

## **America as a Safe Haven, From Politics**

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### **Body**

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It sounds like a sensible and humane use of discretionary power: Attorney General Edwin Meese has directed the Immigration and Naturalization Service to be more generous in considering the claims of undocumented Nicaraguans for political asylum in this country.

Yet this is humanity clouded by ideology. A closer look reveals a politically charged policy. The Administration refuses equivalent generosity to people from El Salvador, some of whom also face peril at home. Congress needs to address this regrettable double standard by law.

Two related aspects of immigration policy are at issue - permanent refugee status and temporary **safe haven**. Under present law, refugees who can document a "well-founded fear of persecution" back home are entitled to sanctuary. Decisions to grant asylum, however, are often clouded by **politics**. Last year, refugee status was granted to 85 percent of Nicaraguans who applied, but to only 3 percent of Salvadorans. That's because the Administration opposes the Sandinista regime in Nicaragua and favors the democratically elected Government of El Salvador.

Such unshaded judgments ignore longstanding civil strife and continuing human rights abuses in El Salvador. Salvadorans are not entitled to refuge for economic reasons. But many of them have more urgent reasons. The need to grant more Salvadorans some form of protection is underlined by recent reports of "death squad" threats to Salvadoran aliens living in California, including the alleged kidnap and torture of a young Salvadoran woman.

The Supreme Court offers one remedy. Last March, it ruled that aliens do not need to show a "clear probability of persecution" if returned home. It is sufficient, the majority ruled, for an alien to show either past persecution or "good reason" to fear future persecution.

The Administration now relies on this decision to justify treating applications from Nicaraguans more generously. But it makes no greater allowance for applications from Salvadorans. To make matters worse, the Attorney General refuses to grant even temporary **safe haven** to Salvadorans exposed to civil strife at home.

Congress will have to provide a remedy. Representative Romano Mazzoli proposes allowing the Attorney General to grant emergency protection to a national group whose homeland is racked by armed civil conflict, natural disaster or other extraordinary conditions. The decision would take into account "immigration, humanitarian and international concerns." That approach would still leave the Attorney General with discretionary power, but for the first time he would have to exercise it in accord with legislative guidelines. People imperiled by violent **politics** at home don't need to be bedeviled by tendentious **politics** in the United States.

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