A STATE OF LIMBO RULES THE LIVES OF POLISH ALIENS

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Body

WHEN the immigration agents approached Helena shouting, "***Polish***? ***Polish***?" she felt no surprise, only the confirmation of her worst fears. She knew she possessed neither the valid visa nor the work permit - for her $64-a-week job cleaning offices - that the agents wanted to see. "There was a risk," the 40-year-old former bookkeeper said of her Oct. 21, 1981 arrest here. "I just took it."

Deportation proceedings against Helena, who asked that her full name not be used, began Dec. 22 - even though military law had been declared in Poland nine days earlier. The proceedings will continue although the Reagan Administration, in the wake of the recent events in Poland, has barred the actual expulsion of illegal ***Polish*** ***aliens*** until March 31.

It is a strange sort of deliverance, Helena said; military ***rule***, the very act that saves her from the possibility of a forcible return to Poland, makes her dread it even more. She feels, she said, that she has no country.
Discussion of deportation of ***Polish***-illegal ***aliens*** in US

Helena's sense of ***limbo*** is shared by about a thousand illegal ***Polish*** ***aliens*** ***living***, working and often hiding, in Connecticut, according to Ryszard S. Mrotek, a Hartford lawyer who specializes in immigration cases. Estimates of their number nationwide range from 20,000, according to Aloysius A. Mazewski, president of the ***Polish***-American Congress, to 35,000, according to Richard W. Day, general counsel of the United ***States*** Senate Subcommittee on Immigration, Refugees and International Law.

Some 5,300 Poles nationwide currently are involved in "expulsion proceedings," including detainment, deportation hearings, decisions on requests for asylum and denial of entry to the country, according to Duane Austin, an information officer for the United ***States*** Immigration and Naturalization Service. He added that many of the illegal ***aliens*** also break labor, Social Security and tax laws by working "off-the-books" jobs - those that are not reported to Government officials.

Most ***Polish*** ***aliens*** first enter the United ***States*** on tourist visas, which last no more than six months, said immigration officials and ***Polish***-American advocates. They generally ***live*** with relatives in the ***Polish*** enclaves of New Britain, Hartford, Stratford and large towns in Connecticut, although the greatest numbers are found in Chicago, Detroit and Pittsburgh. They work in relatively menial jobs - machine shops for men, garment factories or building maintenance for women - although the Poles range from unskilled workers to those with advanced degrees but no fluency in English. Most limit their movements to the passage from home to job, trying to avoid the periodic roundups made by immigration agents.

A suit brought by the Connecticut Civil Liberties Union, now in the pretrial stages in Federal District Court in Hartford, seeks an injunction against the "random" raids.

"Our people ***live*** like hunted game," contended Mr. Mrotek, a naturalized Pole. "You stay as close as possible to the family, don't socialize much, don't talk at work, hide behind someone else's Social Security card, don't get a driver's license."

The situation for ***Polish*** ***aliens*** changed significantly when Congress passed the Refugee Act of 1981. Until then, immigrants from Communist countries automatically received the status of refugees, allowing the influx of Poles and Soviet Jews in particular, Mr. Day said.

The new law, adopting verbatim the wording of a United Nations protocol, altered the definition of a refugee to a person with "a well-founded fear of persecution, based on race, religion, national origin, or membership in any social organization."

The definition appears to exclude most ***Polish*** ***aliens***, Mr. Day said, because they came to the United ***States*** for economic gain. "What we hear about are food shortages, fuel shortages," he said, "not political reasons." But ***Polish*** ***aliens*** rarely extricate the shortages from the Communist government that presides over the economy.

The existence of Solidarity further complicated the issue. Immigration officials and lawmakers had pointed to the ascension of the independent trade union as proof of the absence of mass persecution in Poland, and deportations of illegal immigrants continued until the Dec. 13 declaration of martial law. On that day President Reagan ordered deportations halted, and the immigration service on Jan. 22 said no Poles would be returned home until at least March 31.

But expulsion hearings that began before Dec. 13 continue and the ***State*** Department has "temporarily suspended consideration" of requests for asylum, according to a letter to Mr. Mrotek from John D. Scanlan, deputy assistant secretary for European affairs. A blanket amnesty for ***Polish*** immigrants "would be inconsistent with the Refugee Act," Mr. Scanlan wrote.

Senator Alan K. Simpson, a Republican of Wyoming who is chairman of the Senate immigration committee, said, "We have to be very cautious about any broadening of the definition of 'refugee,' " because, besides the Poles, thousands of Haitian and Salvadoran immigrants claim to have fled political persecution. He reiterated the wording from the Refugee Act, but then added, "How do you deal with plain old fear?"

Mr. Simpson did not answer his own question. But Betty, a 32-yearold ***Polish*** ***alien*** ***living*** in Greenwich, could. She has ***lived*** "underground" - her word - for the seven years since her six-week tourist visa expired.

"I was simply hiding," she said. "I couldn't take a job I'd like to, like an office job or nursing. I didn't get a driver's license. I opened a savings account in my cousin's name."

Betty said she tried several times to attain legal status, paying $1,000 to a lawyer who did not succeed in doing so, and seeking advice from ***Polish***-American organizations. "They told me, 'Immigration isn't looking for you, sit quiet,' " she recalled.

But her conscience troubled her. Twice she bought airline tickets to Poland, only to return them. "I feel very guilty about not paying taxes," she said, "but I spend all my money here. I paid lawyers, I paid doctors, I was in the hospital and paid all my bills."

She misses her family and blames herself because, she said, since her flight from Poland, her brother has been denied the right to work in Czechoslovakia and her father has been interrogated frequently by ***Polish*** officials.

Betty's mother, however, received a visa in December 1981 to visit Betty's aunt in Stamford. Then martial law was declared. Betty's mother wants to return home. Betty's aunt wants the 57-year-old woman to stay. Her visa expires this month.

Barbara, 29, a ***Polish*** immigrant in Hartford, also feels torn between family and freedom. She left her husband and children in Warsaw in June 1981 with the promise, "See you in three months." Now she fears that returning to Poland means imprisonment because she had been a Solidarity organizer.

"I keep myself very busy," she said, "or else I would go crazy." But work and her studies in computer science are not diversion enough. The strain of separation shows in the 15 pounds she has lost, the cigarettes she never before smoked.

One night recently, Barbara watched the movie, "Man of Iron," which mixes a fictional plot with documentary footage of the Gdansk shipyard strike that gave birth to Solidarity.

"I feel how can this possibly be, that if I was there I would be in jail for my ideology," she said after the film. As the final credits slid off the screen, she looked at the spectators departing, and said: "American people are nice, but they never can feel the same thing. It's not my country here. It never will be. I'm a stranger here."

Barbara's problems, however, remain more emotional than legal. Her student visa and her affiliation with Solidarity - probably a boon in proving a "well-founded fear of persecution" and thus gaining asylum - are luxuries few other ***Polish*** ***aliens*** share.

Consider a 28-year-old seamstress in New Britain, who did not want to be identified. As she sat in her brother's apartment - legs drawn into her chest and locked into a defensive cocoon by linked arms - she told of the day of her arrest last June.

Three immigration agents came to her sewing machine in a New Britain factory, asking for her papers. She told them through an interpreter that she had a working permit and had applied for permanent residence, but did not have the documents with her.

The agents put her in their car. She thought they were taking her directly to the airport to be sent home. She went, in fact, to the Hartford immigration office for fingerprinting and mug shots, and then to the Connecticut Women's Correctional Institution in Niantic. There she was held over night.

Her case remains in an immigration court. She contends that she has a valid work permit; immigration officials contend that she does not. "I can't go to Poland and I don't know if I can stay here," she said. "The only choice is to look for another country."

Graphic

Illustrations: photo of an unidentified ***Polish*** ***alien***

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