

INS backs off on sending Mexican boys back home

Parents are legal residents of U.S.

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The Immigration and Naturalization Service has backed away from a decision to deport two Mexican youngsters whose parents are legal U.S. residents.

Less than a week before their scheduled departure, Roberto, 6, and Norberto Morales, 3, won a four-month reprieve from INS District Director David Ilchert.

Last month, Ilchert appeared ready to deport the Morales boys because their parents had smuggled them into the country and were "saying to hell with the immigration laws."

Petitions and letters from more than 1,500 residents of the Patterson area, where the Morales family lives, and a pitch by Rep. Barbara Boxer, D-San Francisco, evidently changed Ilchert's mind.

On Tuesday he granted "voluntary departure" to the boys, which means permission to remain in the United States until Sept. 20. Voluntary departure is renewable. As a practical matter, it means the INS

probably won't move aggressively to deport them.

The Morales case shows a loophole in INS' "family-fairness" policy. It aims to keep together families who obtained legal residency under the 1986 immigration reform act.

The Morales children were living with their grandmother in a remote rancho, El Tigre, in the Mexican state of Guanajuato, when Eduardo and Esther Morales, their parents, became legal temporary U.S. residents. Because the family was separated when the act took effect, the boys are ineligible for legalization.

On March 17, the Border Patrol stopped the Morales' car in Calexico and apprehended their boys as illegal immigrants.

Eduardo and Esther Morales have been thinning and hoeing crops in the Patterson area for \$4.25 an hour since settling in the United States. Roberto is attending school and becoming the family's only bilingual member.

Still unresolved is the legal status of three of the children of Salvador and Blanca Morales, also of Patterson, whose family situation is identical. Eduardo and Salvador Morales are brothers. Their children are to be deported June 21.