

Chinese Man's Release Ends A 5-Year Tale of Misfortune

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Body

In a reversal of fortune worthy of a **Chinese** poem about faith and perseverance, a **Chinese** man who had tried twice in the last five years to sneak into the United States walked out of an immigration jail a free man today after being cleared by officials to remain in this country indefinitely.

The **release** of Wang Wu Dong culminates a roller-coaster existence for a man whose attempts to abandon a life as a farmer in southern China for a chance at an uncertain existence in the United States cast a raw light on the flourishing, and perilous, criminal enterprise of smuggling people from China.

In 1993, Mr. Wang was a passenger on the Golden Venture, a freighter crammed with 286 illegal **Chinese** immigrants that ran aground in Queens. Mr. Wang was caught but failed to win asylum, and was deported only months before Congress passed a law in 1996 that would have improved his chances for asylum.

In May, Mr. Wang was aboard the ill-fated Oops II, a powerboat that carried 23 illegal **Chinese** immigrants and landed in a dense fog in an affluent town on the New Jersey shore. At first, the Immigration and Naturalization Service suggested that Mr. Wang, now in his mid-40's, was likely to be deported again under a 1996 law that allows for the deportation of any illegal immigrant who had previously been deported.

But a few weeks ago, a Federal judge in Newark granted Mr. Wang "withholding" status, a rarely invoked designation that allows illegal immigrants to live and work in the United States indefinitely without ever having an opportunity to become a full-fledged resident.

This afternoon, after immigration officials completed the paperwork, Mr. Wang was **released** from the custody of the Federal Government -- for good. "I am very happy to be **released**," said a laconic Mr. Wang, who looked tired and gaunt, with bloodshot eyes. He declined to say much else, only that he planned to stay, for now, with his sister in Delaware. "I miss my sister," he added.

Mr. Wang's **release** coincides with the **end** of an important phase of the Federal Government's investigation into what officials described as an international smuggling operation that demanded as much as \$40,000 from anyone interested in leaving Fujian Province for the United States, via South America.

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After the 23 illegal immigrants from the Oops II were seized in Bay Head, N.J. on May 30, they were held at the Elizabeth Detention Center. And in July, two immigration judges released the 23 on bond, pending asylum and deportation hearings.

But the 23 were immediately rearrested by Federal authorities as witnesses in the Federal investigation, which has resulted in several indictments so far.

Last week, Federal prosecutors took depositions from some of the 23 and returned the men to the I.N.S. so they could be released on bond. In addition to Mr. Wang, four illegal immigrants have been released so far, while the others are expected to be released by the end of this week, according to immigration officials.

But Mr. Wang's case has attracted the most attention because of his repeat trips.

The first time, Mr. Wang spent three years in an immigration jail in York, Pa., claiming that his wife had been sterilized for violating China's one-child policy. But he became increasingly disillusioned and asked to be sent back to China just before a new law was passed that stipulated that opposition to the one-child policy was a potential reason for asylum.

This time, Mr. Wang got the benefit of the doubt, with a withholding status that confers limited freedom. He can work and live anywhere and does not have to report to immigration officials. But he cannot sponsor any family members as immigrants, cannot become a permanent resident and cannot leave the United States -- even for a vacation -- without forfeiting his right to remain here.

"It's legal, but it doesn't give him a whole lot of benefits," said Amy Otten, a spokeswoman for the Eastern regional office of the I.N.S. in St. Albans, Vt.

Today, Mr. Wang needed the assistance of immigration lawyers and visitors to call his relatives in Delaware and his lawyer in New York. He said he had lost weight and that his few possessions -- his identification, his wallet, his watch -- were still being held by Federal marshals.

But at 7 P.M., a livery driver named Mr. Cui arrived, carrying a sign that read "Mr. Wang Wu Dong" in Chinese. Mr. Cui asked if Mr. Wang was ready to leave, and Mr. Wang, sighing, smiling, nodded yes.

Graphic

Photo: A Chinese immigrant, Wang Wu Dong, left, after his release from an immigration jail yesterday. (Mary DiBiase Blaich for The New York Times)

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