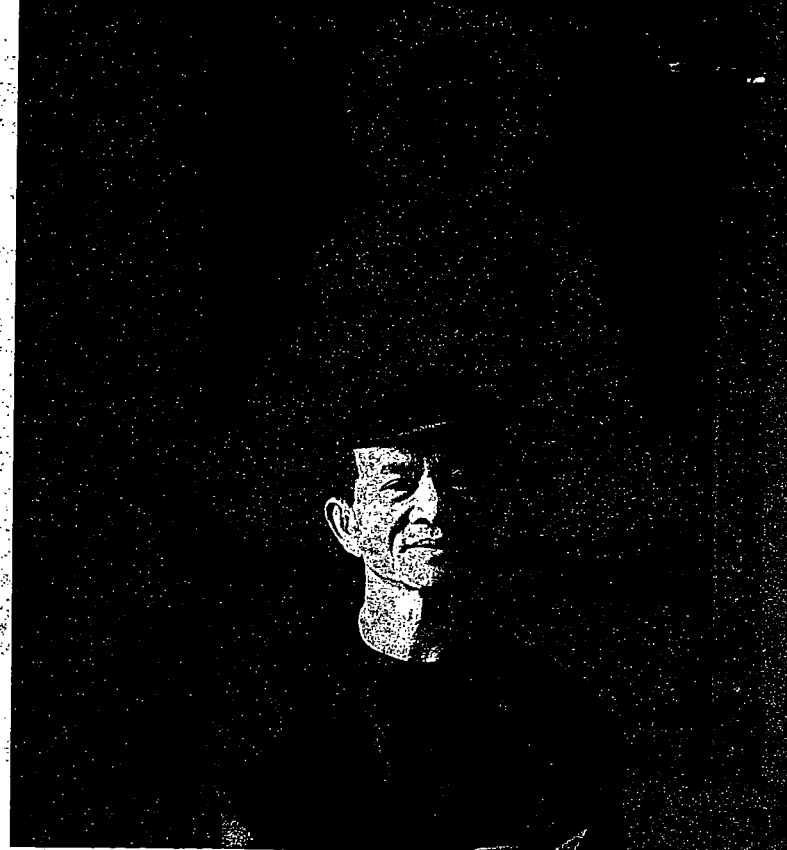
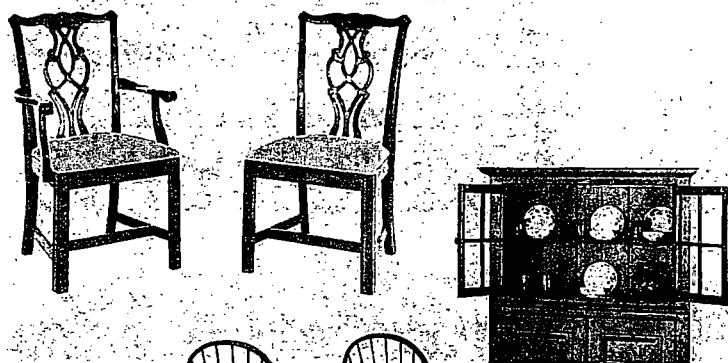
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Bao: "There needed to be a place to celebrate Vietnamese culture."

helped me understand and made me more sympathetic," Eade says. "But even if I hadn't had them, I don't think I could have done anything but support this effort. I think very positive feelings about this community would happen whether you had contact with the culture or not."

For Eade, those positive feelings centered on Bao Truong, who clearly had become the leader of this group. "You're always on the lookout for a scam," says Eade, "but I haven't found a scam with him. . . . This is a man I don't believe I understand very well, but this is a man I have the utmost respect for."

"THE WHOLE AREA WAS abandoned," Bao remembers. "Broken glass everywhere, tall

the building had no water, heat, or electricity, Bao decided to move in. "There were two reasons: One, I had no money, and two, if I wasn't here, people would come in and destroy the place," he says.

"Kids came back and threw rocks and scared Mr. Bao," says Huynh McMahon, the City Hall liaison. "I remember one night, he called in the middle of the night, and we talked for an hour. He was worried. But he said, 'I am here to stay.'" Huynh McMahon supported the effort throughout, but she had advice to offer as well. "I told him, 'This is America. You have to do it the right way, and think — think hard. You need all the licenses and permits.'"

Meanwhile, Eade worked out an emergency plan that allowed Bao to continue living in the building

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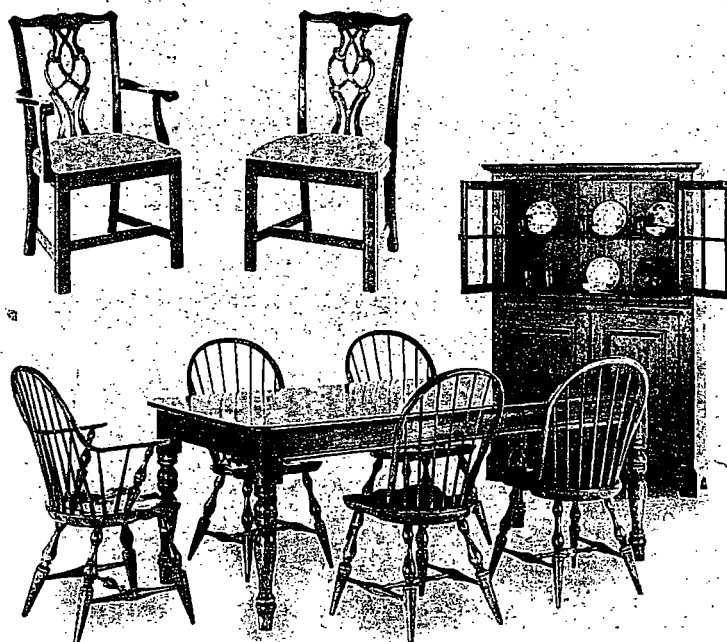
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"THE WHOLE AREA WAS abandoned," Bao remembers. "Broken glass everywhere, tall grass, no security, no heat, no water. This was the spot where people used to go when they stole cars, to dismantle them and take out the parts. I actually saw people buying and selling drugs right here on the street, in front of the house. In the house, there was an old refrigerator, with rotten food inside, and a table where people would sit and eat or divide things up."

Bao set to work on the temple. But whenever he got something fixed, it would immediately be vandalized, he says. So, even though

the building had no water, heat, or electricity, Bao decided to move in. "There were two reasons: One, I had no money, and two, if I wasn't here, people would come in and destroy the place," he says.

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Meanwhile, Eade worked out an emergency plan that allowed Bao to continue living in the building until it was brought up to code. "They promised to get certain plumbing fixtures and wiring done," Eade says. "And the other major concern was that winter was coming, so they had to get the structure entirely enclosed."

Through the winter, into 1996, Bao hung on. He had help from many people in the Vietnamese community — free labor to hang drywall, to sand floors, and to clean up the ugly lot next door. But getting money for materials slowed him down. It was a difficult time, in some ways as difficult as the

hard times in Vietnam. But, emotionally, the situation was entirely different: He was living out a dream. "The more I saw," he remembers, "the more I felt the need to make this a better place."

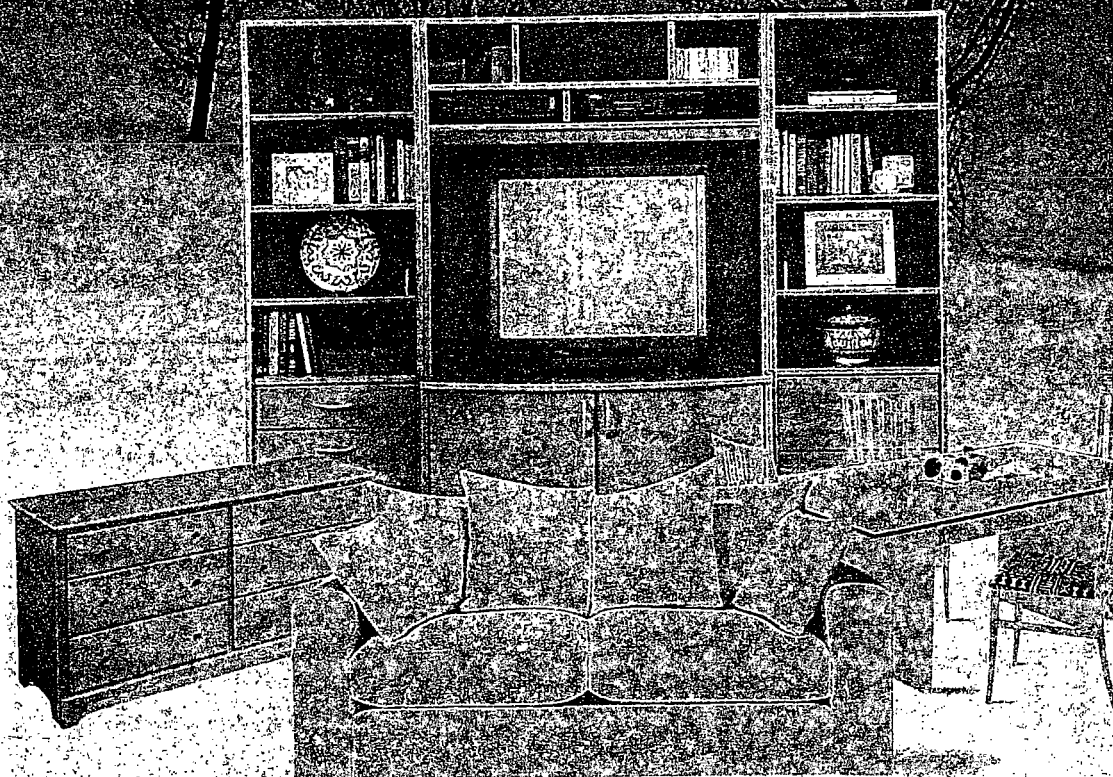
The Vietnamese New Year falls in February. By that time last year, enough progress had been made so that the temple could welcome people for traditional New Year's prayers. But the real dedication of the temple, the true celebration of its creation, would not take place until Buddha's birthday, on the last Sunday in May.

IN THE WEEKS LEADING up to Buddha's birthday, all kinds of preparations were under way throughout Boston's Vietnamese community. For example, at Jimmy Tran's house, in Brighton, the living room had been temporarily turned into an artist's studio.

"I remember speaking to Bao," said Tran last May, leaning over a glass tabletop covered with fabric, paste, paper, and scissors. "He said they needed someone to make a picture of the Buddha. And I said, 'Oh, you've found the right man, my friend!' At first, he didn't believe me. He looked at my uniform and said, 'You can't do that.' And I said, 'Trust me.'"

Tran, 38 years old, is a cop, the first Vietnamese-born police officer in Boston. His beat is Fields Corner. But Tran is an artist as well, and as he speaks, he folds and shapes Buddha's golden gown, tacking and pasting it onto an image that is about 6 feet tall. The finished work will be a full body created in shallow relief, built with fabric and foam, perched on a lotus flower and mounted on cardboard so it can stand above an altar. The work is an example of a traditional Vietnamese art form that Tran learned by watching

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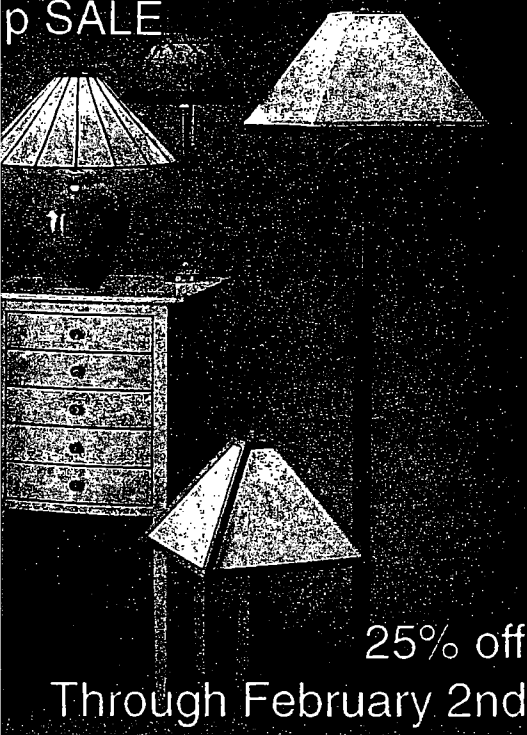
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his father many years ago.
"I told Bao that there was no charge, just buy me a pencil and eraser, and I will make you a sketch - see if you like it," Tran said. "I brought the sketch over to the temple, and he said, 'Oh, yes, beautiful.' So now, I am making it." He paused, stepping back to admire his work. "Ah, that looks good now."

Tran began to patrol in Dorchester in February 1996, fulfilling a dream of many years. He, like Bao, had survived a dangerous escape from Vietnam, in 1981, as well as many months in refugee camps. He arrived in Boston alone in 1982 and spent years working as a busboy in a restaurant and as a shipping clerk for a department store. He met his Vietnamese-born wife here. Night after night, he studied while his wife took care of their two children, until finally he passed the civil service

exam and the tests at the police academy in 1995. Now, the temple is a part of his beat.

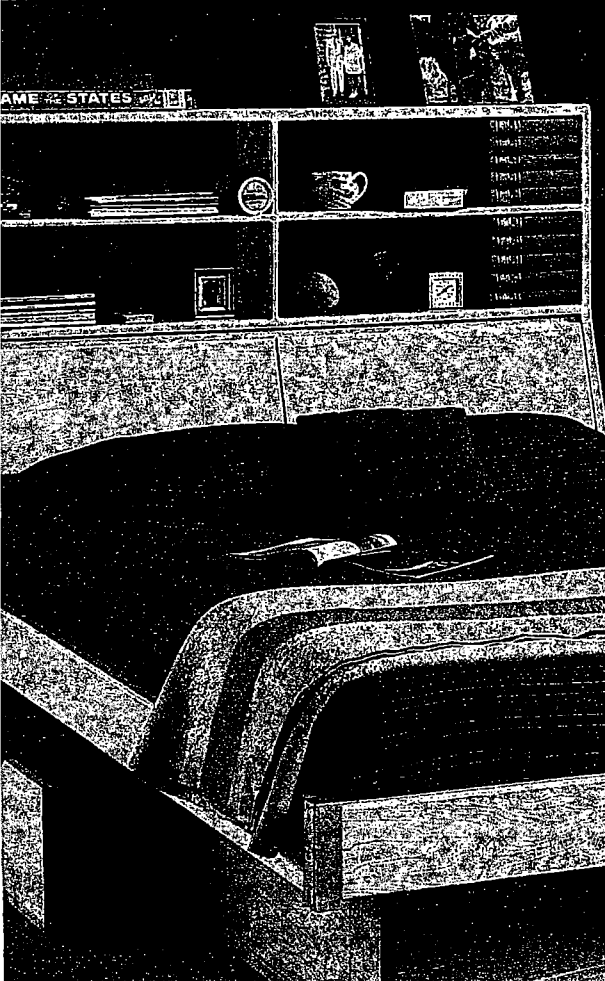
Tran is a Buddhist. His artwork and his religion make him a better officer, he says, calmer and more focused. His contribution to the new temple is clearly meant as a gift, but it also sends a message that he cares, that he can be trusted. Given the experiences of most of these immigrants, trust is no simple matter.

"Many Vietnamese were petrified to talk to anyone in a police uniform," remembers Lt. Joe Zinck, Tran's shift commander at the Dorchester precinct, "because in their country, talking to a police officer meant big trouble; you were gone, taken away in the middle of the night." Like Eade, Zinck is a Vietnam veteran, a former combat engineer in the Marine Corps who now heads a Dorchester chapter of veter-

ans of the Vietnam War.
"So I think for Jimmy to come to this country was a great step," says Zinck. "To learn the language was a great step. To become a police officer was fantastic. And to be as accepted as he is into the Vietnamese community says a lot about the man."

ON SUNDAY MORNING, May 26, Jimmy Tran is at the temple early. He is in street clothes, his cruiser parked at the entrance to Greenwood Park. It is a sunny, hot day. Tran puts the finishing touches on a halo around Buddha's head, then climbs a ladder to install the statue above an outdoor altar beside the temple. Scores of people are streaming past the cruiser and coming down the street; there is no way all of them will be able to fit inside.

"Looks good?" Tran asks.



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"Oh, yes," says Bao, smiling and bowing. "Cam on."

A Buddhist monk visiting the University of Massachusetts' Boston campus has arrived to take part in the inauguration ceremonies for the temple. He begins to cut a ribbon strung across the door of the triple-decker. Diane Huynh McMahon cuts a little more. And then John Eade cuts all the way through. Three teen-age boys hiding under a colorful dragon make the head and body dance up the stairs to the beat of loud drums, and people follow them through the building. "They will chase away any evil spirits," explains Huynh McMahon.

Throughout the day and into the evening, chanting, music, and speeches fill the air. Children gather in a circle in the road, where Bao used to watch drug deals take place, playing a Vietnamese version of "Simon Says."

Suddenly, a commotion breaks out, and one young teen-ager runs to find Jimmy Tran. The youth gestures, agitated, speaking rapid Vietnamese. "Somebody tried to steal his bike," says Tran. Tran marches down a small alley across the street from the temple. He pounds on the back door of a building, yelling, "Police! Open up!" No one answers. He checks the alley and sees no one. The bike is safe. Tran sits down with the youth and his friends for a little lesson.

"What number do you call if you have a problem?" he asks, partly in Vietnamese, partly in English.

They answer, "9-1-1."

"If you are in trouble, and call the police, and no one there speaks Vietnamese, what do you do?" he asks.

They seem unsure.

times, say where you are," Tran explains. "Then someone will come."

On the podium, adults are walking in slow procession past the visiting monk, waiting for a chance

to ladle clear water on the head and shoulders of a small statue of Buddha.

"Of course, I am hoping very much that we will have a monk to live here someday," says Bao. But,

he explains, there are about 300 Vietnamese Buddhist temples in the United States — and just 40 monks. So, for the near future, Bao plans to lead the prayers. A small group of younger men will run

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any evil spirits," explains Huynh McMahon.

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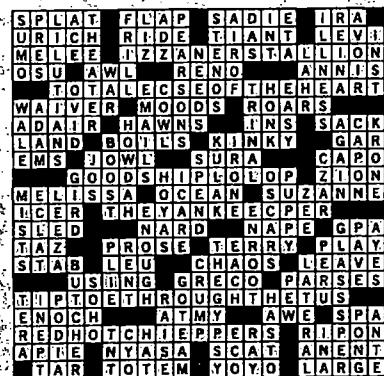
They answer, "9-1-1."

"If you are in trouble, and call the police, and no one there speaks Vietnamese, what do you do?" he asks.

They seem unsure.

"You say your location, many

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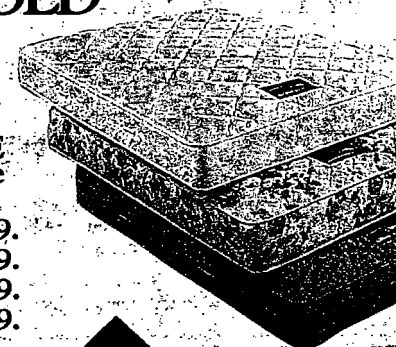


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Food appears, traditional Vietnamese dishes, rice and spring rolls and fresh green vegetables, cooked in homes all over Dorchester. There is more than enough to feed a crowd that numbers in the hundreds.

John Eade eats his share. Later, he muses: "This is not just about a drug house becoming a temple. It's about a street, a horrible street — and now it's become a place where you can walk, where community gathers. There's overtones of religion, and there's an embrace of living. That's what Bao and the Vietnamese have brought to Fields Corner."

THE EUPHORIA THAT ushered in such a remarkable creation was bound to temper. Like the experience of immigration

itself, what began as a celebration settled into the mundane task of making something work. And that task inevitably spawned disagreement and tension.

Some people believe that Bao Truong has held on too tightly to the institution he created and has been slow to share responsibility. He has been criticized for not bringing a bona fide monk into the temple to run the religious activities and for not creating a nonprofit corporation to hold title to the property, which is still in his name. Already, there is talk that perhaps another temple will be needed. Some members of the first congregation may split off and begin again.

If this happens, it would serve as yet another reminder of the similarity between Dorchester's Vietnamese community and the many immigrant communities that came before it. Time after time, new con-

gregations have been built from the splinters of earlier groups, rising out of conflict as well as growth. So, perhaps, in the years ahead, Dorchester's Buddhist community will diversify, building new religious centers, neighborhood by neighborhood, like the Catholic parishes of previous generations.

Yet none of this takes away from the initial achievement, or from the message. "The temple is an example of what one group can do to turn around an entire problem area," says John Eade.

Meanwhile, Jimmy Tran's classic version of the Buddha seems to be suggesting something even broader, reminding us of what remains constant amid turmoil. One hand points to the sky. The other hand points to the ground. And the eyes stare back at all of us who live in between, side by side. Here. □

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Date: 8/10/94

The Miami Herald

Page: 4AColumn:

Chinese who swam ashore get U.S. asylum

Reuters News Service

NEW YORK — A federal judge on Tuesday opened the door for nearly 300 Chinese immigrants, who swam ashore from their stricken freighter in New York in June, 1993, to stay in the United States.

U.S. District Judge Robert Patterson said the Chinese are eligible for political asylum because they have claimed they were fleeing China because of its forced abortion-sterilization policy.

A lawyer for the immigrants said the ruling could revolutionize the treatment of refugees.

About 300 refugees were on the Golden Venture, a tramp steamer that ran aground on a Queens beach. The ship allegedly was part of a sophisticated smuggling operation run by Chinatown gangs.

Ten of those seeking refuge in the United States died while try-

Ten of those seeking refuge died while trying to swim ashore.

ing to swim ashore. The captain and crew were found guilty of smuggling and sentenced to three to four years in prison.

The majority of the smuggled Chinese have been refused asylum by the Immigration Department.

Under China's policy, couples are restricted in the number of children they can have; some are forced to undergo sterilization.

But in his ruling, Patterson said a Bush administration directive in January 1993 that was never published in the Federal Register was still binding.

The government argued the current case against asylum based on a 1989 decision that said compulsory sterilization or abortion did not entitle a refugee to political asylum in the United States.

"The January 1993 directive said the opposite," countered Michael Osborne, a lawyer for Xin Chang Zhang, a smuggled immigrant.

The directive, issued shortly before President Clinton took office, said if an applicant seeking asylum indicated he or she had a "well-founded fear of persecution" because of "a family planning policy that involves ... forced abortion or coerced sterilization," he or she could apply for political asylum.

"The ruling could very significantly affect all of the 300-plus refugees who entered the country on the Golden Venture and said they were seeking political asylum," Osborne said.

"It's an important decision because it can affect the outcome of the other refugees," he said.

The directive was issued by Attorney General William Barr of the Bush Cabinet. It was published Jan. 25, 1993, five days after Clinton was inaugurated.

But two days earlier, White House officials barred publication of any new rules unless approved by an agency head appointed by the new administration.

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FAX

Date: 10/17/95

Number of pages including cover sheet: 5

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AGENDA

- I. Parole Flow.....JCS; INS; CRS
[Update; ineligibles; material witnesses; CAS]
- II. Homestead Closure.....JCS; CRS
[Possible alternatives; plan of action]
- III. Social Services for Parolees DOJ; CRS; HHS
[Status of IEF funds; Miami Herald article]
- IV. Lottery State; DOJ
[Possible future lottery; funding issue]

*Jobs, housing scarce,
and some sponsors
are pulling back*

Many rafters face hard times in new land

Problems could grow
as refugees keep coming

By MARTA OJITO
Herald Staff Writer

Less than a year after the first Cuban *balseros* from Guantanamo arrived in Miami, resettlement workers are increasingly concerned that the rafters' needs are greater than what Miami can offer.

Affordable housing is difficult to find. Jobs are elusive. Some relatives are disengaged, unwilling to shoulder responsibility for cousins and half-brothers they haven't seen in years and sometimes have never met.

*A worrisome
number of new
arrivals are
having trouble
becoming
self-sufficient.*

"More people are coming — and faster — than we can find jobs for them," said Tanya Dawkins, a United Way senior vice president who is involved in a project to help rafters become self-sufficient in Miami.

Her concern is echoed by dozens of social

workers who must deal daily with the needs of a growing rafter population.

About 2,000 rafters arrive at Homestead Air Force Base every month. Most are highly educated, but speak little English. Many are reluctant to relocate to other states, where jobs await them.

It's not a crisis yet: Thousands have found jobs and settled in with few problems. But, a worrisome number of new arrivals are having trouble becoming self-sufficient. By the time the camps empty out next year, resettlement workers say, social service agencies may be unable to offer enough help.

"I'd be exaggerating if I said something terrible is about to happen," Dawkins said. "But, as time goes on and more people come there is a possibility that some of them would start falling through the cracks."

Agency workers are specifically worried about

PLEASE SEE RESETTLEMENT, 10A

Saturday

SATURDAY, 14 OCT 1995

pg 1A

Miami Herald

Rafter support system may not be enough

SETTLEMENT, FROM 1A

ree issues:

■ **Jobs.** There just aren't enough. About half of the people who show up at GRASP, a United Way program set up to find jobs for rafters, leave empty-handed. Church World Service finds jobs for only seven rafters a month. By year's end, the study estimates, 16,800 rafters in Dade will be looking for employment.

■ **Housing.** Affordable, adequate housing is scarce. Some landlords are abusive and ask for a large quantity of money upfront. At least four cases of homeless rafters have been reported. A few are expected to seek refuge at the downtown homeless center when it opens later this month.

■ **Sponsorship breakdown.** About 20 percent of sponsors are backing away from their pledge to care for the rafters for their first three months here.

Madelaine Salazar, a widow with a month-old baby, represents the worst fears of resettlement workers. She has no job, no housing and a sponsor who wants nothing to do with her.

Salazar, 23, arrived from Guantanamo in April with her husband Pablo Luciano Diaz.

She was three months pregnant and had an array of pregnancy-related ailments. They went to live with one of Diaz's cousins in Northwest Miami. Diaz found a job sweeping the floors of a bakery shop for \$4 an hour.

But five months later, a few days shy of his 29th birthday, Diaz killed himself. Salazar found him hanging by a telephone cord from the iron bars of their bedroom window.

Now she has no money for rent or even milk for the baby. She spends her days securing a place to spend the night. Diaz's cousin, who describes Salazar as "ungrateful," does not want her in her home.

Catholic Charities of Miami, one of seven Miami agencies that resettles rafters, gave Salazar \$100 and suggested she head for a community with more resources. She refused.

"What am I going to do in a place where I don't know anybody, and I can't understand the language?" Salazar asks.

Many jobless rafters refuse to go, citing the same concerns as Salazar.

That means, a GRASP study concludes, that by the end of the year, 16,800 rafters will be

GUANTANAMO IMPACT

By March, 30,000 rafters from Guantanamo will be in the United States. Most will settle in South Florida. The following estimates the impact of 30,000 new residents on South Florida, regardless of country of origin. The figures do not take into account the specific needs of rafters.



Housing Units:
14,400



Energy Consumption:
269 million kilowatt-hours



Public Schools:
■ New Students:
K-12: 6,000
■ Instructional Personnel: 216
■ Total annual costs, K-12:
\$24.6 million annually*



Jobs needed:
21,000



Gasoline:
(gallons sold)
12.5 million gallons per year



Motor Vehicles:
21,000 extra vehicles on the road



County government revenue:
\$183 million**



County government expenditures:
\$182 million**



Health:
■ Beds:
114 per year
■ Personal Health Care:
cost \$73 million per year



Jail population:
(Inmates) 354 per year

*Most costs reimbursed by state. Actual local cost is about \$4 million.
**Excludes municipal portion.

Source: Prepared for The Miami Herald by Metro Dade Planning Department, Research Division.

MARTIN RINCÓN / Herald Staff

Jobless rafters are entitled to food stamps, cash assistance and Medicaid for up to eight months. After that, they're on their own. That's when social workers think problems might arise.

looking for work.

"There are no jobs. Period," said Lourdes Gutierrez, a volunteer coordinator for GRASP. "And without jobs you can't be self-sufficient, which is the aim of every refugee."

Language impediment

Language is one impediment to employment, she said. This latest wave of rafters, among others that have come to South Florida, has the least command of Eng-

lish, Gutierrez said. And they are coming at the wrong time — many Miami-area companies are in the midst of downsizing. It's difficult for advocates to argue that newly arrived refugees should be hired when long-time employees are being laid off.

Another problem: The Cuban community is not responding as expected, she said. Although three-fourths of the 32,000 Cubans once held in Guantanamo are already here, Cuban-owned firms are not generating enough jobs for them.

Moreover, many of the rafters are well-educated — 55 percent have a high school diploma and 10 percent have received further education. But they can't find jobs in their fields — architecture, engineering, medicine — and employers don't like to hire overqualified workers for menial jobs, Gutierrez said.

Jobless rafters are entitled to receive food stamps, cash assistance and Medicaid from the federal government for up to eight months. After that, they're on their own. That's when social workers think problems might

Miami Herald
SAT, 14 OCT 95
Pg 18A

10/16/95

16:37

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Madeline Salazar sits with her baby, Danrey, on the front porch of a friend who has agreed to let her stay at the house for awhile. After arriving in the United States, Salazar's husband killed himself.

CANDACE BARBOT /
Herald Staff

arise.

"I don't think we will see the effects this year," said Alina Becker, director of program development with the Cuban American National Council, which also helps rafters look for jobs. "We are bracing ourselves for what may happen next year, six months from now."

High impact

The impact will most likely be felt in Hialeah and Little Havana, where most rafters are expected to settle.

In Hialeah, where an estimated 50 to 65 percent of the 30,000 Guantanamo rafters will set up households, the vacancy rate is less than one percent. In already-congested Little Havana,

rafters mostly find housing in grand old houses that have been parceled into unsafe efficiencies.

Some landlords are taking advantage, agency workers said, charging outrageous prices for small rooms and demanding two month's rent and a security deposit in advance. They also refuse to allow more than one or two persons in the apartment for fear of a large utility bill.

Damaso Perez, who arrived from Guantanamo about a month ago, had to move out of his \$325 a month efficiency in Little Havana. The landlord wanted to charge him \$100 for an additional person, a long-time friend Perez is expecting soon from Guantanamo.

"It's just a hassle," said Perez,

a 27-year-old artist and communications expert. "You think you have your life somewhat in order and then you have to start again."

Perez was lucky. He's sponsored by the Little Havana Kiwanis Club and, with the group's help, he found a cheaper apartment.

Unkept promises

Other sponsors are doing what was once unimaginable in Miami: Abandoning the refugees, reneging on promises to pay for their health care, food and other needs for at least three months.

Part of the problem stems from a unique characteristic of the Guantanamo rafters. Unlike Cubans who arrive after U.S. relatives have sent for them, rafters left the island on their own, hoping to find welcoming arms upon arrival. But they often don't. Families and friends who haven't seen each other in a long time are clashing over things as simple as phone usage, agency workers report.

It happened to Raul Estrada. Estrada, 33, came to Miami Sept. 22, after a year in Guantanamo. He moved in with the mother of friend. One day, without explanation, she told Estrada he had to go.

He walked out of the house and kept walking — for three days. He ate one meal and didn't shower. Eventually, he ended up at Catholic Charities on Calle Ocho and asked for help.

"Those were the worst three days of my life," said Estrada, deeply embarrassed by the experience. "I hope I never have to go through that again, but I'm afraid."

The agency gave him \$200, helped him find an apartment and paid for a month's rent. Next month, they told him, he'll be responsible for the rent.

He still hasn't found work.

Hard Times, Not Paradise, For Young Cubans in U.S.

By RACHEL L. SWARNS

They were lost in the Florida Straits, drifting atop rope-lashed planks of wood and sagging rubber dinghies. But as they pitched across the shark-infested waters, the 139 Cuban teen-agers who had abandoned family and country kept their hopes alive with visions of life in the United States.

There would be Reeboks and blue jeans, they told one another, and cities where the food would never run out. There would be sports cars to drive, grand houses to furnish and places where people could speak without fear.

The teen-agers clung to those dreams during the days at sea and through the months in detention camps, until the Clinton Administration admitted them in the winter of 1994, resettling them with foster families in nine states across the country.

"For us, America was like paradise, a place where your life was ready-made," said Antonio Serrano-Velot, who was 17 when he left Cuba.

But 20 months later, the story of the Cuban teen-agers is mostly one of dashed expectations and disappointed dreams, both for the immigrants and for some of the Cuban exiles who fought for their admission.

Nearly a third of the teen-agers — most of whom were high school dropouts and many of whom had rebelled against authority in Cuba — have been expelled or suspended from school here for offenses that include fighting, truancy and carrying weapons to



David Scull/The New York Times

The reality of life in Virginia destroyed the dream Yoduel Robles had about America.

class, a survey of refugee resettlement agencies shows. A quarter have been arrested on charges that include assault, drug possession and car theft. About 15 percent have run away from their new homes. And while some have

Continued on Page 34, Column 1

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Expecting Paradise, 139 Cuban Teen-Agers Find a Hard Life in the U.S.

Continued From Page 1

excelled, earning school honors and job commendations, most have bounced from foster family to foster family, challenging authority at every turn.

"I had so many dreams," said Maikel Romero, 17, who wept when the New Jersey foster family he had grown to love kicked him out for fighting with another Cuban boy, "and nothing has turned out like I thought."

A look at the rocky resettlement of the Cuban teen-agers provides a rare glimpse of the complexities involved in assimilating minors who come to the United States without parents or guardians. Since 1980, about 11,000 refugee minors have been placed through programs financed by the Federal Office of Refugee Resettlement, a division of the Department of Health and Human Services.

By most accounts, those programs, which were developed for the Vietnamese boat children of the late 1970's, have worked well, and the young foreigners have thrived here, completing high school and finding steady work.

But the programs have required fine-tuning to address the needs of the 139 Cuban teen-agers, who set sail at various times in the summer of 1994. All were picked up by United States Coast Guard ships and taken to the Naval Base in Guantánamo Bay, Cuba, where they remained in the camps until being brought to the United States.

Although adjusting is difficult for most foreign minors, refugee experts say it has been particularly trying for the Cubans, who quickly rebelled against the highly structured programs that suited the Vietnamese.

The reasons for the difference are hard to assess, the experts say, but they note that the Cubans spent their childhoods breaking rules, whether by stealing from Government stores, working the black market to feed their families or protesting against President Fidel Castro.

It was perhaps inevitable, the experts say, that young people who grew up resisting authority would continue to do so in the United States, especially when their golden visions failed to materialize.

Accustomed to spending their days at the beach and their nights partying with friends, many of the teen-agers resisted attending class or obeying family curfews. They wanted to work and live independently, not to study and live with foster families.

"They risked their lives to get here, expecting to get houses and lots of money and to live on their own," said Rosa Torres, a social worker assigned to counsel the teen-agers.



Yoduel Robles was one of 139 Cuban teen-agers who came to the United States in 1994 with big dreams. "It's not what I thought, no money falling from the sky," he said. "You can get ahead, but you have to work."

cities like Rochester and Newark, where some classmates shouted out anti-immigrant slurs. And instead of finding high-paying jobs, the young Cubans washed cars or sorted chicken parts in poultry plants.

"I didn't come to America," said Yoduel Robles, 18, who was expelled from school and found only minimum-wage work. "I came to Virginia."

Members of the Cuban exile community, who had fought their own battles to acclimate to America, vigorously supported the teen-agers at first, lobbying the White House to get them admitted to this country.

But once the teen-agers arrived and word spread of their troubles, some Cuban exiles reconsidered their welcome, refusing to open their homes to young people they viewed as delinquents damaged by years of living under Communist rule.

They said the teen-agers reminded them of some of the Cubans who came to the United States in the 1980 Mariel boatlift, which brought 125,000 Cubans to the United States, among them several thousand criminals and psychiatric patients.

"The Mariel experience made a lot of people gun-shy," said Raul Sanchez, a Cuban-American restaurant owner in Washington who hired one of the Cuban teen-agers but chose not to be a foster parent.

that it packaged some for pets. "At home, we barely have enough for people," he said.

Restrictions And Rebellion

But the free world, the Cubans discovered, was not so free.

"Here there are so many laws, laws against drinking, against smoking, against going to bars," complained Jacinto Infante, 18, who was resettled in Lansing. "In Cuba, a 14-year-old boy is a man, and you can do those things."

But when the teen-agers tried to live in the United States as they had in Cuba, there was trouble. Mr. Serrano, who started smoking when he was 12, was suspended from school for refusing to stop. Mr. Robles was expelled for cursing at a teacher and disrupting class.

In Washington, some teen-agers threatened social workers with knives. Mr. Romero was thrown out of two foster homes for fighting and skipping school.

"It's so hard for us to adapt to this new life," Mr. Infante said. "We

come from an entirely different system, one that teaches you to rob, to fight, to do anything to survive."

But the social workers struggled to guide even the most rebellious teen-agers because behind the angry faces they saw lonely young people who were terrified that they would never fit in.

In New Jersey, one boy so missed his mother that he recorded their monthly phone conversations and re-played the tape before he fell asleep. Mr. Serrano wept as he relived his sister's drowning. Desperate to fit in at school, the teen-agers adopted the clothes and idols of their classmates.

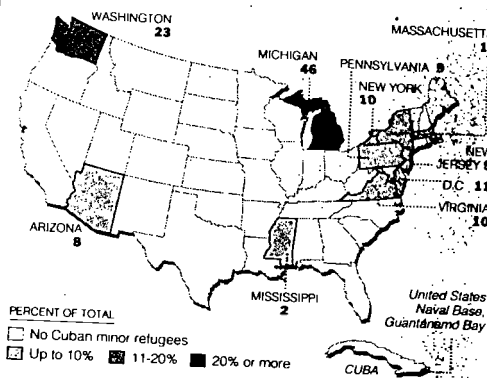
"Oh, man!" Mr. Romero would say over and over, wearing his silver-rimmed sunglasses and his Red Sox baseball cap flipped backward. But some students laughed at his stilted English: "Go back where you came from," they yelled.

As the months passed, refugee workers saw that they had to adjust the programs. They moved teen-agers from foster homes into subsidized apartments, freeing them from family rules. They shifted some young people to part-time adult education, giving them more time to work. And for those who refused to

HEAD COUNT

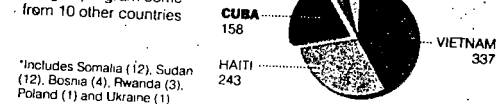
Young and Alone in America

There were 158 Cubans in the Department of Health and Human Services' unaccompanied refugee minor program as of March, 139 came into the United States through the naval base in Guantánamo Bay, Cuba, in 1994. Here is where those 139 Cuban teen-agers are now



WHERE ALL THE REFUGEES ARE FROM

In addition to Cuba, the 807 refugees in the unaccompanied minor refugee program come from 10 other countries



*Includes Somalia (12), Sudan (12), Bosnia (4), Rwanda (3), Poland (1) and Ukraine (1)

Source: Administration for Children and Families/Department of Health and Human Services

work or to go to school, the officials terminated financial support.

"Now we see some progress," said Bach-Cuc Tran, director of the refugee minor program in Lansing, echoing the views of his colleagues.

Refugee workers say that the young people have not been in the United States long enough to find their way and that some may never find it. But they see hope in the success stories — like the Michigan teen-ager who is starting community college this fall.

Mr. Robles, who was expelled from high school, has thrived in his adult education program and now works part time as a cook. "It's not what I

thought, no money falling from the sky," he said. "You can get ahead, but you have to work."

Mr. Serrano quit school and dropped out of the foster program that supported him. He now works at a poultry factory and lives with a sister. "I have work and I have food," he said, "which is more than I had at home."

Mr. Romero, who is now living with his third foster family, is starting his sophomore year in high school and hopes to join the military when he graduates. In a recent letter to his sister, he promised, "One day when people speak of me, they will speak of me with pride."

Cont. on next page

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Accustomed to spending their days at the beach and their nights partying with friends, many of the teen-agers resisted attending class or obeying family curfews. They wanted to work and live independently, not to study and live with foster families.

"They risked their lives to get here, expecting to get houses and lots of money and to live on their own," said Rosa Torres, a social worker assigned to counsel the 11 Cuban teen-agers who were resettled in and around Washington. "Instead, they were told to follow rules they had never followed at home: to go to school, to follow family rules, to respect authority. And many of them just wouldn't do it."

The Inexact Science Of Resettlement

But if the Cubans were not ready for America, neither were the foster programs entirely ready for them.

Most refugee workers were accustomed to Vietnamese children who had been sent to the United States by their parents to study and work, and who usually excelled in school and quickly adjusted to family life. But many of the Cubans left without their parents' knowledge. Those whose parents did know were sent with an emphasis on work — to make money they could send home.

In the rush to find homes and schools for the teen-agers, many refugee workers never learned that the tattered Cuban economy, which often pays Government doctors less than waiters can earn at foreign-managed hotels, had spawned a generation of young people who would probably rebel against full-time education and structured family living.

To make matters worse, the programs placed the teen-agers in states where operating costs were low, like Michigan, and most of the Cubans ended up living with foster parents who did not speak Spanish. Florida, which has a shortage of foster families, took none.

The Federal Government is now planning to re-evaluate its placement procedures.

"The reality is that we have not come together as a resettlement community and looked at all the factors that determine where a refugee should go," said Lavinia Limon, director of the resettlement office.

But for the struggling teen-agers, perhaps most painful was discovering that they had given up everything for a fantasy.

Long before the rafts set sail from Havana, the teen-agers had spun together a patchwork vision of truth and myth gleaned from letters received from Cuban exiles in Miami, shortwave radio broadcasts and pirated American movies. To them, the United States was a glittery city with tropical climes, where everyone was rich, spoke Spanish and embraced new Cuban immigrants.

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cities like Rochester and Newark, where some classmates shouted out anti-immigrant slurs. And instead of finding high-paying jobs, the young Cubans washed cars or sorted chicken parts in poultry plants.

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"The Mariel experience made a lot of people gun-shy," said Raul Sanchez, a Cuban-American restaurant owner in Washington who hired one of the Cuban teen-agers but chose not to be a foster parent. "People were worrying that they would be taking criminals into their homes."

Diego Amador, a member of the Cuban American Association in Lansing, Mich., took in a 16-year-old, Adrian Castellanos, who has twice been named the employee of the month at a local McDonald's.

But he said no one should be surprised that Cuban-American families were reluctant to take the rest of the teen-agers. "It breaks my heart to say it," Mr. Amador said, referring to the teen-agers, "but some of my people are garbage."

Hoping to Escape Lives of Desperation

What the teen-agers hoped to find in the United States was simple: a better life.

In Cuba, Mr. Romero, who was a high school dropout, stole bread from a Government bakery whenever he was hungry, which was almost every week. His father, who worked a jackhammer and never earned enough to feed his family, told his son he would never eat stolen food.

But when his stomach ached from hunger, he ate the bread, too. The son saw his future in his father's face and jumped on a raft in the summer of 1994. He was resettled in New Jersey.

Mr. Robles, then 17, had six months to go on a two-year prison term for posting anti-Castro fliers when the warden offered him a weekend's leave, he said. He took a boat to the United States and was resettled in Virginia.

Mr. Serrano fled with a sister after his brothers were imprisoned for stealing food. Mr. Serrano survived the trip and was also placed in Virginia, but his sister drowned.

"They said it was a place where you didn't need to steal to live," said Mr. Serrano, who is now 19. "I wanted that more than anything."

At first, things were just as the teen-agers had imagined.

Their new homes were filled with wonderful technology — stereos with remote controls, televisions with huge color screens and machines that answered the telephone when no one was home. The streets were clogged with cars, and the stores were filled with Levis, gold jewelry and a dizzying array of foods.

Confronted with such abundance, two brothers in Phoenix hoarded bread and hunted rabbits in the desert, convinced that the city would soon run out of food. In Richmond, Mr. Serrano once bought a can of dog food for lunch. He was eating it when his foster mother snatched the can from his hands. She was horrified, but Mr. Serrano knew then that he had really arrived. Imagine, he marveled, a country with so much food

that it packaged some for pets. "At home, we barely have enough for people," he said.

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The New York Times is as close as your nearest newsstand. Or have it delivered.

PHOTOCOPY PRESERVATION

A SPECIAL SECTION
The Boston Globe

Welcome!

A guide to local services for new immigrants

IRELAND



Throughout its history, Boston has attracted immigrants from all over the world, people seeking better lives for themselves and their families. Recent years have seen a new influx from widespread parts of the world. To help these newcomers adapt to the city and their new home, The Globe offers this guide on how to get assistance with important aspects of daily life in the Boston area. We hope this guide – printed in English, Russian, Spanish, Chinese, Khmer, Vietnamese, Portuguese and Haitian Creole – can help ease the difficult transition to a new way of life.

CITIZENSHIP

Some immigrants and refugees who arrive in the United States want to become US citizens. Depending on your immigrant status, you may be eligible for citizenship.

If you have been a legal permanent resident in the United States for five years or have been married to a US citizen for three years, you may be eligible. You must be a person of good moral character and must be able to speak, read and write basic words in the English language. You must be able to sign your name in English and successfully complete an examination in US history and civics. If you are over 55, you can waive the requirement that you know English. The requirement that you be a person of "good moral character" excludes people who have ever been convicted of murder or aggravated felony or who have been connected with a number of other activities such as narcotics within the previous five years.

There is a \$90 fee required to file an application for citizenship.

To find out if you are eligible to apply for citizenship or to receive an application, call the **Immigration and Naturalization Service** at (617) 565-3879.

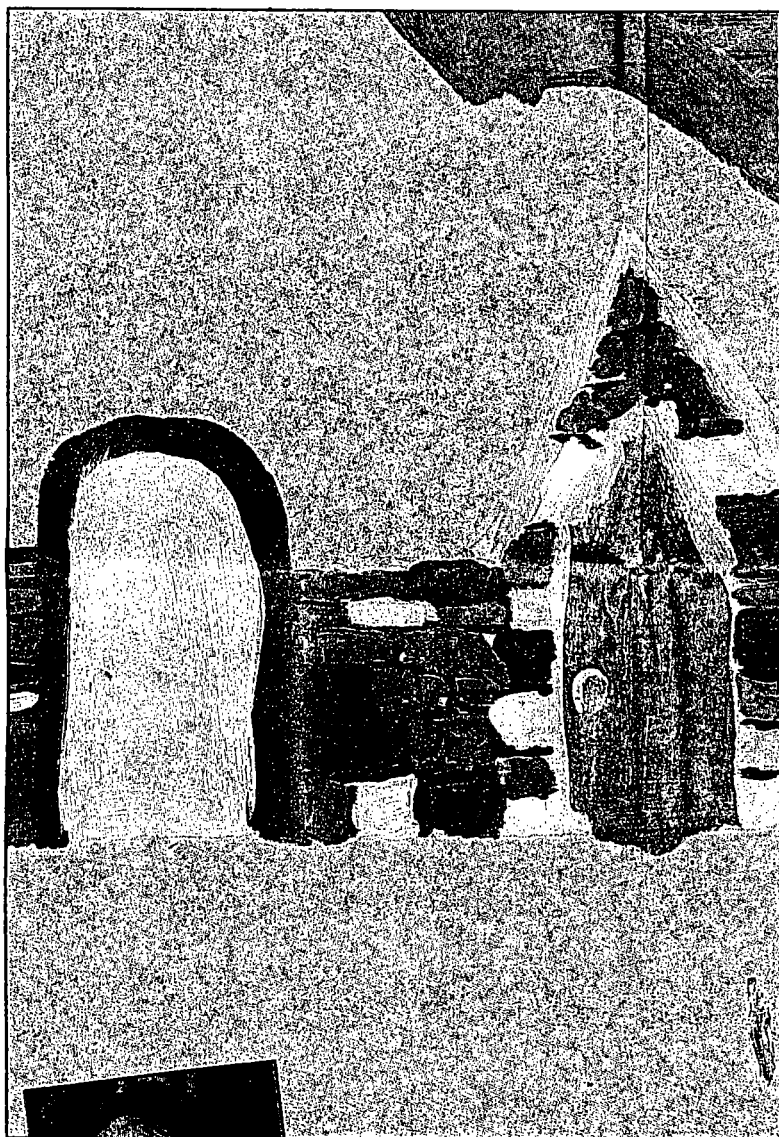
Classes and courses are available to help you prepare for the citizenship exam. Contact the **Adult Literacy Hotline** at (800) 447-8844 for information on what's available in your community.

BUSINESS

If you are interested in starting your own business, there are programs and resources that can provide advice and assistance.

The Small Business Administration operates a business information center in Boston. The center has computers and resource materials for small business owners or for those who are interested in opening a small business. There is a library as well as videotapes and programs on how to prepare a business plan.

MY HOMELAND



“It’s a thatched house.
I saw it when
I was in Ireland.”

Meghan Glynn, 13
St. Columbkille School

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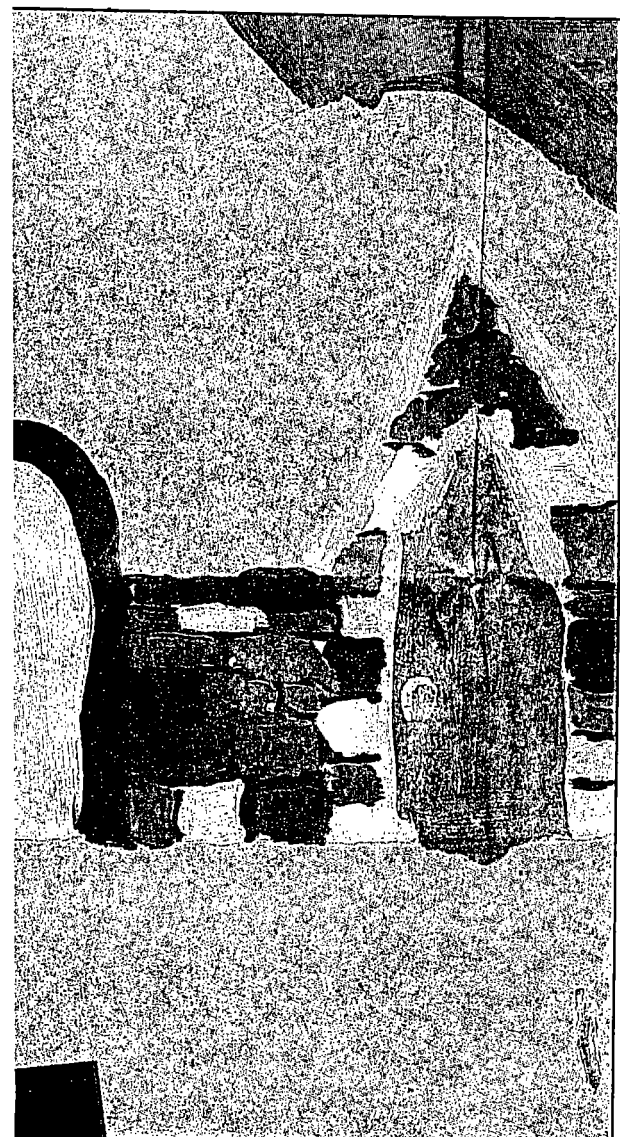
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Home!

Local services for immigrants

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MY HOMELAND



ers. You should work with people who are experts in this field such as an attorney referred by the Massachusetts Bar Association or someone who works for a local non-profit agency.

For immigration assistance, contact **Greater Boston Legal Services** at (617) 357-5757.

PUBLIC SAFETY

Some people who arrive in the United States are not familiar with the system of justice here and find some aspects of it confusing. The police are responsible for protecting the public and upholding the law; the courts and the police will protect victims of crime and the rights of those accused of a crime.

A frequent source of confusion is that people accused of a crime often appear back on the street after their arrest. This occurs because people who are accused of crimes in the United States have a right to ask for bail or release from jail pending their trial. If the court allows, the accused person can put up bail money that serves as a security deposit to ensure that they will appear to stand trial. It is not a bribe or a payoff.

If you are accused of a crime, you have the right to a trial and to a lawyer. In the United States, anyone who is accused of a crime is considered innocent until proven guilty. If you are arrested, police officers must explain to you why you are being arrested and must explain your rights to you. If you cannot afford a lawyer to defend you, the court will appoint a lawyer for you.

If you are the victim of a crime, you should contact the police. Some communities have links with telephone services that will allow calls to be translated so you can communicate in your native language.

EMPLOYMENT SERVICES

To obtain a job in the United States, you will need to complete an I-9 form with your employers. This form lists the documents you can use to show you are authorized to work. Although an Alien Registration Receipt Card or "green card" is one of these documents, it is illegal for an employer to discriminate on the basis of your citizenship status or to require a green card. For example, an unrestricted Social Security card and a driver's license or ID with photo is sufficient documentation for an employer.

If you need help looking for a job, contact one of the Massachusetts Department of Employment and Training Opportunity Job Centers, which provide job listings from across the state. They also have employment services sections that can assist you with resume writing, letter writing and other job search techniques. You may also be eligible for job training programs.

Contact the local office of the **Massachusetts Department of Employment and Training**, listed in the phone book, or call the **Boston Office** at (617) 727-8900.

to attend school. Your children are entitled to attend the public school, in the community where they reside, at no cost, regardless of their immigrant status.

If there are 20 or more students in the school district who share a native language other than English, the school district is required to provide transitional bilingual education for them with English classes and subject classes in their native language.

For information on registering your child for school, contact the school department in your city or town. You can also get information on the transitional bilingual education program from the **Massachusetts Department of Education** at (617) 388-3300, ext. 259.

YOUTH PROGRAMS

There are a variety of activities available for young people in every community, ranging from tutoring to art programs to baseball.

Many schools have clubs, teams or activities during and after school. Even if a child is not enrolled in a particular school, he or she may be eligible to participate in some programs. For information, contact your local school. Some churches offer organized team sports and activities; other groups such as Boys and Girls Clubs and Boy Scouts and Girl Scouts provide a variety of programs. Some communities offer art, tutoring, English as a Second Language and recreation programs. Reading programs and activities for young people are often offered by local libraries. Contact your local library to see what's available.

If you need child care for younger children, contact the **Massachusetts Office for Children** at (617) 727-8900 for resource and referral agencies that can provide you with information on child-care services in your community.

There are 38 community centers in Boston that offer recreation, arts and crafts, sports and educational programs; contact the **Boston Community Center** at 635-4920.

The United Way also can provide you with information on youth programs and child-care services in your community. **The United Way** can be reached by calling (800) 231-4377.

HEALTH CARE

The United States does not maintain a centralized system of health care. It is up to patients to find a doctor or health-care provider and to arrange for payment. Many immigrants and refugees find the system confusing and are uncertain about where to go to receive either routine or emergency health care.

For routine care, you will need to find a health-care provider and make arrangements to pay for services. Some families may be eligible for Medicaid, a government assistance program to provide health care for low-income families. If you work, your employer may provide health-care insurance for employees. Many communities have health centers that can provide health-care services at a lower cost.

Massachusetts law requires hospital

MY HOMELAND



“It’s a thatched house.
I saw it when
I was in Ireland.”

Meghan Glynn, 13
St. Columbkille School

artists, the Globe visited each of the eight immigrant communities and worked with a community-based youth program. Children from each group submitted paintings and drawings and a designers and editors selected the final eight.

SBA guaranteed loan
on the **Small Business**
programs, call the SBA
7) 565-5590.

SERVICES

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husbands or partners.

For information about the nearest shelter,
call the **Massachusetts Battered Women's 24-
hour Hotline** at (617) 661-7203. If anyone,
including your husband, ex-husband,
boyfriend or ex-boyfriend, is harassing or
threatening you, you may be able to obtain a
restraining order that will require him to
stay away from you. The authorities who
are responsible for issuing restraining orders
are interested in protecting you from
violence and are not interested in your legal
status. If you need help in getting legal
advice on how to obtain a restraining order,
call **Greater Boston Legal Services** at (617)
357-5757, extension 3999, or the **Coalition of
Battered Women's Services** at (617) 248-
0922.

If you need information on changing
your immigration status, on bringing other
members of your family to the United
States or if you need representation in de-
portation proceedings, you should consult a
lawyer. Any conversations you have with a
lawyer are confidential and he or she will
not contact the Immigration and Natural-
ization Service if you are here illegally. Im-
migration law is extremely complicated and
you should be aware that there are people
who may try to take advantage of newcom-

crime is considered innocent until proven
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Contact the local office of the **Massachu-
setts Department of Employment and Training**,
listed in the phone book, or call the **Boston
office** at (617) 727-6560.

In addition, many communities offer
adult basic education, literacy and job skills
programs. Call your local school system to
find out what is available in your area or call
the **Adult Literacy Hotline** at (800) 447-8844.
There may be waiting lists to get into some
classes.

ENGLISH AS A SECOND LANGUAGE

Although the United States
does not have an official lan-
guage, it is English which is pri-
marily spoken and used through-
out the country. Although there
may be areas and neighborhoods
in which other languages are
widely used, in order to work and
to function effectively, it will be
helpful to learn to speak, to read
and to write in English.

Classes on English as a second language
are offered throughout the state by both
private organizations and local schools and
community colleges.

For more information call the **Adult Liter-
acy Hotline** at (800) 447-8844. The Hotline
will be able to direct you to classes in your
community as well as provide information
on costs and eligibility requirements. There
may be a waiting list to get into classes in
some areas.

EDUCATION

If you arrive in the United
States with your family, you
will want to enroll your children
in school. All children between
the ages of 6 and 16 are required

Scouts and Girl Scouts provide a variety of
programs. Some communities offer art, tu-
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where to go to receive either rou-
tine or emergency health care.

For routine care, you will need to find a
health-care provider and make arrange-
ments to pay for services. Some families
may be eligible for Medicaid, a government
assistance program to provide health care
for low-income families. If you work, your
employer may provide health-care insur-
ance for employees. Many communities
have health centers that can provide health-
care services at a lower cost.

Massachusetts law requires hospital
emergency rooms to treat everyone who
needs assistance regardless of their immi-
gration status or their ability to pay. If you
or a member of your family has a medical
emergency, you should go to a hospital
emergency room. In some cases, hospitals
are required to provide non-emergency care
as well.

For information on whether you are eligi-
ble for Medicaid, contact the local Public
Welfare office listed in the phone book under
Massachusetts Department of Public Welfare
or call the **Boston office** at (617) 348-8500.

To find a local health center, call your lo-
cal hospital or the **Massachusetts Department
of Public Health** at (617) 727-2700.

INFORMATION

The following agencies can provide
you with information in a variety of
areas. They can also refer you to an
agency or community group that can
help you with specific problems. Bili-
ngual representatives are usually
available.

■ **Massachusetts Office for
Refugees and Immigrants**
2 Boylston St.
Boston, 02116
(617) 727-7888

■ **Irish Immigration Center**
18 Tremont St.
Suite 207
Boston, 02108
(617) 367-1126

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typing in this section was provided by
Berlitz Translation Services, a division of
Berlitz International, Inc.

PHOTOCOPY PRESERVATION

States want to become US citizens. Depending on your immigrant status, you may be eligible for citizenship.

If you have been a legal permanent resident in the United States for five years or have been married to a US citizen for three years, you may be eligible. You must be a person of good moral character and must be able to speak, read and write basic words in the English language. You must be able to sign your name in English and successfully complete an examination in US history and civics. If you are over 55, you can waive the requirement that you know English. The requirement that you be a person of "good moral character" excludes people who have ever been convicted of murder or aggravated felony or who have been connected with a number of other activities such as narcotics within the previous five years.

There is a \$90 fee required to file an application for citizenship.

To find out if you are eligible to apply for citizenship or to receive an application, call the **Immigration and Naturalization Service** at **(617) 565-3879**.

Classes and courses are available to help you prepare for the citizenship exam. Contact the **Adult Literacy Hotline** at **(800) 447-8844** for information on what's available in your community.

BUSINESS

If you are interested in starting your own business, there are programs and resources that can provide advice and assistance.

The Small Business Administration operates a business information center in Boston. The center has computers and resource materials for small business owners or for those who are interested in opening a small business. There is a library as well as videotapes and programs on how to prepare a business plan.

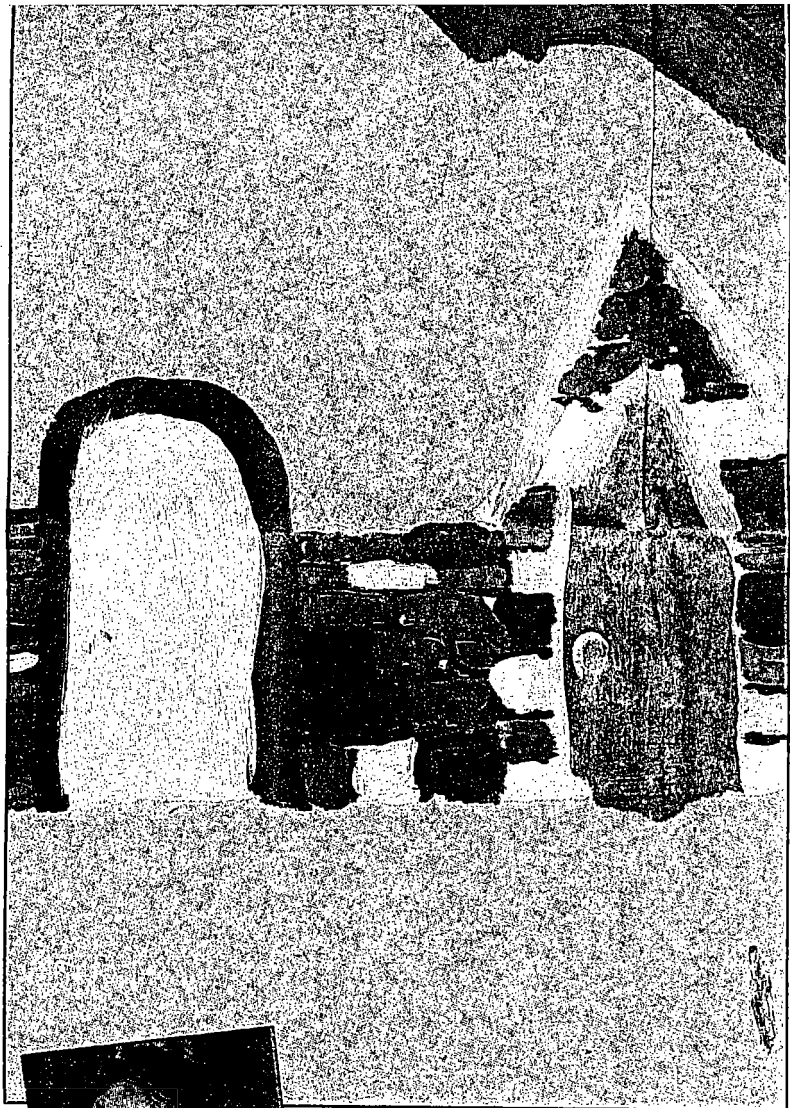
The Service Corps of Retired Executives (SCORE) offers you the opportunity to meet with former business executives for free counseling and advice on opening and operating a business. If you are interested in meeting with one of the SCORE members, contact your local Chamber of Commerce to find the nearest SCORE chapter.

Local universities, directed by the Massachusetts Small Business Development Center (MSBDC) at the University of Massachusetts/Amherst, provide free one-on-one counseling to prospective and existing small business owners. For more information or to find the center nearest you, call the **MSBDC** at **(413) 545-6301**.

The **State Office of Minority and Women Business Assistance** can provide you with information on opportunities for minority and women business enterprises. They can certify businesses as minority- and women-owned businesses to qualify for government affirmative procurement programs. For more information, contact **(617) 727-8692**.

The **Massachusetts Office of Business Development** can provide information on starting a business, on available resources and on regulatory and licensing procedures. There are several offices across Massachusetts. For further information, call **(617) 27-3206**.

If you need assistance in financing your business and have not been able to get a loan from a bank, you may be eligible for an SBA guaranteed loan. You apply for the guaranteed loan through your bank after the bank has declined a business loan for you. You should ask your local bank officer



It's a thatched house.
I saw it when
I was in Ireland. 7

Meghan Glynn, 13
St. Columbkille School

To find our young artists, the Globe visited each of the eight immigrant communities covered in this section and worked with a community-based youth program. A number of children from each group submitted paintings and drawings and a panel of Globe designers and editors selected the final eight.

for information on the SBA guaranteed loan program.

For more information on the **Small Business Administration** programs, call the SBA office in Boston at **(617) 565-5590**.

LEGAL SERVICES

In Massachusetts, it is illegal to discriminate on the basis of a variety of factors, including race, color, sex, national origin or citizenship in employment, housing, education, public accommodations and credit. You are also protected from discrimination on the basis of the documents you submit to show you are authorized to work.

If you need assistance, contact the **Massachusetts Commission Against Discrimination** at **(617) 727-3990**.

There are services and shelters for women and their children who are in danger of being hurt by their husbands or partners.

For information about the nearest shelter, call the **Massachusetts Battered Women's 24 hour Hotline** at **(617) 661-7203**. If anyone, including your husband, ex-husband, boyfriend or ex-boyfriend, is harassing or threatening you, you may be able to obtain restraining order that will require him to stay away from you. The authorities who are responsible for issuing restraining orders are interested in protecting you from violence and are not interested in your legal status. If you need help in getting legal advice on how to obtain a restraining order, call **Greater Boston Legal Services** at **(617) 357-5757, extension 3999**, or the **Coalition of Battered Women's Services** at **(617) 248-0922**.

If you need information on changing your immigration status, on bringing other members of your family to the United States or if you need representation in deportation proceedings, you should consult a lawyer. Any conversations you have with a lawyer are confidential and he or she will not contact the Immigration and Naturalization Service if you are here illegally. Immigration law is extremely complicated and you should be aware that there are people who may try to take advantage of newcom-