

Legally Yours



By Ahmad J. Tahboub

Illegal US Immigrants Damage The Lawful Ones

About a month ago, the Associated Press published an article about Citizenship for US immigrants. The said article discussed President Bush's asking Congress to spend money to help businesses root out illegal workers. US governmental agencies have been focusing for the past years on mitigating losses caused by illegal employment and overstaying visas. Endeavors of these agencies cost money, most probably over exceeding pre-allocated budgets. "In his budget proposal, Bush asked for \$100 million to expand E-Verify, the system employers use to check whether they are hiring documented workers. He didn't ask Congress to allocate money to chip away at millions of citizenship and other immigration applications that flooded the government last summer, before an increase in the agency's filing fees.

The US President requested additional funds not "to help legal immigrants become American citizens more quickly" ... but to allocate illegal ones and forbid them from entering the US employment market. In the wake of presidential elections, democrats hammer republicans over many issues, none of which is legal immigrants. Apparently, party politics do not include strategic plans for potential voters. The concept of defending the rights of immigrants rely, as always, on legal efforts made by dedicated professionals. And immigrants' communities undertake both defending responsibility and right for activity in that regard.

From a legal prospective, what may seem as an administration call, affects the rights of hundreds of immigrants and applicants. When you know that the backlog of processing millions of applications includes a minimum of three years work. Suzanne Gamboa, the writer claims that "7.7 million applications for various immigration benefits poured into Citizenship and Immigration Services in the fiscal year that ended Sept. 30, 2007. That's 1.4 million more than the previous fiscal year."

With all the computerization and modernization of systems, "the backlogs are pretty much back where they were when they started and the agency is back to doing what it used to do, which is robbing Peter to pay Paul." Collecting resources from permanent residence to do citizenship, which is the solution for preventing fraud and illegal immigration. In other words, having the legal immigrants (or wanna be) pay for the cost of illegal intruders!

This sad outcome should be prevented. For immigrants suffering from the endless backlog, the notion of litigating against the administration to which you filed for immigration is terrifying. It is up for legal professional associations who should undertake their obligations and duties, and defend the rights of those who are less fortunate. Apart from financial concerns, immigrants are less likely to group through a "class action" to defend their rights. In the absence of viable solutions, US Immigration Agency increased fees in July largely to raise about \$1.5 billion to pay for modernizing computer equipment, hiring and training more workers, improving field offices and other spending. The cost of filing has rapidly increased to exceed one thousand dollars. The adverse result of encouraging overstays and illegal status from one side, coincides with discouraging legal residents from applying. Also, this would mean decreasing the numbers of rightful immigrants, to a country where many people would like to live in and contribute to its added values. Is not still the land of the braves and wanna be(s)?

Several attempts made by the Congress did not prevent the backlog from increasing. Although Agency Director Emilio Gonzalez announced in September 2006 the backlog had fallen to about 139,000 cases, this did not account for more than one million in awaiting visas or whose FBI name check was delayed.

For more than two decades, governmental services related to citizenship and immigration has been largely paid for by revenue from application fees. Applicants have a warranted right to receive due service for the paid amount. On a national American level, this should be accounted for by the concerned administration. Apart from class action, residents have the constitutional right of equality which entitles an applicant to file for expediting immigration process. Should this happen, it would be the first time where a legitimate applicant files for equality with an illegal immigrant! An interesting application of constitutional protection!!

On the global front, the US should respect its signed international treaties, where a leading country attests its endeavors to mitigate human suffering inflicted through various routes of pain. The anguish to join a family member is no less important than hosting a political asylum, if any.

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