

WASHINGTON UPDATE

Volume 7, Number 7, May 19, 2003

IN THIS ISSUE...

- Supreme Court Upholds Detention of Legal Permanent Residents Without Opportunity for Individual Bond Hearing
- Immigration Benefits for Armed Forces Personnel: House Immigration Subcommittee Hearing and House Judiciary Committee Markup
- House Immigration Subcommittee Hearing: “War on Terrorism: Immigration Enforcement Since 9/11”
- State Department Authorization Bill Includes Flawed Provision
- Appropriations Subcommittees Focus on DHS Border Efforts
- Secretary of Homeland Security Extends TPS Designation for Honduras and Nicaragua
- BCIS Announces Plans to Accept e-Filing
- State Department Interim Rule Creates New “SP” Visa Category
- Recently Introduced Legislation
- Media Spotlight: Members and Staff in the News
- Upcoming Events
- Did You Know?

Supreme Court Upholds Detention of Legal Permanent Residents Without Opportunity for Individual Bond Hearings.

A narrowly divided Supreme Court in *Demore v. Kim* upheld § 236(c) of the INA, ruling that it is constitutionally permissible to detain legal permanent residents without an opportunity for individual bond hearings. The Court reversed the decision of the trial court and the U.S. Court of Appeals for the Ninth Circuit, and held that Congress’s broad power over immigration trumped any due process rights that aliens such as Mr. Kim might have. The Court went so far as to state that “[i]n the exercise of its broad power over naturalization and immigration, Congress regularly makes rules that would be unacceptable if applied to citizens.”

AILA strongly criticizes this decision for ignoring one hundred years of legal precedent and differentiating between levels of due process accorded to citizens and noncitizens. Two years ago, the Court in the *Zadvydas* decision reiterated that constitutional due process applies to all “persons” in the U.S, regardless of citizenship status.

Judge Souter sums up our concerns in his *Demore* dissent, where he writes “the Court’s holding that the Constitution permits the Government to lock up a lawful permanent resident of this country when there is concededly no reason to do so forgets over a century of precedent acknowledging the rights of permanent residents, including the basic liberty from physical confinement lying at the heart of due process.”

Immigration Benefits for Armed Forces Personnel: House Immigration Subcommittee Hearing and House Judiciary Committee Markup

The war in Iraq focused the public on an important reality: not only do immigrants make critical contributions to our economy, our culture, and our social fabric, they also put their lives on the line for this country by serving in the Armed Forces. Approximately 37,000 immigrants currently serve in the military. Indeed, several of the first soldiers to die during the war in Iraq were not U.S. citizens, but legal permanent residents. Members in both the House and Senate have introduced a number of bills that recognize, in different ways, these immigrants' extraordinary sacrifices.

On Tuesday, May 6, the House Immigration Subcommittee held a hearing to consider the merits of the various bills. The hearing was unusual in that the witnesses testifying before the subcommittee were the bill's sponsors, including: Representatives Martin Frost (D-TX), Doc Hastings (R-WA), Darrell Issa (R-CA), Walter Jones (R-NC), and Hilda Solis (D-CA). Equally unusual was the unity manifested by Republicans and Democrats in supporting legislation to acknowledge the contributions made by immigrants in the military and their family members. Except for Subcommittee Chairman John Hostetler (R-IN), who questioned the need for this legislation at the Hearing's onset, there was broad agreement among the Members that immigration legislation is warranted to benefit immigrants serving in our armed forces.

Representative Solis's bill, the most comprehensive proposal, incorporated in some form all of the specific measures contemplated in the narrower competing bills. Generally speaking, the Solis bill sought to reduce the number of years (from three to two) required for immigrants serving in the military to naturalize during peacetime, extend immediate naturalization eligibility to immigrants serving in the Selected Reserve of the Armed Forces during a period of military hostility, and extend posthumous immigration benefits to surviving immediate family members of armed forces personnel who die serving their country.

On Wednesday, May 7, House Judiciary Committee Chairman James Sensenbrenner (R-WI) introduced what he described as a compromise bill (H.R. 1954), which the full Judiciary Committee considered for mark-up that day. His proposal largely tracked the provisions contained in the Solis bill except that it: (a) reduced the number of years (from three to one) required for immigrants serving in the military to naturalize during peacetime, (b) dropped the provision extending immediate naturalization eligibility for Selected Reservists during periods of military hostilities, and (c) eliminated most of the waivers of inadmissibility (relating to unlawful presence in the U.S.) of immediate family members that were contained in the Solis bill.

The spirit of unity that characterized the Subcommittee hearing dissolved during the mark-up. Efforts by Chairman Sensenbrenner and Representative Howard Berman (D-CA) to foreclose amendments to the bill, leaving minor changes to be explored during a subsequent manager's mark-up, failed as Representative Steve King (R-IA) pressed his amendments that passed, largely on party lines. A technical amendment reflecting an earlier agreement between Representative Sheila Jackson Lee (D-TX) and Chairman Sensenbrenner also passed.

Representative King's first amendment provides that anyone naturalized under the bill's 'one year of service in the Armed Forces' measure can have such citizenship revoked if the individual is subsequently "separated from the military . . . under other than honorable conditions." No such provision currently exists for revoking the citizenship of armed forces personnel who obtain their naturalization pursuant to peacetime service. AILA believes that this amendment undermines the importance this country places on citizenship by playing fast and loose with its grant and

revocation. Representative King's second amendment is even more troubling in that it prevents parents of citizen soldiers and the parents of soldiers granted citizenship posthumously from obtaining immigration benefits if they are out of the country at the time that their child is killed in combat. The amendment is drafted in such a broad manner that it would exclude from benefits even parents who have not violated any immigration laws, including: (a) parents who are waiting abroad for a pending petition filed by their citizen child to be approved, and (b) parents who reside lawfully in the United States but who have left the country temporarily at the time of their child's death.

In a strictly party line vote, the amendments offered by Democratic Representatives Berman, Linda Sanchez (CA), and Zoe Lofgren (CA) were defeated. The Berman/Sanchez amendment would have authorized the Department of Homeland Security, on a discretionary basis, to waive certain categories of inadmissibility (related to documentation requirements and prior periods of unlawful presence in the U.S.) for spouses, children, and parents of soldiers killed while serving in the military. In AILA's view, this modest proposal would have furthered substantially the goal of honoring the sacrifice these families have made. The Lofgren amendment would have restored the provision from the Solis bill extending eligibility for immediate naturalization to Selected Reservists during periods of military hostilities. AILA believes that this proposal would have closed a gap between the current legal framework and real world circumstances: in periods of military hostilities, Selected Reservists, just like Members of the Armed Forces, must be ready to leave family, friends, and familiar surroundings at a moment's notice to serve and potentially die for their country. As such, they should be accorded the same access to citizenship during a period of military hostilities.

House Immigration Subcommittee Hearing: "War on Terrorism: Immigration Enforcement Since 9/11"

Four witnesses testified about post-9/11 immigration enforcement efforts and issues: Mr. Kevin Rooney, Director of the Executive Office for Immigration Review (EOIR); Mr. Michael T. Dougherty, Director of Operations for the Bureau of Immigration and Customs Enforcement (BICE); Mr. Jayson Ahern, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection (BCBP); and Laura Murphy, Director of ACLU's Washington National Office. A number of votes on the House floor caused this May 8 hearing to be interrupted and only sparsely attended by Subcommittee members.

The three government witnesses suggested in their oral and written statements that the government's post-9/11 initiatives have substantially improved our security and have been sensitive to the due process rights and civil liberties of immigrants in the U.S. For example, Mr. Rooney, who is the Director of our immigration court system, praised EOIR's "careful balancing of rights and interests in the post-September 11th environment." AILA finds this to be a dubious claim in light of the Attorney General's recent precedent decision in *Matter of D-J-*, which persuasively demonstrates that the exact converse is true. The Attorney General has invoked highly attenuated claims of national security (the desperate migration of aliens from Haiti, one of the poorest countries in the world) to overrule the Board of Immigration Appeals (BIA) and mandate detention of broad classes of aliens without the prospect of an individualized bond determination. This approach appears to constitute anything but a careful balancing of rights and interests.

Highlights: Mr. Rooney indicated that of the 611 special interest cases that required closed hearings, none of the individuals were charged with terrorism-related activities; Mr. Dougherty stated that of the asylum applicants examined and detained under Operation Liberty Shield, none

were declared terrorists and of the more than 138,000 individuals registered under the NSEERS program, only eleven were identified as having links to terrorism (although he was unable to provide any information regarding the circumstances surrounding those eleven cases); Mr. Ahern stated that he did not believe another PATRIOT Act was necessary; and Ms. Murphy urged the Subcommittee to force the Attorney General to release its secret Office of Legal Counsel memorandum on the inherent power of local police to enforce civil immigration laws.

State Department Authorization Bill Includes Flawed Provision

The House International Relations Committee, on May 8, passed a two-year State Department Authorization bill (H.R. 1950) that includes a provision (passed by a 24-22 vote) linking U.S./Mexico migration discussions to the opening of U.S. investment in *Petroleos Mexicanos (Pemex)*, the Mexican state oil company. Representative Cass Ballenger (R-NC) offered this nonbinding, Sense of Congress, resolution which modified an amendment introduced by Representative Robert Menendez (D-NJ) that would have urged the U.S. to work with Mexico to implement a migration accord and create a new program to bring Mexican workers legally to the U.S.

The Committee also passed by voice vote an amendment offered by Representative Elton Gallegly (R-CA) that called for negotiations to include discussions about criminal extradition. The Committee rejected (by a 23-17 vote) an amendment introduced by Representative Tom Tancredo (R-CO) that would have urged the State Department to pressure foreign governments to stop lobbying U.S. state and local governments to accept consular documents as valid identification.

The bill will now move to the House floor for a vote. To date, the Senate companion measure does not include these provisions.

Mexico's President Vicente Fox responded to Ballenger's Sense of Congress resolution by rejecting any measures that would call on his government to privatize or sell *Pemex*, while reiterating his priority of reaching an immigration accord with the U.S. AILA strongly supports comprehensive immigration reform that includes: an earned adjustment for hard working, tax paying people who reside in the U.S.; a new temporary program that would ensure and legalize the flow of future workers; and reduction in the family backlogs so that citizens and legal permanent residents no longer have to face waits of 5, 10, and 15 years before they can reunite with their loved ones.

Appropriations Subcommittees Focus on DHS Border Efforts

Both the Senate and House Appropriations Subcommittees on Homeland Security recently held hearings on the Administration's proposed budget for fiscal year 2004 (FY 04).

Border and Transportation Security (BTS) Undersecretary Asa Hutchinson appeared before the Senate Subcommittee on May 6 to answer questions about funding for his Directorate, including the two immigration-related bureaus within BTS, the Bureau for Immigration and Customs Enforcement (BICE) and the Bureau of Customs and Border Protection (BCBP). Although Hutchinson maintained that the Administration's request of \$18.1 billion dollars for BTS in FY 04, including \$6.7 billion dollars for BCBP and \$2.8 billion for BICE, was adequate, he did acknowledge that the Department was still assessing the vulnerabilities of port security and had dedicated \$62 million towards this assessment.

Questions by the Subcommittee centered on the adequacy of funding for specific projects including: the administration of SEVIS; the hiring, training and retention of adequate levels of border personnel; and the costly implementation of the U.S. VISIT entry-exit system. As delineated by Subcommittee Chairman Thad Cochran (R-MS), the Administration's total appropriations request for BTS breaks down into \$16.2 billion in discretionary funds and \$1.8 billion in mandatory funds. Given the lack of line items in the budget, some Subcommittee members remained unconvinced that the funding levels are adequate. Senator Robert Byrd (D-WV) invoked the entry-exit system's \$480 million allocation as a clear example of insufficient funding.

AILA agrees that the \$480 million allotted is grossly insufficient to fund even the beginning of an entry-exit system. In order to create an effective entry-exit system that facilitates travel and trade and addresses our security needs, the U.S. government needs to appropriate billions of dollars to purchase real estate, upgrade facilities, develop infrastructure and technological capabilities, and hire inspectors to manage the program. This cost includes neither the millions of dollars needed to fully address current staffing shortages for inspectors at ports of entry, nor the money currently needed to supply all ports with basic technology such as document readers.

On the House side, BCBP Commissioner Robert Bonner appeared before the Subcommittee on May 7 to answer questions about the objectives and activities undertaken by BCBP thus far. Although the majority of his testimony centered on the progress of Customs-related projects, Mr. Bonner did address the troubling issue of border personnel attrition rates. He proposes to lower these rates, which currently range from 12.9% to 26% per year, to less than 10 % per year.

Mr. Bonner also addressed BCBP's conflicting missions of improving security and welcoming foreign nationals into our country. He pledged that BCBP will make the courteous and respectful treatment of foreign persons an essential element of its personnel training. He also indicated that the Bureau is working to create smarter border initiatives that will shift screening away from our borders. These initiatives already have begun for cargo; however, no new initiatives to increase screening of foreign nationals before they arrive at our borders or ports of entry have yet been implemented.

AILA encourages BCBP to prioritize its efforts to examine ways to expand the use of pre-inspection stations and to authorize pre-clearances for low-risk travelers. Clearing travelers before their voyage to the United States gives inspectors more time to scrutinize each applicant for entry, reduces delays at the border, and provides international travelers with a sense of certainty that they will be admitted into the U.S. AILA also supports the Department's efforts to increase the interoperability of the DHS database systems and other agencies' database systems to give inspectors a more thorough review of each applicant requesting entry into the U.S. A complete and accurate database system also must include a mechanism for easily correcting database errors—currently a lengthy and difficult process. Having incorrect information only serves to hinder the inspections process and discredit the reliability of the security checks. Such initiatives will require sufficient funding to succeed.

Secretary of Homeland Security Extends TPS Designation for Honduras and Nicaragua

In separate Federal Register notices published on May 5, the Department of Homeland Security announced the Secretary of Homeland Security's decision to extend the TPS designations of Honduras and Nicaragua for another 18 months, until January 5, 2005, based upon a recent review of conditions within those countries. The Attorney General first designated the two countries under the TPS program on January 5, 1999, in the aftermath of Hurricane Mitch, and

has extended the designation on three previous occasions. (Note that the authority to render TPS designations recently shifted from the Attorney General to the Secretary of Homeland Security upon the transition of the INS into the new Department of Homeland Security). The Federal Register notices state that, although there are strong indications of progress in recovery efforts, recent droughts as well as flooding from Hurricane Michelle in 2001 have added to the humanitarian, economic, and social problems initially brought on by Hurricane Mitch, making the countries unable, temporarily, to handle the return of their nationals.

The 60-day re-registration period begins May 5 and will remain in effect until July 7. In addition, the notices automatically extend until December 5, 2003, the validity of the current employment authorization documents issued to these beneficiaries to allow the agency time to process the re-registration paperwork. The Federal Register notices, which contain re-registration instructions, can be viewed on the InfoNet at: AILA InfoNet Doc. Nos. 03050542 (Honduras) and 03050541 (Nicaragua).

BCIS Announces Plans to Accept e-Filing

The Bureau of Citizenship and Immigration Services (BCIS) has announced that it will begin accepting electronic filing (e-filing) for applications to renew or replace a “green card” (Form I-90), and for employment authorization (Form I-765). This new option is set to begin on May 29 and kicks off the Bureau’s efforts to comply with the Government Paperwork Reduction Act, which requires that executive agencies provide for the option of electronic filing by October 21, 2003.

BCIS plans to implement electronic filing for twelve of its fifty applications and petitions over the next three years. These twelve forms represent 90 to 95 percent of the Bureau’s annual workload. BCIS expects to implement e-filing for Forms I-129, I-131, I-140, I-539 and I-821 by the end of fiscal year 2003. The remainder of the Forms (including Forms I-130; I-485; I-751; N-400; and N-600/N-63) will be phased-in to the electronic filing program.

In order to permit e-filing, DHS published an interim final rule on April 29 amending its regulations on signatures (8 CFR 103.2(a)(2)) to authorize the use of electronic signatures. Comments on the rule and how the BCIS can best implement electronic signature filings must be submitted by June 30, 2003.

State Department Interim Rule Creates New “SP” Visa Category

A May 8 State Department interim rule implemented § 421 of the USA PATRIOT Act (Pub. L. No. 107-56) which provides special immigrant status for certain victims of the September 11 terrorist attacks. The new rule implements this provision by creating a new visa classification “SP” for these immigrants and setting forth the eligibility requirements for the issuance of an immigrant visa in that category.

An alien is entitled to classification as an “SP” special immigrant if the alien can demonstrate that: (1) he or she is the beneficiary of a petition, filed on or before September 11, 2001, for classification as an immigrant under INA § 203(a) or (b) or as a nonimmigrant under INA § 101(a)(15)(K); or (2) he or she is the beneficiary of a labor certification application filed on or before September 11, 2001. Additionally, the alien must present evidence that the petition or labor certification application was revoked, terminated or rendered null, either before or after its approval, due directly to the attack of September 11, 2001, that resulted in the death or disability

of the petitioner, beneficiary, or applicant, or caused loss of employment due to physical damage to, or destruction of, the business of the petitioner or the applicant.

The spouse or child of an alien who meets the description of a principal alien described above (whether the principal alien is living or deceased) may be classified as an "SP" if the familial relationship existed on September 10, 2001, and if the spouse or child is: (1) accompanying the principal alien; or (2) following to join the principal alien no later than September 11, 2003. In the case of a deceased principal alien, the requirement for accompanying or following to join is disregarded.

In addition, the grandparent of a child may be classified as an "SP" if the child is left with no parents as a direct result of a terrorist attack on September 11, 2001, and if either parent was a U.S. citizen, a U.S. national, or a lawful U.S. permanent resident on September 10, 2001. The grandparent also must demonstrate that he or she is coming to the U.S. to assume legal custody of the child.

The preamble to the new rule states that the [BCIS] will assign a priority date at the time the fourth preference petition is filed, and consular officers will issue visas in the chronological order in which the petitions were submitted to the BCIS. However, if the annual limit under INA § 203 is met, the alien may use the priority date of the revoked petition. Aliens in the "SP" category are subject to all grounds of inadmissibility except INA § 212(a)(4) (public charge grounds). (68 FR 24638 5/8/03, see AILA InfoNet Doc. No. 03050841).

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 as they move through the legislative process.

House Legislation

H.R. 1983, the American Asian Justice Act, introduced on May 6 by Representative Juanita Millender McDonald (D-CA), would amend INA § 204(f)(2)(A) to facilitate the immigration to the United States of certain aliens born in the Philippines or Japan who were fathered by U.S. citizens.

H.R. 1954, the Armed Forces Naturalization Act of 2003, introduced on May 6 by House Judiciary Committee Chair James Sensenbrenner (R-WI), would amend the INA to change the requirements for naturalization through service in the U.S. Armed Forces by: reducing from three years to one the required minimum period of service; prohibiting the imposition of fees relating to naturalization for these individuals; and facilitating naturalization proceedings overseas. Finally, H.R. 1954 would extend some nominal posthumous benefits to surviving immediate family members of immigrants in the armed forces who die while serving their country.

H.R. 1953, the Armed Forces Citizenship Act of 2003, introduced on April 29 by Representative Doc Hastings (R-WA), and similar to H.R. 1954 above, would amend the INA to change the requirements for naturalization through service in the U.S. Armed Forces by: reducing from three years to one the required minimum period of service; prohibiting the imposition of fees relating to naturalization for these individuals; and facilitating naturalization proceedings overseas.

H.R. 1930, the Liberian Refugee Immigration Protection Act of 2003, introduced on April 29 by Representative Patrick Kennedy (D-RI), would provide for the adjustment to permanent resident status of certain Liberian nationals who were granted temporary protected status (TPS) on or after March 27, 1991, or who were eligible to apply for TPS on or after that date. Individuals applying for adjustment under this provision would be required to file before April 1, 2005, and would have to be otherwise eligible to receive an immigrant visa. The grounds for inadmissibility specified in INA §§ 212(a)(4), (5), (6)(A), and (7)(A) would not apply, however.

H.R. 1850, the Fairness for America's Heroes Act, introduced on April 29 by Representative Luis Gutierrez (D-IL), would provide for automatic naturalization for noncitizen members of the armed forces ordered to serve in a combat zone, and would extend immigration benefits to surviving spouses, children, and parents of persons granted posthumous citizenship through death while on active-duty service in the armed forces.

Senate Legislation

S. 986, the Colombian Temporary Protected Status Act of 2003, introduced on May 5 by Senator Harry Reid (D-NV), would designate Colombia under the TPS program of INA § 244 for a period of one year.

S. 940, the Armed Forces Citizenship Act of 2003, introduced on April 29 by Senator Lindsey Graham (R-SC), would amend the INA to change the requirements for naturalization through service in the U.S. Armed Forces by: eliminating the required minimum period of service; prohibiting the imposition of fees relating to naturalization for these individuals; and facilitating naturalization proceedings overseas.

MEDIA SPOTLIGHT: Members and Staff in the News

The *Contra Costa Times* quoted **Mark Silverman** (Northern California) in a May 11 article that discussed the slow down in immigration processing after September 11. On May 9, the *Associated Press* featured an article on a Vietnamese high school student who is about to be deported three weeks before his graduation in St. Paul, Minnesota. **Philip Fishman** (Minnesota/Dakotas) is the student's attorney and was mentioned in the article.

Manfred Rosenow (Southern Florida) was featured in a Question and Answer article in the May 9 edition of the *Nuevo Herald* in which he was asked how long it would take for the questioner's son's petition to make its way through the system, as she has been separated from him for three years.

Matthew Lee (New England), in the *Cape Cod Times* on May 6, discussed the new changes in the Department of Homeland Security, particularly in the BCIS, and the impact such changes have had on employers. In the same edition, he also discussed, in a different article, how the impact of changes in student visas would affect local employers looking to hire foreign college students.

Time Magazine, in the May 5 issue, quoted **Marshall Fitz** (National) in a large article discussing the sweeping changes to civil liberties in the aftermath of 9/11 and their effects on U.S. citizens and immigrants. **Mark Silverman** (Northern California) was quoted in a *Contra Costa Times* article on the impact of 9/11 and the longer delays in processing immigration applications resulting from post 9/11 heightened security checks.

José Silva (Utah) and **Scott Poston** (Utah) were quoted in an article by the *Associated Press* on May 5 concerning the raid and subsequent deportation of immigrant workers who worked for Champion Safe. Champion Safe is now left with only 30 percent of its original workforce and is considering moving to Mexico.

Tammy Fox-Isicoff (Southern Florida) was quoted in *The Miami Herald* on May 4 in an article concerning foreign workers relocating to the United States. In the same edition, **Ira Kurzban** (Southern Florida) was quoted in an article about the government's efforts to block the release on bond of six Cuban defendants before their trial. Prosecutors may ask the U.S. Circuit Court of Appeals for the Eleventh Circuit in Atlanta to overturn the judge's bail order.

The *Tampa Tribune* quoted **Richard Manney** (Central Florida) in a May 3 article concerning the H-1B cap, and whether or not keeping the cap at a higher level could have an effect on employers.

Philip Berns (Connecticut) was quoted extensively in a May 2 article in *Somos Peru News*. Mr. Berns encouraged readers to support the Student Adjustment Act that is currently before Congress. And, in the May 2 edition of the *Rocky Mountain News*, **Donna Lipinski** (Colorado) was quoted in an article detailing the restrictions that the Colorado House of Representatives approved on matricula consular identity cards.

Lilian Garces (Northern California), **Ira Kurzban** (Southern Florida), and **Stephen Yale-Loehr** (Upstate New York) were quoted on May 1 in a *South Florida Sun-Sentinel* article about the detention of 12 immigrants with convictions. The detention of the immigrants came less than 24 hours after the U.S. Supreme Court ruled in the *Demore v. Kim* case. On the same day, in the *San Diego Star-Tribune*, **Lilia Velasquez** (San Diego) and **Judy Golub** (National) discussed the Supreme Court ruling in *Demore v. Kim*.

WMAL Radio, Washington, DC, interviewed **Paul Virtue** (Washington, DC) on April 30, concerning the *Demore v. Kim* case. On the same day, the *Chicago Tribune* quoted **Judy Golub** (National) in an article about the Department of Homeland Security's new electronic registration system, U.S. VISIT, which will utilize at least two biometric identifiers to identify visitors to the U.S.

On April 29, the *Dallas Morning News* quoted **Paul Zoltan** (Texas) concerning the case of his client, Given Kapecha, who is a 16-year-old orphan from Zambia facing the threat of deportation. On April 29, the *San Diego Union-Tribune* quoted **Jonathan D. Montag** (San Diego) extensively and featured the case of his client, Abdelrehim Kewan, who has been detained indefinitely after he got lost and sought directions from Marine guards at Camp Pendleton.

The El Paso Times mentioned **Emilia Banelos** (Arizona) on April 28 in an article about a militia group that was one of the featured panelists at a recent immigration debate at Arizona State University West. Ms. Banelos was also a panelist at the debate, which was part of the university's conference April 16-17 on "Gender, Justice & the Border." An *EFE* article quoted **Jeanne Butterfield** (National) on April 28 about immigrant activists' concerns about new measures taken against immigrants by the Department of Justice.

On April 27, **Annie Wang** (New York) was quoted in a question and answer segment about immigration in *Newsday*. And, the *CanWest News Service*, on April 27, featured **Richard Kurland** (Canada) in an article about the class-action lawsuit he filed over retroactive immigration standards. Mr. Kurland stated that he has about 500 clients and expects to add an

additional 200 by early next month. **Paul Soreff** (Washington State) was quoted in an April 27 article by the *Associated Press* about the new facilities that the BCIS and BICE regional offices in Seattle will soon have.

The San Francisco Chronicle quoted **Elias Shamieh** (Northern California) and **Farshad Owji** (Northern California) in an April 26 article about the Special Registration process and its impact on immigrants. On the same day, *The Fort Worth Star Telegram* quoted **Judy Golub** (National) in an article about the same issue. **Cheryl Little** (Southern Florida) was quoted by the *Miami Herald* in an April 26 article about the U.S. Attorney General's decision to hold Haitian immigrant, David Joseph, indefinitely on the basis of national security concerns. **Judy Golub** (National) and **Tommy Baer** (Washington, DC) were quoted in a *Richmond Times-Dispatch* article about his client, Sami Henein, who was detained by DHS. Finally, on April 26, **Robert Pauw** (Washington State) was quoted in a *Spokane Spokesman-Review* article concerning the deportation hearing of his client, Sami Omar Al-Hussayen, a doctoral student who has been in solitary confinement since his detention.

In the *Atlanta Latino*, on April 3, **Jack Pinnix** (Carolinas), **Victor Nieblas** (Southern California), and **Olga Rojas** (Greater Chicago) were quoted in an article about AILA's year-long campaign to showcase the economic, cultural and national security contributions that immigrants bring to the U.S.

Carl Shusterman (Southern California) was quoted in the *Los Angeles Business Journal* on both March 17 and March 24. The March 24 article focused on the impact of the war in Iraq on the Los Angeles business community, including the decision by a number of companies to reevaluate travel plans for non-American employees of Middle Eastern origin. The March 17 story concerned the growing difficulty that foreign national graduates of U.S. universities are having in obtaining H-1B sponsorship.

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).

Upcoming Events

AILA is pleased to provide information on upcoming immigration- and homeland security-related hearings and other events. Times and locations for these events are subject to change, so please check the Advocacy Center on InfoNet for the latest update.

May 20: "How is America Safer? Homeland Security Progress Report." Full Committee Hearing, 9:00 a.m., Room 210 Cannon House Office Bldg. Witness: Tom Ridge.

Did You Know?

First it was Rep. F. James Sensenbrenner Jr., R-WI, the generally genial chairman of the House Judiciary Committee, telling a reporter he's got his doubts about the wisdom of extending the Justice Department's special powers under the USA Patriot Act beyond 2004, when they will automatically cease under a special sunset provision. Now comes the city council in Arcata, Calif., (Pop. 1,600), which has passed a local ordinance that outlaws any voluntary compliance with the Patriot Act, according to an article in *The Washington Post*. So far, according to the newspaper, 89 other US cities have passed resolutions condemning the Patriot Act, and Hawaii voters are looking at a statewide resolution against the federal law. Meanwhile, in Chicago, Ill., Democratic Rep Jan Schakowsky announced Thursday a "campaign to roll back Bush

Administration anti-immigration policies,” a position that plays well in the diverse, immigrant-rich neighborhoods she represents.

--*CQ Homeland Security Daily*, Friday, April 25, 2003

CONTRIBUTORS

Judith Golub, Senior Director of Advocacy and Public Affairs

Marshall Fitz, Associate Director of Advocacy

Danielle Polen, Legislative and Regulatory Affairs Associate

Joanna Carson, Business Immigration Associate

John Estrella, Advocacy Associate

Julia Roane Hendrix, Media Relations Associate

Kris Benjamin, Legislative Assistant

American Immigration Lawyers Association

918 F Street, N.W.

Washington, D.C. 20004

202-216-2403

47AU2029