

## **CITY IMMIGRATION OFFICE CLOGGED BY CASELOAD**

The New York Times

July 23, 1984, Monday, Late City Final Edition

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**Section:** Section A; Page 1, Column 2; Metropolitan Desk

**Length:** 1735 words

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### **Body**

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The New York district office of the Immigration and Naturalization Service is understaffed, buried in paper work and overwhelmed by antiquated procedures, according to many specialists in the field. Moreover, they say, there will be a torrent of new work if Congress approves new immigration legislation.

Despite some innovations over the last few years, the agency, which handles the largest workload of any district office in the country, simply does not have the resources to keep up with the volume, according to Government officials, private experts who deal regularly with the agency and aliens themselves.

"We're slowly but surely moving into the 20th century," said Kathleen Shields, supervisor of the immigration service's information unit. "But by the time we get there, it will be the 21st."

This year, about three-quarters of a million aliens will pass through the doors of the district headquarters, on 13 floors of the concrete and limestone Federal Building in lower Manhattan.

The immigration service estimates that if the new legislation becomes law, as many as 450,000 aliens could be eligible to apply for some sort of legal status in the district, which covers New York City, Long Island and seven upstate counties.

The immigration measure, the Simpson-Mazzoli immigration bill that is moving through Congress, would grant legal status to some illegal aliens and would try to stem further illegal immigration by penalizing employers who hire aliens who lack proper documents.

Agency officials say that they have taken steps in the last several years to streamline their operations and that they are making contingency plans to handle the surge of cases that would result from passage of the immigration bill.

"You can't sit back and wring your hands or leap out the window," said Charles C. Sava, director of the immigration service's New York district. "You can't let the large numbers scare you."

The New York district, including its branch offices, has a staff of 800, a 20 percent decrease from five years ago, when the immigration service reshuffled its resources to meet crises in districts with growing alien populations.

Aliens and their lawyers complain that the agency's operations are hampered by inefficiency - from a shortage of some of the most sought-after forms to regulations that bounce aliens from office to office. For the aliens, the sum total is often excruciating delay.

"It's an antiquated, 19th-century bureaucracy that has suffered from long neglect," said Arthur C. Helton, director of the Political Asylum Project of the New York-based Lawyers' Committee for International Human Rights. "Its resources are inadequate to service such a mammoth clientele."

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Most days the agency has to tape hand-written signs in its first-floor information room advising aliens, "No more tickets today." That means anyone who wants to do more than pick up a form will have to come back.

'I've Got to Go to Work'

"You think I got all the time to come here," one frustrated Nigerian man shouted the other day after an hourlong wait in line. When he got to the head of the line he was handed a form to fill out, one that traces the status of his petition for a "green card," a document that indicates permanent residence.

"I filled out that form four times," he said. "I've got to go to work. I got two kids. They've got to eat."

Aliens who succeed in getting tickets from the information room can proceed to one of the upper floors where all business is transacted.

Many aliens say they find the application process frustrating and unnecessarily confusing. For example, one clerk told a Peruvian student who wanted to return home to visit his sick father but also insure his return to the United States: "The 538 you submitted has no bearing on the I-20 now. And why didn't they pull the I-94?" The student left in confusion.

One of the aliens' biggest complaints is the length of time it takes to get information on the status of their various petitions. Aliens must file petitions with the immigration service for almost all requests, such as visa extensions, replacements of lost cards, permission to work or go to school, or for permanent residence or citizenship.

Access to the 2.4 million files kept in the office's fourth-floor file room is often delayed by an outdated manual filing system. The files are stored on bookshelves instead of in filing cabinets. They have to be propped up with bookends, which increases the risk that they can fall out and be misplaced.

To save floor space, many of the stacks have to be pushed together, blocking access to 70 percent of the files at any given time. The stacks have to be moved every time access to closed shelves is needed. "Clerks sometimes have to wait 40 minutes for a new shelf to be opened," said Joseph Colon, one of the file supervisors.

Cardboard boxes and red plastic milk crates filled with files sit on the floor, on desks and in shopping carts, and there are thousands of slips requesting files, neatly bound in rubber bands to indicate the date of arrival.

'Off the Conveyor Belt'

"Ninety percent of the cases go through," said Allen E. Kaye, a former president of the American Immigration Lawyers' Association, a 1,500- member specialty American Bar Association group. "It's the ones that fall off the conveyor belt and disappear that worry me."

One file that apparently disappeared belongs to Ashokchandra Shah, a 47- year-old Kenyan-born sales representative, who came to the United States in 1969 and applied for suspension of deportation when his British protected- person passport no longer gave him the right to return to Britain.

An immigration judge heard the case a year and a half ago, but Mr. Shah and his lawyer say they have been unable to receive any information about its outcome. Immigration officials say that while such delays occur occasionally, aliens in such cases are usually notified in several weeks.

"Anyone who wants to defect from Russia can stay here, but what about those of us who are already living here?" asked Mr. Shah. "They have no feeling for people at that place. 'Why are you so busy?' I ask them. 'For whom are you so busy?' "

Files Turn Up

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**Immigration** officials say there is no such thing as a lost file. "People who talk about missing files are ignorant," said Mr. Sava. "There's a certain processing time. If you're patient, it will come up."

Replacement of documents is similarly problematic. Amrish Patel, a 32-year-old packing supervisor from Flushing who lost his wallet in September 1980, filed four applications for a replacement green card.

He wrote four times to the printing plant in Arlington, Tex., where green cards are prepared, which told him his papers had never been received. Almost four years, two lawyers and \$500 later, his new green card arrived.

#### 'You Just Fill Out New Forms'

"I never give a good word about that **office**," Mr. Patel said. "You ask a question but they don't hear anything when you talk. You just get your picture taken again. You just get new fingerprints. You just fill out new forms."

To get around what they see as problems of inefficiency and lack of access, some **immigration** lawyers have taken drastic steps. One routinely sues the **immigration** service when he cannot get action on a case. Another frequently files an application under the Freedom of Information Act to get access to a client's file.

Perhaps the most frustrating aspect of the **immigration** process is the excruciating wait that invariably comes after the forms have been filed.

When the Brooklyn branch **office** was reorganized a year ago, many of its examiners were detached for retraining, and 20,000 petitions for citizenship piled up. Aliens who inquired about the status of their claims were told their records were packed in boxes and couldn't be opened.

A month ago, the agency borrowed 5,000 square feet of space in another Federal building in downtown Manhattan, installed desks and shipped the files across the river. Fifteen criminal investigators - 10 percent of the entire investigatory staff - were assigned to the desk work. With a skeleton clerical staff, they are working feverishly to process the backlog by Labor Day.

The **immigration** service says that by October, all of its files will carry bar codes similar to the ones used on supermarket products. They will enable files to be checked out and located electronically.

The agency plans to install more than 100 I.B.M. computer terminals to provide instant identification of the alien, the status of his case, relevant dates and the location of the file. But an I.B.M. competitor, charging bidding violations, has successfully won a temporary order barring installation of the terminals.

#### New Center Is Opened

To increase output, three years ago the **immigration** service opened a Regional Adjudications Center in St. Albans, Vt. In many cases, the center has dramatically cut the time needed to process various petitions. Because the files must be transferred there, however, the risk that they will be misplaced or lost is greatly increased.

The **office** has also farmed out 40 percent of its visa petitions to 16 posts on the Canadian border. And, in the lag time between international flight inspections, **immigration** officials at Kennedy International Airport now process cases that do not require interviews.

If an **immigration** bill passes, the experts say, it would place a tremendous additional burden on the **office**.

#### Contingency Plans Are Made

The bill would also penalize employers who knowingly hire illegal aliens, and increase the workload of criminal investigators.

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While it is not at all certain that the bill will pass, the agency is making contingency plans to hire 175 more workers, some of them agency retirees, and to set up eight satellite offices to accept legalization applications. It hopes that voluntary agencies will play a major role in helping applicants prepare the complicated paperwork.

But many voluntary agency officials that help aliens are worried. "That office is already overwhelmed," said the Rev. Peter Zendzian, director of the Catholic Migration and Refugee Office of the Diocese of Brooklyn. "It would take some very heavy miracles to make the new law work."

## Graphic

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photo of Manhattan office of Immigration and Naturalization Service (page B4); photo of worker at Immigration and Naturalization Service office

## Classification

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**Language:** ENGLISH

**Subject:** IMMIGRATION (93%); LEGISLATION (90%); IMMIGRATION LAW (90%); ILLEGAL IMMIGRANTS (78%); CITIZENSHIP (78%); US FEDERAL GOVERNMENT (78%); POLITICAL ASYLUM (78%); POPULATION GROWTH (76%); APPROVALS (72%); LAWYERS (72%); HUMAN RIGHTS (50%)

**Company:** IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%)

**Organization:** IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%)

**Industry:** LAWYERS (72%)

**Geographic:** NEW YORK, NY, USA (92%); NEW YORK, USA (94%)