

WASHINGTON UPDATE

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Immigration Debate Surfaces in Unlikely Forum

Congressional debate over a variety of immigration proposals emerged last week in a seemingly unlikely forum—Senate consideration of the Emergency Supplemental Appropriations bill for U.S. war efforts and tsunami relief. The House of Representatives (fulfilling a promise to Representative Sensenbrenner (R-WI) made by the House Republican leadership) included the highly controversial REAL ID Act in its version of the Supplemental. (For more information on the REAL ID Act, please go to www.unrealidea.org. That move led the Senate Parliamentarian to rule that all immigration-related amendments to the Senate version of the bill are germane and appropriate for consideration.

After a significant number of immigration-related amendments were filed, and the prospect of protracted debate on immigration policy appeared increasingly likely, Senate Majority Leader Frist (R-TN) moved to limit debate by filing a cloture petition. Consequently, only a limited number of immigration-related amendments were allowed to proceed to a vote:

AgJobs: AgJobs was considered under a procedure known as cloture (which means that 60 votes were needed to stop debate on the measure and allow it subsequently to proceed to a substantive vote.) While the votes fell a bit short—53 yea votes (when we needed 60) to 45 nay votes—the competing Chambliss/Kyl agricultural worker amendment, which AILA did not support because it would have gutted major aspects of needed reform in the agricultural sector, only garnered 21 yeas and 77 nays during its cloture vote. Senate supporters of AgJobs view the majority vote of 53 Senators as a “green light” to attach AgJobs to future legislation.

H-2B Relief: The Senate passed by an impressive vote of 94-6 the “Save Our Small and Seasonal Businesses Act of 2005” (S. 352), introduced by Senators Mikulski (D-MD) and Gregg (R-NH), after first adopting by voice vote a friendly amendment offered by Senator Kyl, (R-AZ) that would require the Department of Homeland Security to certify that visa recipients are returning workers. (The earlier cloture vote on the Mikulski/Gregg measure also succeeded by an impressive margin: 83-17). AILA strongly supported this measure that provides vitally needed

short term H-2B relief. This is an important victory and will be helpful as we move on to comprehensive reform.

The overwhelmingly positive vote underscores that Senators understand that small and seasonal businesses need access to short-term workers in order to operate during their peak season. For many employers, such access is a matter of survival. This emergency relief needs to be followed by legislation that would comprehensively reform our immigration system. (For more information on H-2B relief, click here: <http://www.aila.org/fileViewer.aspx?docID=17884>)

EB-3 Relief: By unanimous consent, the Senate also passed a measure sponsored by Senators Schumer (D-NY), Hutchison (R-TX) and Kennedy (D-MA) that would recapture EB -3 numbers lost from FY 2001-2004 due to processing delays. 50% of these numbers would be allocated to Schedule A occupations.

Both the H-2B relief bill and the EB-3 relief provisions will now be included in the Senate version of the supplemental appropriations bill. However, since neither of these measures was included in the House-passed supplemental, they will be discussed when House and Senate conferees meet to resolve differences between the two bills. In both cases, AILA will urge the House to recede to the Senate on both the H-2B bill and EB-3 relief.

REAL ID: Although Senator Isakson (R-GA) filed a REAL ID amendment, it is unclear at this time whether that amendment will come to the floor for a vote. However, please continue to contact your Senators to oppose this ill-conceived measure. Call the congressional switchboard on 202-224-3121 and ask to speak to your Senators, and/or click here to send a letter to your Senators using Contact Congress:
http://capwiz.com/aila2/mail/oneclick_compose/?alertid=7313861

If the Senate passes the REAL ID Act, it will become law as part of the supplemental appropriations bill since the House already has passed it. If we are able to defeat the REAL ID in the Senate, or if there is not a vote on it, the REAL ID will still be part of conference discussions. We will urge conferees to remove REAL ID from the supplemental bill.

Conference: We expect that House and Senate conferees will meet very quickly after the Senate finishes its work on the supplemental bill in the next day or two. The REAL ID Act (if not passed by the Senate), H-2B relief, and EB-3 relief will be subject to conference negotiations. It is thus important to focus attention on Members of both the House and Senate.

Senate Judiciary Committee OKs Unaccompanied Alien Child Protection Act

The Senate Judiciary Committee on April 14 approved by voice vote the Unaccompanied Alien Child Protection Act (UACPA) of 2005 (S. 119). Senator Dianne Feinstein (D-CA) introduced the UACPA on January 24 to address the inappropriate treatment unaccompanied alien children face upon arrival in the United States. In the House, Representatives Zoe Lofgren (D-CA), Chris Smith (R-NJ), and Chris Cannon (R-UT) introduced the companion UACPA (H.R. 1172) on March 8. The UACPA builds upon provisions of the Homeland Security Act of 2002, which transferred the care and custody of these children to the ORR within the Department of Health and Human Services. The UACPA seeks to address many of the holes in our immigration system's treatment of unaccompanied children by providing: access to guardians ad litem; alternative custody and detention options; improved age determination procedures; training for immigration personnel; an infrastructure for pro bono representation; and Codifying DHS Children's Asylum Guidelines.

An earlier version of the UACPA introduced in the 108th Congress had 67 cosponsors and unanimously passed the Senate. We are hopeful that Congress will move quickly to pass this modest, but critically important reform bill.

To view AILA's Issue Packet on unaccompanied children, click on:

<http://www.aila.org/fileViewer.aspx?docID=17885>.

PATRIOT Act Reauthorization Hearings Begin

The Senate and House Judiciary Committees began a series of hearings on whether provisions from the USA PATRIOT Act that are scheduled to sunset at the end of this year should be reauthorized or permitted to expire. Attorney General Gonzalez and FBI Director Mueller testified before the Senate Judiciary Committee on April 5 and Attorney General Gonzalez testified before the House Judiciary Committee on April 6.

Although none of the PATRIOT Act's immigration provisions will sunset, several Members of the respective Judiciary Committees emphasized that the incipient reauthorization debate should encompass post-9/11 immigration policies that resulted from executive actions rather than legislation. For example, Senator Leahy (D-VT) spoke about the secret arrests and secret hearings of hundreds of people that took place for the first time in U.S. history. He also spoke about detention of noncitizens without charges, denial of access to counsel, and selective enforcement of the immigration laws.

On the House side, Ranking Member Conyers (D-MI) spoke about a similar range of post-9/11 immigration policies that need to be considered during the reauthorization debate. Representatives Berman (D-CA) and Delahunt (D-MA) discussed their reintroduction of the Civil Liberties Restoration Act (H.R. 1502), a bill that narrowly amends the PATRIOT Act while also redressing some of the post-9/11 policies that led to serious due process and civil liberties violations of noncitizens.

To view a transcript of the Senate hearing, go to: <http://www.washingtonpost.com/wp-dyn/articles/A28081-2005Apr5.html>. To view AILA's Issue Paper on the Civil Liberties Restoration Act, go to: <http://www.aila.org/fileViewer.aspx?docID=9847>.

DHS Expands US-VISIT Exit Program

The Department of Homeland Security (DHS) recently announced its expansion of the US-VISIT biometric exit pilot program to the Philadelphia International Airport, the Atlanta International Airport, and the Los Angeles, San Pedro and Long Beach Seaports. US-VISIT exit procedures are already operational at eight other airports and the Miami International Cruise Line Terminal.

The US-VISIT biometric exit procedures require visa holders and visa waiver program participants departing the United States from one of these ports to check-out through a US-VISIT exit kiosk located within the port. As part of the exit procedures, the individual's travel documents are to be scanned and a digital photo and inkless fingerprints of both index fingers taken. Unlike the US-VISIT entry process, upon exit an individual's name will not be checked against the DHS databases and watch lists. After the checkout is complete, the foreign national will receive a printed receipt verifying the checkout.

At the Atlanta airport, DHS also is testing an alternative check-out method whereby travelers are required to present their receipt at the departure gate for verification. A US-VISIT attendant at the departure gate will scan receipts and take fingerprints in order to match the travelers with their receipts.

According to DHS, the agency will assist foreign nationals in navigating the check-out process by providing visitors with information explaining the exit process and placing directional signs in the airports. US-VISIT attendants, not CBP officers, will also be present at the check-out locations. Airlines will assist travelers by distributing maps. Because exit registration is mandatory for US-VISIT-enrolled travelers who depart from an air- or seaport with US-VISIT exit capability, adequate information on how to find and comply with the US-VISIT exit requirements is essential, especially since the exit kiosks resemble Automated Teller Machines (ATMs) and could easily be overlooked by a harried traveler. Failure to comply with the exit process could affect a foreign national's ability to re-enter the U.S.

DHS and DOS Announce New Passport Initiative

The Departments of State and Homeland Security (DOS and DHS) announced on April 5 the Western Hemisphere Travel Initiative to secure and expedite travel. The Western Hemisphere Travel Initiative would require all U.S. citizens, Canadians, citizens of the British Overseas Territory of Bermuda, and citizens of Mexico to have a passport or other accepted secure document to enter or re-enter the U.S. by January 1, 2008.

Currently, U.S. citizens, and some citizens of other countries in the Western Hemisphere are not required to present a passport to enter or re-enter the U.S. when traveling within the Western Hemisphere. The Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. No. 108-458), that was signed into law on December 17, 2004, mandated that the Secretary of Homeland Security, in consultation with the Secretary of State, develop and implement a plan to require U.S. citizens and foreign nationals to present a passport, or other secure document when entering the United States.

The two agencies plan to issue an Advance Notice of Proposed Rulemaking (ANPRM) to request public input on the plan and/or comments on the suggested documents and possible alternative documents that can meet the statutory requirements. A more formal rulemaking will be issued later this year following review of those comments to implement the first phase of the initiative. This rulemaking will take into account comments received from the advanced notice as well as soliciting further comments on the rulemaking itself.

Lobby Day 2005 a Resounding Success

AILA's March 17 Lobby Day was a resounding success, with more participants than ever before. Over 320 AILA members and their clients traveled to Washington to lobby their Members of Congress for positive immigration reform, conducting some 320 congressional visits!

Congressional staffers have been uniform in their positive response to the Lobby Day meetings, with several already contacting AILA for follow-up information. Such a response reaffirms the importance of continued advocacy efforts by AILA members and their clients. To further that goal, AILA is once again offering a "Policy & Perspectives" track at its June 2005 Annual Conference, to be held on Friday, June 24 and Saturday, June 25. We encourage all interested members to attend, including both novice and seasoned advocates. We'll also be looking for you on March 23, 2006, as part of AILA's 2006 Lobby Day delegation!

Recently Introduced Legislation

The following is a brief description of newly introduced, immigration-related legislation, in reverse chronological order and by chamber. AILA will report further on these bills if and when they move through the legislative process.

House Legislation

H.R. 1587, introduced on April 13 by Representative Tom Tancredo (R-CO), would reportedly increase the H-2B cap by an additional 65,000 visas, to be offset by the elimination of two immigrant visa categories, the 10,000 unskilled worker visas, and the 55,000 “Diversity Lottery” visas.

H.R. 1509, the Recreational Boaters Streamlined Inspection Act, introduced on April 6 by Representative Mark Foley (R-FL), would create an inspection program that uses videophone systems at certain recreational boater points of entry in Florida to satisfy customs and immigration reporting requirements.

H.R. 1502, the Civil Liberties Restoration Act, introduced on April 6 by Representative Howard Berman (D-CA), would restore civil liberties under the First Amendment, the Immigration and Nationality Act, and the Foreign Intelligence Surveillance Act. (For more on this bill, see article 4 in this *Update*).

H.R. 1438, the No Social Security for Illegal Immigrants Act of 2005, introduced on March 17 by Representative Dana Rohrabacher (R-CA), would amend title II of the Social Security Act to exclude from creditable wages and self-employment income wages earned for services performed by aliens without employment authorization and self-employment income derived from a trade or business conducted by an alien not authorized to perform such function or service in the United States.

H.R. 1413, the Women and Children in Crisis and Conflict Protection Act of 2005, introduced on March 17 by Representative Nita Lowey (D-NY), would make the protection of vulnerable populations, especially women and children, who are affected by a humanitarian emergency a priority of the United States government.

H.R. 1374, the Independent Living Assistance Access Act of 2005, introduced on March 17 by Representative Jim Cooper (D-TN), would amend the INA to permit aliens who are independent living assistants to be accorded status as J nonimmigrants to provide in-home living and home support services to adults with disabilities. The bill would require aliens accorded such status to receive, prior to placement, appropriate training related to the provision of in-home living and home support services.

H.R. 1325, introduced on March 15 by Representative Tom Tancredo (R-CO), would amend the INA to repeal the H-1B program.

H.R. 1324, introduced on March 15 by Representative John Sullivan (R-OK), would require the Secretary of Homeland to establish a U.S. Immigration and Customs Enforcement (ICE) Office of Investigations field office in Tulsa, Oklahoma.

H.R. 1320, the Secure Borders Act, introduced on March 15 by Representative Silvestre Reyes (D-TX), seeks to enhance border security through enhancements to border infrastructure and border monitoring technology, and the establishment of a comprehensive border security strategy. In addition, the omnibus bill also deals with interior enforcement, smuggling, immigration benefits, the visa waiver program and the DHS's mission overseas.

H.R. 1320, Border Economic Recovery Act for Health and the Environment, introduced on March 15 by Representative Silvestre Reyes (D-TX), seeks to improve the health of residents of, and the environment in, the United States-Mexico border area. While not an immigration bill per se, H.R. 1320 would provide funding for emergency health services provided to undocumented aliens.

H.R. 1310, the Protection of Civil Liberties Act, introduced on March 15 by Representative Carolyn Maloney (D-NY), would amend the Intelligence Reform and Terrorism Prevention Act of 2004 by making the Privacy and Civil Liberties Oversight Board an independent agency within the Executive branch, and by requiring all members of the board to be confirmed by the Senate.

H.R. 1285, introduced on March 14 by Representative Bobby Rush (D-IL), would repeal section 2(e) of the Nursing Relief for Disadvantaged Areas Act of 1999 (Pub. L. No. 106-95; 113 Stat. 1317) to remove the limitation for nonimmigrant classification for nurses in health professional shortage areas.

H. Con. Res. 100, introduced on March 16 by Representative Jim Kolbe (R-AZ), expresses the sense of Congress that the United States should establish an international education policy to foster mutual understanding among nations, promote a world free of terrorism, further United States foreign policy and national security, and enhance United States leadership in the world. Among other things, the resolution urges Congress to ensure that visa and employment policies promote increased access to the United States by international students, scholars, and exchange visitors, consistent with homeland security.

H.J. Res. 41, introduced on April 13 by Representative Mark Foley (R-FL), proposes an amendment to the Constitution of the United States to provide that no person born in the United States will be a United States citizen unless a parent is a United States, or is lawfully admitted for permanent residence in the United States, at the time of the birth.

Senate Legislation

S. 816, introduced on April 15 by Senator Hillary Rodham Clinton (D-NY), would establish the position of Northern Border Coordinator in the Department of Homeland Security.

S. 656, the Liberian Refugee Immigration Fairness Act of 2005, introduced on March 17 by Senator Jack Reed (D-RI), would provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 654, the Convention Against Torture Implementation Act of 2005, introduced on March 17 by Senator Patrick Leahy (D-VT), would prohibit the expulsion, return, or extradition of persons by the United States to countries engaging in torture.

S. 644, the Widows and Orphans Act of 2005, introduced on March 16 by Senator Sam Brownback (R-KS), would amend INA § 101(a)(27), adding a new subsection (n), to establish a

new special immigrant category for certain women and children who face a credible fear of harm based upon their sex or age.

S. 559, the Protection of Vulnerable Populations During Humanitarian Emergencies Act of 2005, introduced on March 8 by Senator Joseph Biden (D-DE), would make the protection of vulnerable populations, especially women and children, who are affected by a humanitarian emergency a priority of the United States Government.

Recent Rulemaking and Other Activity in the Federal Agencies

Federal agencies have issued a variety of new regulations and notices in recent weeks, impacting everything from the filing of Labor Condition Applications to deemed export licenses. A brief summary of these items follows.

Department of Homeland Security

CBP Requires Electronic Submission of Commercial Vessel & Aircraft Manifests Prior to US Arrival or Departure. The Department of Homeland Security's (DHS's) Bureau of Customs and Border Protection (CBP) published a final rule on April 7 pertaining to the filing of commercial vessel and aircraft manifests for passengers and crew members. Collectively, the provisions of this final rule require the electronic transmission of manifest information for passengers and crew members onboard commercial vessels and aircraft, in advance of arrival in and departure from the United States, and for crew members and non-crew members onboard commercial aircraft that continue within (foreign air carriers only) and overfly the United States, in advance of the departure of those flights. The rule will take effect on June 6, 2005. (70 FR 17819, 4/7/05, see AILA InfoNet Doc. No. 05040773).

Department of Labor

ETA Proposes Amendment Requiring Electronic Filing for Labor Condition Applications. The Employment and Training Administration (ETA) of the Department of Labor (DOL) is proposing to amend its regulations related to the H-1B and H-1B1 programs to generally require employers to use Web-based electronic filing of labor condition applications (LCAs). ETA anticipates that increasing e-filing of H-1B and H-1B1 labor condition applications, and reducing U.S. Mail and fax-based filings, "will enhance the effectiveness of the H-1B and H-1B1 programs, reduce costs and delays, and will match a U.S. employer with a qualified H-1B or H-1B1 worker in a more timely fashion." The notice of proposed rulemaking (NPRM) also proposes technical and clarifying amendments to ETA's H-1B and H-1B1 regulations to correct terminology and addresses, update internal agency procedures, and clarify text. Among these amendments are provisions to reflect Congressional reinstatement of certain attestation obligations applicable to employers who are H-1B dependent or who have committed willful violations of H-1B requirements. Comments are due by May 2, 2005. (70 FR 16774, 4/1/05, see AILA InfoNet Doc. No. 05040168).

Department of Justice

EOIR Extends Comment Period for Interim Rule Covering Background & Security Investigations. The January 31, 2005 Executive Office for Immigration Review (EOIR) interim rule to implement regulations covering background and security investigations in proceedings before Immigration Judges and the Board of Immigration Appeals has been extended for an

additional 30 days. Comments are now due by May 2, 2005. (70 FR 16398, 3/31/05, see AILA InfoNet Doc. No. 05033167).

Social Security Administration

SSA Revises Regulations Prohibiting Benefit Payments When it Receives Notice that Insured Person Has Been Removed. To implement part of the Social Security Protection Act of 2004 (SSPA), the Social Security Administration (SSA) published a final rule on March 31 that prohibits payment of monthly benefits and the lump sum death payment under title II of the Social Security Act when SSA receives notice that an insured person is deported or removed from the United States under certain provisions of the Immigration and Nationality Act (INA). The rule took effect on March 31, 2005. (70 FR 16409, 3/31/05, see AILA InfoNet Doc. No. 05053168).

Department of Commerce

BIS Proposes Regulatory Changes on Requirements & Policies Governing Certain Export Licences. The Department of Commerce's Bureau of Industry and Security (BIS) is reviewing the recommendations contained in the U.S. Department of Commerce Office of Inspector General Report entitled "Deemed Export Controls May Not Stop the Transfer of Sensitive Technology to Foreign Nationals in the U.S." (Final Inspection Report No. IPE-16176-March 2004). Certain of these recommendations would require regulatory changes that would affect existing requirements and policies for deemed export licenses. BIS is seeking comments on how these revisions would affect industry, the academic community, and U.S. government agencies involved in research. Comments are due by May 27. (70 FR 15607, 3/28/05, see AILA InfoNet Doc. No. 05032840).

Department of Transportation

Meeting Schedule for Advisory Committee on Minimum Standards for Driver's Licenses and Personal ID Cards. Pursuant to the Intelligence Reform and Terrorism Prevention Act of 2004, the Department of Transportation (DOT) published a notice in the Federal Register announcing the meeting schedule for a rulemaking advisory committee to hear recommendations for minimum standards to tighten security for driver's licenses and personal identification cards issued by states. Meetings are open to the public. (70 FR 15797, 3/29/05, see AILA InfoNet Doc. No. 05032960).

MEDIA SPOTLIGHT: Members and Staff in the News

The American Immigration Lawyers Association was quoted in an April 17 *Washington Post* article about the REAL ID Act. **Robert Cohen** (Ohio) had an op-ed published in the April 15 edition of the *Dayton Daily News* about the negative implications for immigrant should the REAL ID Act be implemented.

Robert Deasy (Pittsburgh) had an op-ed printed in the April 11 edition of the *Pittsburgh Post-Gazette* that highlighted the many problems with the REAL ID Act. **Anthony Drago** (New England) was quoted in an April 11 *Boston Globe* article about the recent arrests of 14 Brazilian cleaners at Logan International Airport.

Jeanne Butterfield (National) was quoted in an April 10 *Fresno Bee* article about the political maneuvering regarding immigration legislation currently being considered on Capitol Hill. **Ms. Butterfield** was also quoted in an April 10 *Inland Valley Daily Bulletin* article about the

vigilantes currently patrolling the U.S.-Mexican border in an effort to stop undocumented immigrants from crossing into the U.S. **Mira Mdivani** (Missouri/Kansas) and **Judy Golub** (National) were quoted in an April 10 *Kansas City Star* article about how challenging the bureaucracy of local Departments of Motor Vehicles is to immigrants.

Glen Rose (Northern California) had an article published in the April 9 edition of the *Pacific Daily News* about the Program Electronic Review Management (PERM) system. **Marshall Fitz** (National) was quoted in an April 7 *Los Angeles Daily News* article about Attorney General Gonzales' statement during Congressional hearings that there were mistakes made in the government's decision to hold secret immigration hearings after the Sept. 11 attacks. **David Leopold** (Ohio) was quoted in an April 7 *Cleveland Plain Dealer* article about the REAL ID Act. The **American Immigration Lawyers Association** was featured in an April 7 *Roll Call* editorial about the immigration poll cosponsored by AILA that found that the American public supports proposals to allow foreigners and undocumented immigrants to obtain work permits and earn their way to citizenship.

David Andersson (Canada) was quoted in an April 6 *Bellingham Herald* article about the new requirements for Americans and Canadians to show passports when crossing into the United States from Canada. **Keil Hackley** (Southern Florida) and **Michael Bander** (Southern Florida) were quoted in an April 6 *Miami Herald* article about the additional 20,000 H-1B visas that soon will become available to employers. **Kathleen Campbell Walker** (Texas) was quoted in an April 6 *El Paso Times* article about the new requirement for U.S. citizens to have passports to re-enter the United States from Mexico, Canada, Panama and Bermuda by 2008.

Brenda Boudreaux (Northern California) and **Solange Altman** (Northern California) were quoted in an April 5 *Fresno Bee* article about the difficulties in attracting foreign investors to use the EB-5 visa program. **Jill Sheldon** (Southern California) was featured in an April 5 *Miami Herald* article about her client who was facing deportation because of a criminal conviction five years ago, and has been released from the Krome detention center after the charges against him were vacated.

Rebecca Maxey (At Large) was quoted in an April 4 *Anchorage Daily News* article about Catholic Charities' immigration program which has been closed to new clients because of funding issues. **Eduardo Soto** (Southern Florida) was quoted in an April 4 *Miami Herald* article about how certain foreign nationals who face deportation because of guilty pleas entered prior to April 1997 can avoid expulsion if they file a motion in immigration court by April 26. **Joanna Hedvall** (National) and **Melinda Rubin** (New York) were quoted in an April 4 *Asbury Park Press* article about businesses that are struggling due to the inability to hire workers under the H-2B visa program. **Victoria Campos** (New York) was quoted in an April 4 *Newsday* article about the calls to restructure Homeland Security.

Marina Pineda-Kamariotis (Northern California) and **Iona Bray** (Northern California) were quoted in an April 3 *Newsday* question and answer article about immigration. **Dan Kowalski** (Texas) was featured in an April 3 *Times-Picayune* op-ed on Mr. Kowalski's client who was refused asylum on the basis of being 20 minutes late for his asylum hearing because he took the wrong exit when he drove himself to his hearing in San Antonio.

Eduardo Soto (Southern Florida) was quoted in an April 1 *Miami Herald* article about representing Cuban exile militant Luis Posada Carriles, who has been accused of blowing up a Cuban airliner in 1976 when he lived in Venezuela and trying to kill Cuban President Fidel Castro. **Firooz Namei** (Ohio) was quoted in an April 1 *Cincinnati Enquirer* article about a

German permanent resident who has lived in Ohio for 43 years and faces deportation for a 1990 drug conviction.

Philip Berns (Connecticut) was featured in the March edition of *Economía & Bolsa* in an article about the most common errors committed by immigrants. **Marisol Zequeira-Burke** (Southern Florida) was quoted in a March 31 *Sun-Sentinel* article about an 18-year-old Guatemalan girl who escaped from being kidnapped by coyotes after her parents were unable to pay them. **Julie Dinnerstein** (New York) was quoted in a March 31 *Newsday* article about the Rodi Alvarado asylum case. **Frida Glucoft** (Southern California) was quoted in a March 30 *InfoWorld* article about the H-1B visa program. **Robert Cohen** (Ohio) was quoted in a March 29 *Daily Reporter* article about the need for comprehensive immigration reform.

Thomas Esparza (Texas) was quoted in a March 28 *Associated Press* article about the trial of Fidelina Cuevas, who is accused of the unauthorized practice of law because she provided legal advice to immigrants. **Mr. Esparza** was also quoted on the same day in the *Dallas Morning News* about the same topic. **Josie Gonzalez** (Southern California), **Carl Shusterman** (Southern California), and **Crystal Williams** (National) were quoted in a March 28 *Los Angeles Times* article about the Program Electronic Review Management system. **Patsy Yung** (Texas) had an article on H-1B and L-1 visas published in the March 28 edition of *Texas Lawyer*. **Ruth Lozano McChesney** (Texas) had an article on the Permanent Electronic Review Management Program published in the March 28 edition of *Texas Lawyer*.

Kim Salinas (Colorado) had an op-ed published in the March 25 edition of the *Fort Collins Coloradan* about the negative impact the REAL ID Act could have on immigrants and American citizens. **Michele Sissleman** (New England) was quoted in a March 24 *Berkshire Eagle* article about an event to honor the cultural and social contributions of Berkshire County's burgeoning immigrant community. **Linda Osberg-Braun** (Southern Florida) was featured in a March 24 *Miami Herald* article about her client, Jorge de Cardenas Agostini, who was arrested in June on suspicion of supervising a team of torturers in Cuba, and who has been released from the Krome detention center, where he had been held for months awaiting deportation to Cuba.

Stephen Manning (Oregon) and **Philip Smith** (Oregon) were quoted in a March 22 *Oregonian* article about immigrants who face being permanently barred from the U.S. **Douglas Stump** (Texas) was quoted in a March 22 *Associated Press* article about the 1996 laws that make it difficult for undocumented workers to become legal.

Irina Plumlee (Texas) and **Robert Webber** (Minnesota/Dakotas) were quoted in a March 21 *Computerworld* article about companies that hire H-1B visa holders that may soon face a greater risk of being investigated for their treatment of those workers. **Jo Anne Adlerstein** (New York) was quoted in a March 20 *Houston Chronicle* article about the increasing number of Guatemalan teenage boys who cross the border to find jobs in the U.S. **Gerard Chapman** (Carolinas) was quoted in a March 20 *News and Record* article about a Peruvian immigrant who overstayed his work visa and faces deportation. **Matthew Dunn** (New York) was quoted in a March 20 *Newsday* question and answer article about immigration.

Susan Cohen (New England) had an op-ed published in the March 19 edition of the *Boston Herald* about the Illegal Immigration Reform and Immigrant Responsibility Act. **Stephen Yale-Loehr** (Upstate New York) was quoted in a March 19 *Associated Press* article about the \$11 million Wal-Mart settlement to end a federal probe into its use of illegal immigrants to clean floors at stores in 21 states. **Mr. Yale-Loehr** was also quoted in a March 19 *Bloomberg News* article about the Wal-Mart settlement.

David Leopold (Ohio) was quoted in a March 17 *Cleveland Plain Dealer* article about his client, Fawaz Damra, whose conviction of lying on his immigration form and during an interview in 1993 was upheld by the Court of Appeals for the 6th Circuit. **Margaret Ioannides** (Texas) was quoted in a March 17 *Austin Channel 8* broadcast about the H-1B cap. **Elif Keles** (Southern California) was quoted in a March 17 *Orange County Register* article about his client, who was given temporary protected status as part of the “Marcos entourage” in the 1980s, and who now faces possible deportation to the Philippines. **Mr. Keles** was also quoted in a March 17 *Los Angeles Times* article about the same case.

Jeanne Butterfield (National) was quoted in a March 16 *San Francisco Chronicle* article about the REAL ID Act. **Judy Golub** (National) was quoted in a March 16 *Tucson Citizen* article about the need for immigration reform. **Jeanne Butterfield** (National) was quoted in a March 15 *Washington Post* article about the federal crackdown on the Mara Salvatrucha (MS-13) gang.

Note: Please submit all articles, letters-to-the-editor, etc. for inclusion in “Members in the News” to Julia Hendrix of the AILA Advocacy Department (jhendrix@aila.org).

Did You Know?

“My view is Congress needs to work with us to pass immigration reform. One, we’ve got to enforce the border better. We’ve increased border spending by 34 percent since, I think, 2001. But it doesn’t make any sense to me to have a system that kind of forces an industry to develop, an industry that smuggles people, an industry that forges documents, an industry that really doesn’t represent the best of America.

It seems like to me what we ought to do is be open about it, and say, look, if you’re a willing worker and a willing employee, and you can’t find an American, here’s a legal way to work. Here’s a document which enables you to be here legally so that if you decide to go home for a little bit, you can....To me it’s a more humane way than a system which encourages employers who are looking for workers to break the law, to accept -- unknowingly accept illegal documentation, for example. And so I -- and this is a tough issue. Look, I understand. The danger with the immigration issue is that it can be -- it can lead to nativism and encourage behavior which is really not how Americans should view the world.”

--Excerpted from President Bush’s Remarks at the American Society of Newspaper Editors Convention (April 14, 2005)

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