

## **ALIENS FACING \$185 FEE ON AMNESTY**

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### **Body**

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The Reagan Administration, under rules to be issued this week, plans to charge a basic application **fee** of **\$185** for most illegal **aliens** seeking legal status under the new immigration law.

However, the **fee** would be only \$50 for children under 18 years of age. The Government will offer legal status to families in a package deal for \$420, according to a confidential draft of proposed regulations signed by Alan C. Nelson, the Commissioner of Immigration and Naturalization.

For a family of four illegal **aliens**, it might cost \$700 to obtain legal status when the cost of medical examinations and other charges are included.

The **fees** would be part of a program, under which illegal **aliens** can apply for legal status, or **amnesty**, that is to start in seven weeks. **Aliens** may file applications from May 5, 1987, through May 4, 1988, at any of 100 special offices to be established around the country. #4 Million Applicants Likely The Government expects 3.9 million to 4 million applications for legal status, or an average of 150 a day at each of the 100 offices. The rules show that there will be 5 offices in New York State, 3 in New Jersey, 1 in Connecticut, 7 in Florida, 9 in Texas and 28 in California.

To qualify, illegal **aliens** must show that they entered the United States before Jan. 1, 1982, and have resided here continuously since then, with no single absence of more than 45 days. The cumulative total of all absences in that period must not exceed 180 days.

Under the proposed rules, there would be a \$50 **fee** for any **alien** who appeals a decision denying legal status. **Aliens** would have to obtain medical examinations, which could cost \$60 to \$75. In addition, many **aliens** might have to pay lawyers' **fees**, although church groups and community organizations will offer assistance at little or no charge.

Under the rules, there would be a limit of \$420 on the application **fees** payable by a family, defined as husband, wife and children under 18.

#### Documents Are Specified

The rules also list documents that may be submitted in support of an application, such as pay stubs, income tax-withholding forms, utility bills or bank statements showing residence in the United States.

The new rules retain many provisions that were criticized as unduly rigid and restrictive by key members of Congress, including Representatives Peter W. Rodino Jr., Democrat of New Jersey; Romano L. Mazzoli, Democrat of Kentucky, and Jim Wright of Texas, the Speaker of the House.

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The Administration says the legalization program must be financed entirely with aliens' application fees, using no money from other sources. Lawmakers and Hispanic lobbyists said the resulting fees were so high that they would discourage some aliens from applying.

The Congressional Hispanic Caucus, headed by Representative Esteban E. Torres, a California Democrat, proposed that the basic application fee should be \$35 to \$50.

## Smugglers Do Brisk Business

However, immigration officials, defending the \$185 fee, said aliens often paid smugglers much more than that to help them enter the United States illegally. The new law authorized the Government to charge fees but did not specify the amount.

The amnesty program was established by the Immigration Reform and Control Act of 1986, which President Reagan signed Nov. 6. The statute, described by the Government as the most comprehensive revision of the immigration law in 35 years, also prohibits employers from hiring illegal aliens.

Starting in June, employers will have to ask all job applicants for documents to verify that they are either United States citizens or aliens authorized to work in this country.

Under the rules for the amnesty program, illegal aliens may be given a six-month work permit while the Government reviews their applications for legal status. If an application is approved, the alien will receive a "temporary resident card" authorizing employment in this country, as well as foreign travel.

Illegal aliens who do not apply or do not qualify for legal status could be deported if they are caught.

## Other New Provisions

The rules also include these provisions:

\* Illegal aliens applying for legal status must show that they have maintained "continuous physical presence" in the United States since Nov. 6, 1986. An absence of 30 days or less is allowed if it was authorized by the Immigration and Naturalization Service for "legitimate emergency or humanitarian purposes."

\* An alien who submits false documents or makes false statements in support of an application for legal status may be deported or prosecuted.

\* If an alien entered the United States legally before Jan. 1, 1982, but violated the terms of his visa, he might qualify for the amnesty program if his illegal status was known to the immigration service as of that date. The violation would be "known" only if it was recorded in the alien's official file.

\* Illegal aliens will be ineligible for legal status if they have been convicted of a felony committed in any country, or three or more misdemeanors committed in the United States.

\* An illegal alien may not receive legal status if he appears likely to become a "public charge." Aliens may be asked for evidence to show whether they are "self-supporting," whether they have a "history of employment" or whether they have been on welfare.

\* Male aliens 18 to 26 must register with the Selective Service System.

## First, Temporary Status

Illegal aliens who qualify for legal status will first become temporary residents. After 18 months in that status, they will have one year in which to apply for permanent residence. After five years as permanent residents, they may apply for citizenship.

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There is a separate, more generous program under which certain farm workers may obtain legal status if they worked in American agriculture for at least 90 days in the year ending May 1, 1986.

After the proposed rules are published in the Federal Register, people will have 30 days to file comments. They should be addressed to the I.N.S., 425 I Street N.W., Washington, D.C. 20536.

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