

soon afterward. She would not sleep at night; her daughter and son-in-law, who worked all day, stayed awake while Lia roamed the house sobbing and tearing her clothes. "For three years, I did not sleep," says Popova. "She did awful things at night. I do not know why I didn't give her pills."

Finally, the Popova asked the state for help. Andrienko went on Medicaid and moved into the Murray Care Center, where Rose Boyer also lives. And like Rose Boyer, Andrienko got a letter in December telling her—though she could not understand—that her time on American medical assistance had run out.

"When I received this letter, I cried," says Popova. "What will I do? I cannot leave my job to care for her. And Kris (Mosley) said 'We will fight. We will fight.'"

Social worker Mosley has been fighting since the letters came. The promise Leavitt made to protect the three legal noncitizens who otherwise would lose their Medicaid is good until August. Mosley is on an ad hoc committee trying to figure out how to extend the protection. "One answer is to go through the department process, with an attorney," she says. A judge could find it absurd to send Rose Boyer back to Lebanon more than seven decades after she left and issue a 'suspension of deportation,' which would allow her to stay on Medicaid. Lia Andrienko could apply for political asylum, but probably wouldn't get it, leaving the Popovas to pay for care they simply cannot afford.

"Their answer is not a pretty one," Mosley says. "Under all the guidelines, no matter what piece of paperwork I fill out, I cannot change their alien status."

Naturally, Louis Boyer is worried. "My mother needs 24-hour care. I wouldn't be able to take care of her," he says. "I don't know why she never became a citizen. She went to school here, but never finished her education because she was barefoot and pregnant for so many years. She must have figured that with her husband and her children all citizens, it was no big deal. She entered the country legally, but she never had a green card. She has a Social Security card, given to her in 1972."

Popova doesn't know what is going to happen with her mother. She certainly can't go back to Ukraine. For now, Popova consoles herself with her sense of gratitude and good luck at being in the United States.

"Every time I am in the nursing home, I say, 'Bless America. Bless these people,'" she says. "I am happy because my family is happy here. I am an American."

SPONSORSHIP STUDY SHOWS DEVASTATING EFFECTS OF IMMIGRATION LAW

Mr. KENNEDY. Mr. President, a soon-to-be-released study commissioned by the Immigration and Naturalization Service shows that the immigration law Congress passed last year will have a devastating impact on family reunification—especially for working families.

Members of Congress may think they voted last year to put aside proposals to reduce legal immigration. But in fact, as this new study shows, last year's bill may have accomplished back door cuts that could not have been achieved through the front door. The onerous new sponsorship requirements are likely to cause a one-third reduction in the number of immigrants entering the United States to join close family members here.

The new law requires immigrants and US citizens seeking to bring immigrant relatives to the US to meet strict income requirements. Anyone sponsoring an immigrant relative for admission to the US must earn at least 125% of the poverty level. For a family of four, 125% of the poverty level is more than \$20,000 per year.

The INS study examined sponsorship patterns under the old law, and found that 29% of family sponsors had incomes below 125% of poverty. That means 3 out of every 10 families who came here in recent years probably could not have been reunited with family members under the new 125% rule. In addition, 52% of immigrants who sponsored their spouses did not meet the 125% income threshold. In other words, over half of all immigrants who brought in husbands or wives—the closest of all family members—would be disqualified if they tried to bring them in today.

In addition, according to the study, 29% of American citizens who sponsored their spouses earn below the 125% level. That's 3 out of every 10 American citizen sponsors who could not be reunited with their spouses under the new law.

The new requirement hurts both working American families and legal immigrants. As a result, large numbers of them cannot reunite with their loved ones. The new threshold means that the average construction workers with two children could not sponsor their immigrant spouse.

We are talking about hard-working Americans and legal immigrants—people who have played by the rules. I doubt that anyone in this Congress wants to deny American citizens the opportunity to bring their spouse to America or watch their children grow up here. But, that is what the 125% requirement does. It denies hard-working Americans these opportunities because the full time job they hold doesn't pay enough.

Supporters of the new requirement claim that the income requirement is intended to keep immigrants off welfare. But in reality, after last year's sweeping welfare reforms, there is very little public assistance for which legal immigrants qualify. They are banned from receiving SSI and Food Stamps until they have worked and paid taxes for 10 years—or until they become citizens. They are banned from Medicaid and other needs-based programs for their first five years in the United States, after which they receive assistance only if their sponsors are unable to provide for them. So even if their sponsors have only modest incomes, the immigrants they sponsor are ineligible for public aid.

I supported measure to make sponsors more responsible for the care of the immigrants they bring in. But these requirements should not be so burdensome that they prevent American citizens from having their wives or husbands or children join them in the United States.

We expect sponsors to be responsible—far more responsible than we expect ordinary Americans to be. We expect sponsors to do it all—pursue the American dream, hold a good job, and under the new law, hold a better job than almost a third of American citizens. The 125% requirement contained in the new immigration law puts family reunification out of reach for many hard-working Americans and the majority of legal immigrants.

In addition, the study found that the 125% requirement disproportionately affects minority communities. Half of the immigrants coming from Mexico and El Salvador had sponsors who earned less than 125% of the poverty level. The same was true for a third of immigrants coming from Korea and the Dominican Republic, and a fourth of immigrants coming from China and Jamaica. So, future immigrants from these countries will have unfair difficulty reuniting with their families in the United States.

Supporters of the 125% requirement often point out that the new law allows low income sponsors to overcome the 125% hurdle by lining up backup sponsors. What they fail to say, however, is that low-income, working class sponsors usually have low-income, working class friends. As a result, it is extremely difficult to find back up sponsors with income sufficient to meet the 125% requirement.

In addition, because the new law makes sponsorship agreements legally binding contracts, non-family members are unlikely to agree to sponsorship. Friends and family know that if they agree to sponsor an immigrant, they can be sued by the federal, state, or local government if the immigrant needs public assistance. If the immigrant they sponsor is injured on the job and needs medical care, the back-up sponsor may have to pay thousands of dollars in medical bills. Many families are not willing to ask their friends and other relatives to shoulder such a heavy burden.

I hope that all of us in this Congress who are concerned about families in the immigration laws will work together to revise these harsh provisions. There is no justification for this blatant kind of bias in the immigration laws, and Congress has an obligation to end it.

I ask unanimous consent that a recent article from the New York Times on this new study be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 16, 1997]
IMMIGRANT STUDY FINDS MANY BELOW NEW INCOME LIMIT

(By Celia W. Dugger)

A new Federal analysis has found that an immigration law adopted last fall will make it much more difficult for poor and working-class immigrants to bring family members to the United States legally, especially Mexicans and Salvadorans, whose incomes

are generally lower than those of other immigrant groups.

But Congressional sponsors of the legislation say their intent was not to impose unfair burdens on immigrant families but simply to prevent them from becoming dependent on public aid.

The law requires immigrants seeking to bring relatives here to meet income requirements and to make legally enforceable promises to support the newcomers.

Advocates for immigrants say these restrictions are a backdoor way to slash legal immigration in a year when Republicans in Congress failed to reduce immigration levels directly. They say it will needlessly divide hard-working husbands and wives from each other and their children.

The law, which is to go into effect later this year after regulations are finalized, requires immigrants sponsoring family members for admission to the United States to make at least 125 percent of the poverty level, or \$19,500 for a family of four.

Under the old law, there was no income test for sponsors, just a requirement that incoming immigrants show they would not need public aid. In deciding whether to issue visas, consular officers at United States embassies overseas could consider whether prospective immigrants had jobs waiting, marketable skills, enough savings to support themselves or a sponsor.

Preliminary research, sponsored by the United States Immigration and Naturalization Service and based on a random survey of 2,160 statements signed by sponsors of family immigrants in 1994, found that about 3 in 10 of those sponsors had incomes below the new standard.

Another study conducted last year by the Urban Institute, a nonprofit research group in Washington, reached similar conclusions. Its examination of 1993 Census Bureau income data found that 40 percent of immigrant families in the United States and 26 percent of Americans born in the United States would not make enough to sponsor an immigrant under the new standard.

Federal immigration officials refused to discuss their new research, which had not yet been released, or to say whether the preliminary findings had changed. But several people familiar with the research—three who opposed the new law and two who favored it—described the findings on condition that their names not be used.

Based on the survey of statements signed by sponsors, immigration officials estimated that roughly half of the Mexicans and Salvadorans, one-third of the Dominicans and Koreans, one-fourth of the Chinese and Jamaicans and one-fifth of the Filipinos, Indians and Vietnamese would not have met the new income requirements.

One opponent of the new laws who spoke on condition of anonymity said the study showed that half of the legal permanent residents and about 3 in 10 of the citizens who sponsored their wives in 1994 would not have met the income standard.

The cases surveyed included both immigrants seeking to join their families here and those already in the United States, who may have entered on student visas or illegally, trying to become legal permanent residents.

In 1994, 461,725 immigrants came to the United States to join their families here, according to Federal statistics. Demographers with the New York City Planning Department estimate that about 1 in 6 of those immigrants came to the city.

But the new research comes with these cautions: the income reported on each statement was not verified, and the size of the families and the incomes they would need to meet the new standard were difficult to determine in a substantial portion of the cases.

Representative Lamar Smith, a Texas Republican who is chairman of the House Immigration Subcommittee and a sponsor of the law, said in a statement on Friday that he had been advised that the methodology of the immigration service's research was "fatally flawed."

New studies of the impact of last year's immigration law are being scrutinized because the issue of immigration is so politically charged and because legal changes so often have unanticipated consequences.

Complicating this debate is the disagreement among experts about just how much legal immigrants rely on public assistance. The Urban Institute says that 94 percent of immigrants do not receive welfare. George J. Borjas, a professor of public policy at the John F. Kennedy School of Government at Harvard University, using a broader definition of welfare benefits, says that 21 percent of all immigrant households receive some type of public assistance, compared with 14 percent of native households.

Even with the data on the income requirements, it is difficult to predict exactly what impact the new law will have on immigration levels. For one thing, people who cannot immigrate legally may come anyway.

"The perverse effect of the law will be to encourage illegal immigration," said Cecilia Munoz, a deputy vice president of the National Council of La Raza, a nonprofit Hispanic civil rights organization. "The ties between families are probably stronger than our laws."

All immigrants seeking to join their families will need a sponsor when the law takes effect; the old law did not require a sponsor for those who convinced officials that they could support themselves. About one-quarter of the immigrants who joined their families in 1994 had no sponsor, according to the new research, and it is not possible to determine how they would have fared under the new law.

In addition, under the new law, sponsors who do not meet the new income standards will be allowed to recruit a friend or other relative who does earn enough to sign a statement in their stead, promising to support the new immigrant if necessary.

That may enable more people to bring in relatives, although another provision of the law is already discouraging some close family members, not to mention friends, from signing such legally binding statements, immigration lawyers say.

In the past, such promises have generally been found unenforceable in the courts, but the new law specifically empowers Federal, state and local governments to sue sponsors of immigrants who wind up on public assistance. It also allows immigrants to sue their sponsors for support. The sponsor is responsible until the immigrant becomes a citizen or has been working and paying taxes for 10 years.

Ana C. Zigal, an immigration lawyer in Baltimore, said she represents a young college student married to an illegal Mexican immigrant who installs air-conditioners for a living. The student, who works as a sales clerk in a department store, does not make enough to sponsor her husband and her father is "very scared" about signing a statement promising to support his son-in-law if necessary, Mr. Zigal said.

"What if that kid has a car accident that leaves him a paraplegic?" Ms. Zigal said. "The father is weighing his daughter's happiness against these future unknowns."

The new requirements continue to stir debate about the purpose of immigration to the United States. Groups that favor more restrictive policies, like the Federation for American Immigration Reform, contend the law will help keep out those who cannot support themselves.

"We don't need to import a poverty class into this country," John L. Martin, special projects director at the federation, said.

But advocates for immigrants say the new law runs counter to America's commitment to encouraging immigrants to reconstruct their close families here.

"The new law will mean that literally thousands of U.S. citizens and lawful permanent residents won't be able to reunite with their spouses, children and other family members," said Jeanne A. Butterfield, executive director of the American Immigration Lawyers Association.

IN RECOGNITION OF PAUL HOSHIKO

Mr. ALLARD. Mr. President, I rise today to pay tribute to a fine American, a great father and a good friend, Paul Hoshiko of Eaton, Colorado. Paul recently passed away, but left behind him a legacy of accomplishment and achievement that deserves to be recognized by all Americans.

To many, Paul Hoshiko was known as a leader in the agricultural arena. To others he was known for his civic involvement and his donation of time and money for various charities. I knew him not only in those regards, but also as a moral man who put his family first; who had a deep and abiding faith in his God; and one who was an unabashed patriot. But in all regards and to all who knew him, Paul Hoshiko, was admired and respected.

He served on numerous boards and committees throughout his life which showed his standing in the community. One of the most prestigious positions he held was his appointment by the U.S. Secretary of Agriculture to the Colorado State Agricultural Stabilization and Conservation Committee. Some other organizations he was involved with were the Extension Advisory Committee, Colorado Seed Growers Association, Central Weld Water District, member of Kersey & Greeley area Chamber of Commerce, member of Weld County Farm Bureau, Director of Lower Latham Reservoir for over 30 years, and the hospital foundation, among others. He received countless awards from these associations which illustrate his leadership and influence.

Paul was perhaps best known around the country as the "onion king". In fact, his sole appearance on commercial television (at least so far as I know) was standing in an onion field explaining to a future U.S. Senator what it took, "to be a good onion man". He was elected to the Board of the National Onion Association and served as president for five years. During his tenure the national office was moved to Greeley, Colorado. He served on the board of directors of this association until his death.

However, perhaps most notable and dearest to his heart, Paul should be recognized for his lifelong devotion to the 4-H program. He actively participated in this organization his entire life, both as a member and as a leader. He was continuously taking strides to