

# GSSG NEWS

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## VISAS AND POLITICS

*Can our Guatemalan youngsters be entangled in a net woven by the war in Iraq, illegal immigration, and globalization? Unlikely as it seems, the answer appears to be yes. Though the details are not yet clear, and may never be clear, in June all of our candidates were inexplicably denied visas. The reason given was that some of the Phase I the preceding year had sat in on classes for three months at a local school and “going to school on a visitor’s visa is not allowed.” We have appealed to the State Department. Below are the pictures and brief bio’s of those whose visa applications were rejected.*



Liliana Esperanza, 14, is the third eldest of eight children. Her father works in a town twelve hours distant by bus and seldom sees his family. But even when he lived with them he could not provide adequate support and the home was often without electricity, as it is at present. Liliana’s home was built by Habitat for Humanity. The house is a concrete structure consisting of four rooms—two bedroom, a kitchen, and a living room. There is a concrete sink in the back of the house and a toilet inside, but no water in the house and the family has to buy water from a barrel at the end of the street in the dry season; in the rainy season, they collect rain water. Liliana’s diet consists entirely of beans and tortillas and sometimes they have only tortillas and salt. Pretty girls live in ever-present danger in Guatemala where crime is common and impossible to prosecute. Liliana is of mixed-race descent.



Ericka Azucena, 16, does not say much but what she does say is something she has considered. The 12’ by 12’ board house she, her mother, and her sister live in has a dirt floor; there are no mattresses; the kitchen is a lean-to off to one side; there are no appliances and no sink; the bathroom is outside. The village is about two miles from town. Ericka walks to school almost every day, for riding in the back of a pickup costs about forty cents. Ericka’s mother, a pleasant woman with three years of schooling, works as a maid and only makes enough money to provide the barest of necessities. Ericka, who speaks Poqomchí and Spanish, gets good grades. In plainest terms, Ericka lives in destitution. For all of that, she is cheerful and pleasant.



Byron Reginaldo, 16 and Ericka’s first cousin, lives in the same Poqomchí village. He is the second youngest of ten children, all born at home, three of whom still live at home. Several married siblings live in the same village and their little ones speak only Poqomchí. Byron’s parents have only a year of two of schooling. Their relatively large house is made of boards, has a dirt floor, no appliances, and two light bulbs; the bathroom is outside. Byron attends a private school on a scholarship but he has to pay for his books, uniform, and supplies. He leaves home at 6:00 A.M. and returns at 1:30 for his first meal of the day. He then walks up into the mountains to collect firewood, returning about 5:30. Then he does his homework. The family has dinner at 8:00 and then goes to bed.



Ana Rossydalia, 14, is the second eldest of seven children. What an impressive young woman she is—pleasant, bright, self-possessed, thoughtful, courteous, unpretentious! Rossydalia (she prefers her middle name) acquires her poise from her mother, a soft-spoken, gentle woman who lives by standards of morality and reason, rather than self-interest. Rossydalia’s father died some years ago and her mother remarried. Rossydalia’s step-father, a math teacher, barely earns enough to support the family. Their home is much too small and the entire family sleeps in two bedrooms. The kitchen, which has no appliances, is a lean-to. Such furniture as they have is badly worn. Rossydalia, the best student in her class, wants to become a doctor. Without intervention, she never will.



Pedro Alberto, 13, is not Mayan, but rather Ladino, i.e., of mixed-race descent. His mother went to school through six grades. Abandoned by their Nicaraguan father, whose whereabouts is unknown, Pedro, his younger brother, and their mother have no house but occupy one small room in the home of Pedro’s grandmother. Determined that her sons will get an education, Pedro’s mother, a cheerful and energetic woman, ekes out a living cleaning houses, taking in laundry, collecting bottles and cans, running errands on her bicycle, making tortillas to sell on the street, and the like. The boy’s situation is complicated by the fact that Guatemalan law requires both parents to be present when a minor is applying for a passport. GSSG went to court in Pedro’s behalf and secured sole guardianship for his mother. Happy, bright, and personable, Pedro is one of our most promising candidates.



Marvin Francisco, 14, and his older sister and brother are the offspring of a remarkable couple living in a remote part of Guatemala. His father was beaten for disobeying his father by going to school, but he persisted and, against all odds, worked his way through college and then returned to the same area to teach. Marvin's mother, a lovely young woman, has three years of schooling and speaks mainly Achi', a linguistic group severely victimized during the civil war (1961-1996). Marvin is an agreeable lad, quick, sharp-witted, very sociable and eager to talk, and he has a wonderful sense of humor. The lad shows much promise and might well join his father in attempting to lift the area out of extreme poverty. Going to school in the United States would be an unbelievable dream come true.



Flor de María, 15, is also not Mayan but of mixed-race descent. She has two younger sisters. The family lives in a house made of cement block and has a refrigerator and stove in the kitchen, something they could not afford unassisted. Flor's grandmother worked for thirty-seven years as a teacher and provided the appliances upon her death. Flor is bright, well-spoken, absolutely unpretentious, and entirely free of the racism that characterizes so much of the Ladino population. She has a delightful personality and a manifestly fine character. What is more, she appears to be a born leader in a society rife with virulent male dominance. GSSG is looking for youngsters capable of making a difference in their society. Flor is surely one of them.



Sergio Anibal, 16, the second of eight children, is probably the most mathematically gifted of our candidates. He is a pleasant lad with an agreeable smile and a disposition to match. His family lives on a dirt road a few miles outside a town which has neither a post office nor secondary school. Sergio walks from his home to town and then takes a minibus or rides in the back of a pickup to the capital of the district. The fare is twelve cents. If Sergio has lunch at all, it likely consists solely of tortillas brought from home. Sergio's father works as a security guard. The small, concrete family home has electricity but no running water and no appliances. The bathroom is in the woods. Sergio has the highest grades in his class. The family speaks Q'eqchi' at home.

*We intend to do everything possible to get these youngsters their visas, from appealing to senators and congressmen, the State Department, the White House, political and religious organizations, and ultimately the general public. But all of this requires support and we need your help. Please consider sponsoring one of them. "Sponsoring" means making a small monthly contribution for a particular child; it does not mean having him or her in your home—that is "hosting." Please pick out one of the youngsters above, enter his or her name on the attached form, and send the form to us. As a sponsor, you will receive pictures and letters from your sponsored youth and some day, when he or she has obtained the visa, you may well have a chance to meet.*

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*GSSG had planned to bring thirteen or fourteen children for Phase 1 this year. In March (before the group above applied for visas and were rebuffed) two, Alba and Hamilton, were granted visas and came for Phase 1.*



This is Alba. She is fifteen, the youngest of seven children, the eldest of whom, a boy, died in infancy. Three months after Alba's birth, her mother died. Her father took the other five girls and disappeared into the slums of Guatemala City, leaving Alba with his sister-in-law, who happened to be nursing a child of her own at the time. He never saw his daughter again until the events narrated in the last newsletter brought them together. Alba came to the United States in March (2006) and learned English. She is now a freshman at a prestigious private high school (95% of its graduates go on to college), has a "B" average, and is discovering things about herself she never knew before—talent, confidence, personality, potential. Her home in Guatemala has a tin roof, walls made of mud and pine needles, a dirt floor, and no appliances; the "bath" is outside.



Seven months after his birth, Hamilton's mother died. His father subsequently remarried and Hamilton's step mother treats him as her own son. The couple has three other children. Hamilton, 16, is a pleasant lad, mature for his age, responsible, very sharp, and industrious. At the end of the last school year, Hamilton won a four-year scholarship for being the best student in his town but he chose to forfeit the award in favor of the opportunity afforded by GSSG's Phase 1. He too came in March, learned English, and matriculated at a private high school, where he also has a "B" average. His home in Guatemala is made of concrete block and is sparsely furnished. Hamilton is greatly attached to his two-year old brother. They sleep in the same bed and in the mornings Hamilton takes care of him—bathing him, dressing him, feeding him—while their mother works. (In Guatemala Hamilton attended school in the afternoons.) The child has been sick since Hamilton left and is not eating or sleeping well. Hamilton may have to go home.

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## PASSPORTS and VISAS

If you find the tangled web of passports and visas confusing, you are not alone. The explanation below is intended to clarify the process by which GSSG youngsters are granted or denied the visas they need.

A *passport* is a document issued by the country in which a person lives authorizing him/her to leave his/her home country and return; it is proof that he or she is a citizen of such-and-such a country. A *visa* is a document issued by the embassy of the country one intends to visit, allowing him/her to enter the country. No embassy will issue a visa to someone who does not have a passport from his/her own country. None of our youngsters has a passport to start with; so we have to help them get one. Then we have to take them to the U.S. Embassy in Guatemala City to get a visa.

The United States government issues many different kinds of visas—the “A” visa, for example, is issued to foreign diplomats, like ambassadors and their subordinates; the “B” visa, for visitors; the “F” visa, for students (mostly college students); the “H” visa, for temporary workers; the “J” visa, for foreign exchange students (GSSG is not an exchange organization); etc. The executive branch of the U.S. government (ultimately the president) is responsible for the issuance passports (for Americans going abroad) and visas (for foreigners coming here). That duty is, specifically, a responsibility of the Department of State. All U.S. ambassadors, who head our various embassies abroad, report to the Secretary of State.

The Secretary of State carries out his/her responsibilities in accordance with law, in this case, the Immigration and Nationality Act of 1961, often amended and usually referred to as INA. The relevant portion of INA Section 214. Consular officers in the various U.S. Embassies around the world who interview visa applicants almost always base their denials on subsection b) of Section 214, which reads as follow: “Every alien . . . shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, . . . that he is entitled to nonimmigrant status under section 101(a)(15).” That’s very general. The Code of Federal Regulations (CFR) is a document that governs how a law is to be applied. In our case, the appropriate section is 22CFR41.31, which says, in part: “An alien is classifiable as a nonimmigrant visitor . . . if the consular officer is satisfied . . . that . . . (1) The alien intends to leave the United States at the end of the temporary stay . . . ; [and that] (3) Adequate financial arrangements have been made to enable the alien to carry out the purpose of the visit to and departure from the United States.” There is still another document that comes into play. It is called the Federal Affairs Manual (FAM). The relevant section for our kids in Phase 1 is 9FAM41.31, which says: “In determining whether visa applicants are entitled to temporary visitor classification, you (the consular officer) must assess whether the applicants: (1) Have a residence in a foreign country, which they do not intend to abandon; (2) Intend to enter the United States for a period of specifically limited duration; and (3) Seek admission for the sole purpose of engaging in legitimate activities relating to business or pleasure.” There is an obvious inconsistency between 22CFR41.31(3), “Adequate financial arrangements,” and 9FAM41.31 N1.1(1), “Have a residence in a foreign country.”

In the past, we have supplied documentation from our bank certifying that we have sufficient resources to cover expenses, our host families have supplied documentation demonstrating that they can handle room and board, thus satisfying, “Adequate financial arrangements,” and the youngsters have signed a sworn statement that they will not stay. The consular officers have always accepted these documents as satisfactory. This time one of the officers did not.

The problem is that the interviewing officer has final authority in granting or denying visas. One cannot appeal to a higher authority and one cannot even take the matter to court. As a result, one cannot assume that the granting or denying of visas will follow a consistent pattern. As our own fortunes have demonstrates, some people may be granted visas, while others, in identical circumstances, are denied. Many highly regarded organizations, like the National Academy of Sciences and the Quakers, have experienced significant difficulties in carrying out their activities because of this state of affairs.



Grimball Jewelers in Chapel Hill have been extraordinarily supportive of GSSG and our young clients. When you have occasion to purchase gifts, please consider their place of business, located in Village Plaza at Elliott Rd. and E. Franklin St.