

**Rule changes, harsher penalties put illegal immigrants in a bind;**  
**'So much fear' for families over this policy.**

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## **Body**

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**Illegal immigrants** have never been welcome in metro Atlanta, or anywhere else in the United States. But starting today, they face **harsher penalties** if they get caught.

Another **rule** that **changes** Tuesday means that many **families** may have to split up while some members wait to become legal U.S. residents.

Because of **changes** in the immigration law, many undocumented **immigrants** who are on track to become legal residents have to decide whether to leave the country, or stay and risk getting caught.

"It's a nightmare right now. There are a lot of really frightened people out there and they're getting really conflicting information," said Christine Blum, an immigration lawyer in Lawrenceville. She has clients who have decided to "do the right thing" and leave the country, even though that means leaving spouses and children who are here legally. The ones who leave may wait for years in their home country to get paperwork approved that lets them stay legally in the United States.

"In most cases, these are not people who came here with ulterior motives and went on welfare. These are fairly young, hard-working people who have paid taxes, fit in and have not done anything that would make somebody say we don't want them here," Blum said.

Under the new immigration law, **illegal immigrants** caught after today face a three-year or 10-year ban on returning to the United States, depending on how long they have been here.

On Tuesday, another provision expires that had let some of them stay in the United States while applying for permanent residency ---if they paid a \$ 1,000 fine. This regulation, called 245(i), applies primarily to **family** members of U.S. citizens. The INS estimates that there are about 32,000 undocumented **immigrants** in Georgia. Lawyers and advocacy groups have been flooded with calls from **immigrants** seeking advice. There are no easy answers, because the new immigration law is complex and each **immigrant** has unique circumstances.

The situation is even more complicated for **illegal immigrants** whose children were born in the United States. The children are U.S. citizens, but one of their parents may not be.

This has caused **much** anguish and anxiety for a group of undocumented Mexican women in DeKalb County whose U.S.-born children are getting special medical treatment for birth defects. "I worry for myself and my children," said a 30-year-old woman whose 3-year-old daughter is mentally retarded and has other physical disabilities. She has decided to stay **so** her daughter can continue to receive special care she couldn't get in Mexico.

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The woman's husband is a legal resident who has filed for citizenship, but that may take more than two years to be processed. Even though she is on track to become a legal resident as well, it won't happen before the new rules go into effect. "My fear is that we will get caught, and me and my daughter will have to go back to Mexico and lose everything she has learned here," said the woman, who didn't want to be identified. "I'm left with so much fear."

There are no plans for mass deportations, said INS spokesman Bill Strassberger. But for those who choose to stay illegally and try to file paperwork to become legal residents later "it could catch up to you," he said.

The INS supports an extension of 245(i) and the Senate has taken action to do so. But the House has not. Rep. Lamar Smith (R-Texas), who heads the House immigration subcommittee and vehemently opposes 245(i), said "it should have never been implemented to begin with."

"It's an insult to all the people who have been waiting in their countries for a visa to come to the United States at the appropriate time. It rewards illegal immigrants for their illegal behavior," Smith said.

Judy Golub, of the American Immigration Lawyers Association in Washington, disagrees. The people who are now forced to leave are already eligible to become residents of the United States, she said. "It's not a question of if they'll become legal; it's a question of where," Golub said. "We think it makes sense that they do it here, where, in fact, they already belong."

More for Web users

Immigration Information: official site of the INS: <http://www.ins.usdoj.gov/>

## Graphic

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### Changes: IMMIGRATION CHANGES

Parts of last year's landmark immigration reform are taking effect. Here

are some of the new rules:

New penalties effective today: illegal aliens found to have been here six months to a year face a three-year ban on readmission to the country.

Those who have been here illegally for a year or more will be barred from re-entry for 10 years.

Section 245 (i) expires Tuesday: This provision had allowed certain

immigrants to get their green cards while remaining in this country, if

they paid a \$ 1,000 penalty. If this regulation is not extended, immigrants seeking green cards would have to return home and wait until visas are available.

Note: This provision was enacted in 1994 to reduce the workload at U.S. consulates abroad. The Immigration and Naturalization Service received \$ 147.5 million in 1996 and expects to receive \$ 214.5 million in 1997.

Source: Immigration and Naturalization Service

Color teaser box: (Appeared on C/01 in reference to C/02 article) Men standing in line at the immigration office.

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