

Judge tells U.S. to give 22,000 permanent-resident status

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Body

A federal **judge** ordered the **U.S.** government to grant **permanent-resident status** to nearly **22,000** people nationwide and ensure that all asylum-holders get the work permits they were entitled to.

Issuing the mandate Thursday, **U.S.** District **Judge** Richard Kyle called the government's treatment of asylum-holders "nothing short of a national embarrassment."

The order stemmed from a class-action lawsuit filed on behalf of 150,000 asylum-holders by the American Immigration Law Foundation of Washington.

Those who are to get permanent residency immediately have faced years of bureaucratic delays in upgrading their **status**, and Kyle called on the government to speed up the entire permanent-residency process.

"We think it's a very strong opinion and should send a message to the government," said Nadine Wettstein, director of the foundation's Legal Action Center. She said the lawsuit was filed in Minnesota partly because of its large immigrant population.

Wettstein said that the ruling also meant a shorter wait for the 130,000 other residency applicants covered by the suit but that it would still take 12 to 13 years to clear the backlog for **permanent-resident status** unless Congress changed the law.

A Justice Department spokesman in Washington said the agency had not seen the decision and would have to review it before deciding how to proceed.

Delays in obtaining permanent residency mean delays in getting citizenship, because a **permanent resident** must wait five years before becoming a citizen.

Under federal law, the government can grant **permanent-resident status** to 10,000 refugees each fiscal year. But from 1994 to 2002, it failed for various reasons to use all the allotted slots, leaving nearly **22,000** applicants on the waiting list. The government maintained that the unused slots expired at the end of each fiscal year.

Kyle disagreed, saying the government was legally obligated to fill those slots.

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On work permits, he said that the law clearly required the government to issue them to all asylum-holders; that it could not require them to reapply for those documents annually at a cost of \$120 as it now did; and that the permits must remain valid as long as a person had asylum.

Kyle **gave** both sides 60 days to negotiate a schedule for complying with his order, or he would set the deadlines himself.

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