

TESTIMONY

CUBAN-HAITIAN ENTRANT IMPACT
ON SOUTH FLORIDA

PROVIDED TO
SUBCOMMITTEE ON LABOR, HEALTH
& HUMAN SERVICES, AND EDUCATION
OF THE
HOUSE APPROPRIATIONS COMMITTEE

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Chairman Natcher and members of the Committee. Between 1980 and 1984 I was responsible for the administration of Florida's refugee program, first in South Florida and then statewide. Since November 1984 I have been administering all state health and social services programs in Dade and Monroe Counties. I, therefore, appreciate the opportunity to speak with you today regarding the very special and continuing needs faced by Dade County and other South Florida communities as a result of the Mariel boatlift and the Haitian influx in 1980 and 1981.

Those years saw the State of Florida cast into the throes of international drama. What began as a serious concern over the unexpected arrival of boatloads of Haitians in February 1980 escalated to utter crisis by June when 120,000 Cubans had reached our shores. The lack of a clear and consistent national immigration policy was central to the problems that Florida and its communities had to face -- virtually alone -- as wave after wave of Caribbean refugees swept across our beaches.

Congress had attempted to transform the chaos of immigration law and policy into some order when it enacted the Refugee Act of 1980. This law established a comprehensive approach to United States refugee resettlement and assistance activities. The law expanded the definition of "refugee," clarified resettlement and domestic assistance policies and established procedures to handle refugees regardless of their countries of origin.

It is ironic, however, that the Refugee Act was signed into law in March 1980 after two years of debate -- the same month that 1400 Haitians arrived by boats up and down the coastline of Florida. The irony rests in the fact that the new law never foresaw the likelihood of the Cuban and Haitian migration Florida was about to experience. Even with its new law in hand, the federal government, with no rules or regulations or contingency plans, was all but paralyzed when faced with the need to deal with tens of thousands of aliens coming ashore within a very short time.

The 1980 act had been designed to address the traditional process of gradual migration to this country. That process assumes flight to a third country where refugees are placed in holding camps from which the Immigration and Naturalization Service screens them for resettlement into the U.S. Status is determined, health tests are performed, some rudimentary English-language training is provided and the exclusion provisions of the Immigration and Nationality Act are enforced, all with a semblance of order.

For Cubans and Haitians, there was no third country -- Florida had become a country of first asylum. There was little order. And individuals who, because of histories of criminal activity and mental illness, should have been excluded were allowed to enter and remain.

While Haitians had been arriving in increasing numbers for some time, that in-migration grew out of control early in 1980. Although not fleeing a communist regime, many Haitians, nevertheless, sought political asylum. Legal representatives prevented deportation arguing that the full due process guaranteed under U.S. law had to be extended to this population. That issue is still being argued in the nation's highest courts. Until June 1980 these individuals had no official status. INS did not identify or count those entering. No services were allowable under federal law, and work permits could not be obtained without immigration documentation papers. With the inception of the Mariel Boatlift on April 21, 1980, a new range of policy issues emerged.

Prior to the enactment of the 1980 law, the Cubans would have been extended refugee status simply because they were fleeing a communist country. The new law, however, had eliminated that automatic granting of status based on country of origin. Like Haitians then, the Mariel Cubans had no legal status.

In June 1980 the president conveyed through executive order a special status for Cubans and Haitians who had entered since April 1980 -- Entrant (status pending). This allowed them to obtain work permits and enabled them to qualify for federal programs like Aid to Families with Dependent Children, Medicaid and food stamps. It did not, however, provide for 100 percent federal reimbursement of state and local costs. Nor did it address the needs of the majority of the newcomers who were single adults or members of intact families and were thus unable to meet the eligibility criteria of categorical assistance programs.

State and local officials and members of Florida's Congressional Delegation intensified their efforts to secure federal financial support to alleviate the impact of failed federal immigration law and policy. The Refugee Education Assistance Act of 1980 was signed into law in October 1980 to help defray the costs of educating thousands of Cuban, Haitian and Indochinese children. The Fascell/Stone amendment equalized the treatment of entrants with that of refugees in terms of benefits and services. It also provided for retroactive reimbursement to state and local governments for previous expenditures for this population. More than \$150 million dollars in state and local costs for health care, criminal justice activities and education have never been reimbursed, however.

Although it's been five years since that massive influx, our communities continue to feel the impact. Without any doubt most of the Cubans and Haitians who arrived in 1980 are attempting to build a positive future in this country. Thousands of individuals, however, will remain of serious concern for a long time.

In 1983 over 200 entrants were booked into the Dade County jail every month. In 1984 that monthly average rose to over 300. Now, in 1985 over 400 entrants, most of them Mariel Cubans, are booked each month into a jail whose population chronically exceeds a federal court-ordered cap. Since 1982 over \$2 million dollars a year has been spent in Dade County on mental health services for the entrant population. This year community mental health centers provided residential treatment, alcohol services and crisis stabilization for 1400 entrants with chronic, serious and long-term mental illnesses. Although thousands of Cubans and Haitians have received job training and placement opportunities, thousands more remain unemployed or marginally employed because of language and job skill barriers. It has been estimated that unemployment in that population may run as high as 30 to 40 percent. Now, as a result of recent winter damages to Florida's agricultural industry, even many of those who were attempting to eke out a living in farm work will be without support. Although almost 900 children of entrants who have been able to find work or enroll in a job training program receive child day care supported by targeted assistance, 504 children are on the waiting list. In Dade County 6100 non-entrant children also await their turns for subsidized day care. The list and the wait will grow as the entrant birth rate grows. Jackson Memorial Hospital delivered about 7000 babies in 1979. It expects to deliver almost 12,000 during 1985. That hospital, used for teaching by the University of Miami, is the primary health care resource for indigents and low income families in Dade County. The \$6 to \$7 million it has received annually for entrants in Federal Fiscal Years 1983 and 1984 has paid for only about 50 percent of the services it has delivered to that population.

With the impact still acutely felt by our communities, Florida's FFY 1985 allocation of federal social service funds used to assist refugees and Cuban/Haitian entrants to get and keep jobs has been cut by 83 percent. In addition, Florida and its impacted counties face an additional loss in funds during the state's fiscal year beginning July 1 because of the administration's interpretation of the FFY 1985 targeted assistance level, an interpretation that I understand this Committee has requested the Comptroller General to review.

In closing, I thank the Committee for its sensitivity to these issues and urge you to continue to recognize through the appropriations mechanism the very special needs of communities like Dade County which through no fault of theirs have become seriously impacted with large numbers of individuals admitted to this country -- impacted either by accident of geography, planned resettlement activities by private voluntary agencies or secondary migration. These special needs -- health care; intervention, diversion and rehabilitation for those involved with the criminal justice system; and treatment for the mentally ill -- cannot and should not be addressed by the communities themselves alone without federal aid or with federal resources designed almost entirely for employment-related activities.

Immigration policies are national policies and their ramifications must be shared nationally.