REACH OUT TO NEWCOMERS IN DISASTER
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Bishop Nicholas DiMarzio, Chairman of CLINIC's Board

The immigration raid in New Orleans March 17, in which federal agents jailed 40 immigrants, raises an important question about federal policy towards undocumented individuals following natural disasters.

Just a few weeks ago, the White House released its long-awaited report on "lessons learned" from the federal response to Hurricane Katrina a few weeks ago. Although a thorough and valuable document, the report neglected to include one lesson that will be crucial to the nation's response to future disasters and emergencies -- to provide disaster and humanitarian relief to survivors, without reference to their immigration status.

A growing underclass of 11 million undocumented residents lives in the shadows of our society. Without a coherent policy that takes into account this population, no disaster preparation plan can be complete. In the aftermath of Hurricane Katrina, the government sent mixed messages to immigrants.

On the one hand, President Bush committed to assist all Katrina victims, and government agencies announced that all could receive emergency relief.

On the other, Department of Homeland Security officials held out the possibility that those who came forward would be arrested and deported, vowing to make these decisions on a "case by case" basis.

Needless to say, immigrants will hesitate to seek emergency services or to assist others if this might lead to their deportation or the deportation of a family member.

Unfortunately, this is precisely what occurred in the hurricane's aftermath. Some undocumented victims of this tragedy were turned away as they sought relief. Others were arrested and placed in deportation proceedings.
In Long Beach, Miss., for example, police and the U.S. Marshals Service reportedly demanded that undocumented residents leave a Red Cross shelter or be deported. DHS also placed some Katrina evacuees into removal proceedings in El Paso, Texas.

One of these persons had been stranded on a rooftop surrounded by rising water when a helicopter saved him. He lost his life savings and his remaining possessions while in refuge at the New Orleans Convention Center. Finally, he made it to an El Paso relief center with his life in shambles, only to face arrest.

While these incidents were not apparently widespread, it only takes a few cases to deter the undocumented and their families from seeking aid or cooperating with the government. This is particularly true when the government fails to articulate a clear

policy to the contrary.

The lack of clarity also makes it difficult for ethnic media, religious groups, and other nonprofit agencies to provide advice and information to affected populations. In effect, mixed messages weaken the capacity of those groups who are best positioned to help the government.

Ten days after the attacks of Sept. 11, 2001, Immigration and Naturalization Service Commissioner James Ziglar publicly encouraged undocumented persons who had lost loved ones to approach governmental bodies without fear of the legal repercussions. On Oct. 5, 2001, he urged unambiguously that the immigrant community "come forward" and stated that the "INS will not seek, and local authorities will not divulge, any information provided in the rescue and recovery effort."

At times that require national unity, this is the humane and prudent course. Public health and safety requires the cooperation and participation of the entire public -- even those residents who are living on the margins. The administration would do well to incorporate this important lesson into its disaster planning.

A coherent policy requires more than just raids. The government should offer temporary legal status and work authorization to law-abiding disaster victims and re-builders.

Immigration law already permits those who are out of status in our country, to get temporary protected status if they face armed conflict, natural disaster or other extraordinary circumstances in their home countries. We should extend similar protection to victims living in the United States.

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Bishop Nicholas DiMarzio, the bishop of Brooklyn, is the Chairman of the Board of Directors of the Catholic Legal Immigration Network, Inc. in New York City.