

## **HUNDREDS CROWD INS OFFICE TO BEAT DEADLINE FOR RESIDENCY**

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### **Body**

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Caught in a last-minute rush, hundreds of frustrated people have been camping outside the San Jose INS office all night long -- just hoping to get through the door.

Some have been waiting up to 24 hours for a chance to apply for green cards before a crucial Monday deadline.

As the cutoff fast approaches, the lines have been getting longer -- and tempers shorter.

Undocumented immigrants have been flooding the office for days. If they miss the cutoff, they will have to return to their home countries and wait up to 10 years to apply for legal status.

On Thursday night, about 300 people camped out in chilly weather in front of the Immigration and Naturalization Service office on Monterey Road.

One Indian doctor, who didn't want to give his name, said he waited 25 1/2 hours just to get through the door. The man, who was trying to get some important paperwork for his wife, had arrived at 5:30 a.m. only to find about 400 people ahead of him.

From the door, the line moved along the big gray building, made a right angle at a wall, made another right angle and snaked through a parking lot. Couples were snuggled close in sleeping bags, people were bundled in down jackets, music was playing softly on a dozen boomboxes.

The grounds were filthy. Plastic food trays, soda bottles and old newspapers were strewn everywhere. Five blue portable toilets were overflowing and out of toilet paper. The smell was horrible.

"We stood by those things for an hour and a half this afternoon," said Enrique Jimenez, 22, who works for Office Depot in Fremont.

For people in the line, the stakes were high.

They were there because in December, Congress added section 245(i) to the Legal Immigration Family Equity Act, which allows "out of status" immigrants to file for green cards and adjust their status without leaving the country. To be eligible, immigrants must be married to an American citizen, have a parent or a sibling who is a citizen or legal resident, or be sponsored by an employer.

After 245(i) expires Monday, illegal immigrants face options that can be described as bad and really bad. They can remain in the United States as illegal immigrants indefinitely. Or, if they pursue legal status, they will have to return to their home countries to file for green cards.

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If the **INS** determines an immigrant was **in** this country illegally for more than six months, he or she must wait three years before applying for a green card. If the **INS** discovers the person was here illegally for more than a year, a 10-year wait is required.

Faced with those alternatives, Joel and Lisa, who did not want their last names used, moved their wedding from August to the middle of April. Marrying Joel, an American citizen, made Lisa, who is an undocumented immigrant, eligible to apply for her green card under 245(i).

If the couple could not get through the **INS** doors by Monday night, they feared, they would have to cross the border and live **in** Mexicali, Lisa's hometown. Lisa has asthma; the air over Mexicali is polluted. Joel works **in** Internet service sales. There is not much Internet work **in** Mexicali.

As the hours passed and tension grew, Lisa had a run-in with one of the guards outside the **INS office** Thursday afternoon. "These people are very mean; they don't give you information," Lisa said.

The guards are under contract and are not **INS** employees. On Friday morning, person after person besieged them with policy questions they were not trained to answer.

People **in** line complained that nobody from the **INS** was available to answer their questions, as airline personnel do when lines grow long at ticket counters.

"We send officers outside all the time to work the lines," said Sharon Rummery, an **INS** spokeswoman.

Rep. Zoe Lofgren said the **INS** needs to modernize its operations so it can offer better service.

"It is outrageous. No business would treat people the way the **INS** is," she said. "The **INS** is a dysfunctional agency operating with 1960s technology."

But Rummery said the agency has been working hard to improve service: "Always, always call customer service first; it can save you a long wait **in** line."

Friday morning, shortly after the doors opened, Joel and Lisa found out they will not have to move to Mexicali.

"It turned out OK **in** the end; we got the authorizations," Joel said.

Outside the **INS office**, Heidi and Oscar Alfaro were standing **in** a line of about 200 people, hoping they were not too late to apply under 245(i). The **INS** forms were so complicated, the Alfaros had hired an immigration attorney to fill them out. The attorney had just completed the forms.

The Alfaros worried about meeting the **deadline**. But Rummery said the **INS** will extend its hours Monday and guaranteed that all who show up that day will get their 245(i) applications processed.

"We will be open until midnight on Monday," Rummery said. "We will take every single application. If we don't get to them Monday, we'll give them appointments for later. Nobody will miss out this chance to get this key to the golden door."

## Graphic

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Photos (2);

PHOTO: RICK E. MARTIN -- MERCURY NEWS

An officer at the Immigration and Naturalization Service **office in** San Jose, above, talks last month with people trying to become legal residents.

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PHOTO: RICK E. MARTIN -- MERCURY NEWS

Alvaro Bejur, left, waited at a window for forms to attain U.S. citizenship.

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