

WASHINGTON UPDATE

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The AILA Advocacy Department—Your One-Stop Information Source

Haven’t perused the Advocacy Center on InfoNet or AILA.org lately? Read on for a list of the many informative publications produced by the AILA Advocacy Department:

Washington Update:

Washington Update is AILA’s biweekly e-newsletter on legislative and regulatory developments in the immigration field. Free to all AILA members and our coalition partners, and widely distributed to members of Congress and the media, *Washington Update* provides timely insight into legislative and regulatory developments and other events that impact immigration policy and practice. *Washington Update* is also available in Spanish beginning with the December 2003 issue.

Restrictionist Watch:

Restrictionist Watch alerts AILA Members, our coalition partners, and the public to the ongoing activities of immigration restrictionists. These groups are well-organized and well-funded and are gearing up to fight any and all positive immigration initiatives. Your voice is needed to counter their rhetoric and activities. *Restrictionist Watch* is also available in Spanish.

Connect!:

Connect! focuses on business immigration issues that top the agenda in our nation’s capital. This newsletter includes information useful to employers, such as updates on new legislation and regulations that will impact the business community’s access to foreign workers, and articles that will inform employers about the opportunities and pitfalls in our immigration laws.

Immigrants Action Alert:

Immigrants Action Alert is designed to educate immigrants, their families, and supporters on issues that affect their daily lives. Many of the articles are followed by “action alerts” which provide individuals with a mechanism to contact their Members of Congress to request support for pro-immigration and pro-immigrant issues. *Immigrants Action Alert* is also available in Spanish beginning with the May 2004 issue.

Issue Papers & Backgrounders:

Do you have issues? AILA does, and lots of them! Whether you’re interested in H-1B visas, immigration reform, or asylum caps, AILA has an issue paper or issue packet available. To view our materials, visit the Advocacy Center on either AILA InfoNet or AILA.org, click on the link “AILA on the Issues” and then click on “Issue Papers & Backgrounders.”

Hot Bills:

AILA’s Hot Bills is a list of immigration-related bills introduced during each particular Congress that reflect AILA’s legislative priorities. The list, which is updated regularly, is organized by topic, with Senate bills listed first. To view a complete listing of immigration-related legislation introduced thus far during the 108th Congress, visit the “Track Legislation” section in the Advocacy Center on InfoNet and click on “Immigration-Related Legislation.”

Press Releases and Statements:

AILA publishes press releases and statements on a wide variety of important topics. To view these materials, visit the Advocacy Center on either AILA InfoNet or AILA.org, click on the link “AILA on the Issues” and then click on “Press Releases and Statements.”

Spanish Language Materials:

Located within the Advocacy Center on both AILA InfoNet and AILA.org, our “En Español” section contains a wide variety of AILA’s advocacy materials in Spanish.

Use Contact Congress/Media and Get Your Voice Heard!

Contact Congress/Media is a tool that AILA members and their clients can use to send letters to their Senators, Representatives, and the White House, as well as to the local media. AILA members can find this important tool on AILA’s private website, InfoNet, and can direct clients to AILA.org, our public site, which also includes a link to Contact Congress/Media. In both cases, this service is located on the lower right-hand side of the InfoNet homepage and the AILA.org public homepage.

Contact Congress allows you either to compose your own letters or send model letters that already have been posted on the site that highlight AILA’s positions on priority issues. Currently, model letters are available in support of the DREAM Act, Comprehensive Immigration Reform, L-1 Visas, H-1B Visas, H-2B Visas, AgJobs, Due Process and Civil Liberties, and in opposition to the CLEAR Act. Model letters are also available on DHS issues, Gender-Based Asylum Cases, and Driver’s Licenses.

Over the past month alone, almost 6,000 letters have been sent to Capitol Hill using Contact Congress. On one important bill, the Rohrabacher Undocumented Alien Emergency Medical Assistance Amendments of 2004 (H.R. 3722), more than 2,600 letters were sent in opposition to

the bill in just one week using Contact Congress. Because restrictionist groups are extremely organized and aggressive in their letter campaigns, it is more critical than ever that Members of Congress hear from both you and your clients.

Lawmakers Introduce So-Called “Fairness in Immigration Litigation Act”

Republican Senators and Representatives recently introduced the Fairness in Immigration Litigation Act (FILA) (H.R. 4406/S. 2443), a measure that would continue the restrictions on due process for noncitizens started by the 1996 anti-immigration laws. Senators Hatch (R-UT), Kyl (R-AZ), Cornyn (R-TX), Chambliss (R-GA), and Sessions (R-AL) as well as Representatives Sensenbrenner (R-WI), Hostettler (R-IN), Deal (R-GA), and Smith (R-TX) maintain that their bill “restores fairness and integrity to the system” and seeks merely to level the playing field between foreign-born nationals who have been convicted of crimes and those who have not. In point of fact, the bill does not level the playing field and goes well beyond the procedural reforms it purports to accomplish.

The bill’s authors justify FILA as the necessary tool to stem a rising tide of immigration-related habeas corpus claims filed in the federal courts since 1996. In fact, the 1996 immigration laws caused the escalating rate of habeas claims. These laws stripped federal courts of jurisdiction over challenges to deportation orders raised by noncitizens convicted of certain crimes. To make matters worse, the 1996 laws also greatly expanded the definition of “aggravated felony,” a term of art in immigration law that encompasses a wide range of disparate conduct, including minor non-violent infractions. Moreover, this expansion was made retroactive, thus changing the rules in the middle of the game so that people could be deported for crimes that were not deportable offenses when they were committed. The expanded aggravated felony definition carries harsh consequences, including mandatory detention with no possibility of release.

These 1996 provisions and erroneous agency interpretations of their proper scope led to a pronounced surge in the detentions of noncitizens precluded from normal avenues of judicial review, with many of those detained being long-term permanent residents convicted in the past of minor violations. The burgeoning detentions and lack of judicial review, in turn, led to the marked increase in petitions for habeas corpus review, some of which resulted in Supreme Court reversals of agency policies implementing the laws. The sponsors of the bill would have us believe that their proposed restrictions on habeas are necessary to deal with this surge. What really is needed is reform of the 1996 laws that created this situation in the first place.

Notwithstanding the authors’ statements to the contrary, FILA reflects a much more ambitious agenda: restricting habeas review for all noncitizens, not only those convicted of crimes. For example, asylum applicants who find themselves statutorily barred from seeking review in the federal courts of appeal would be prohibited under FILA from petitioning for habeas review. FILA also would appear to prohibit habeas jurisdiction for immigrants in detention even if they are not subject to final orders of removal.

This proposal also ignores many of the other systemic problems that have led to necessary habeas litigation. The current system makes it very hard for many people to get *any* review, even if they have a strong claim. Factors negating meaningful review include the lack of access to counsel, detentions in remote areas, lack of notice on how to have a claim heard in court, exceedingly short time limitations to file petitions for review, no protection against deportation during the short time permitted to file for review, and the government’s use of hypertechnical arguments to defeat jurisdiction. These factors, plus the 1996 legislation’s effective elimination of discretionary relief by the agency, have forced people into habeas litigation.

In addition to FILA's court stripping provisions, the measure also contains the following provisions that would: prohibit even temporary stays of removal pending judicial review of a removal order; centralize all appeals in the Federal Circuit, thereby preventing individual circuit review of critical issues that need to be assessed by generalist courts in light of overlapping areas of law, and further exacerbating the access to counsel problem; require the government to repatriate individuals with final orders of deportation to countries regardless of whether they have a functioning government or diplomatic ties with the U.S. unless the country physically prevents the individual from entering; change settled asylum case law related to the motives behind persecution and shift the burden to asylum applicants regarding corroborating evidence.

FILA would undermine, not enhance, fairness in immigration litigation. Indeed, if enacted, this bill would lead us further astray from the due process protections that lie at the core of our nation's identity. Instead of reinforcing bad laws and practices that violate our due process traditions, Members of Congress should focus on making sure that our laws and judicial system work and work well, and reflect our core values of due process and a day in court.

Senate Judiciary Committee Passes Unaccompanied Alien Child Protection Act

The Senate Judiciary Committee, on June 3, approved the Unaccompanied Alien Child Protection Act (S. 1129), legislation that recognizes the special circumstances of unaccompanied children who arrive in the U.S., including those who seek asylum. The Committee approved the measure by a voice vote, with Senator Jeff Sessions (R-AL) as the lone dissenter. Senator Dianne Feinstein (D-CA), the bill's sponsor, introduced a substitute measure which differed from the original bill in its omission of a provision that would have guaranteed government paid counsel for the unaccompanied children. AILA strongly supports access to counsel for these children, especially given the very inadequate pro bono infrastructure now in place, and would support an amendment that would ameliorate this problem.

S. 1129 seeks to address many of the problems that confront the more than 5,000 immigrant children found in the U.S. each year who are unaccompanied by a parent or legal guardian by establishing guidelines for their treatment and care at the hands of federal authorities. These children include asylum seekers, as well as children who have been smuggled into the country and who may be forced into sweatshop labor or sexual servitude. These children are often unable to understand the proceedings against them and are without a legal guardian to guide them through the process.

The new legislation would build upon § 462 of the Homeland Security Act (Pub. L. No. 107-296), which transferred the care, custody and placement of unaccompanied alien children from the Department of Justice to the Department of Health and Human Service's Office of Refugee Resettlement (ORR). The bill would provide the ORR with the authority to appoint guardians ad litem where appropriate. In addition, the legislation would establish minimum standards for the care and custody of unaccompanied alien children and reform procedures for abused, abandoned, or neglected children to access permanent protection when such protection is warranted. Congress ultimately failed to include these provisions in the final version of the Homeland Security Act.

House Subcommittee Approves One-Year Extension of Conrad 30 Program

The House Subcommittee on Immigration, Border Security and Claims, on June 3, approved a one-year extension of a program designed to allow international medical graduates to remain in the country if they agree to work in certain medically underserved areas of the country. The Access to Rural Physicians Improvement Act of 2004 (H.R. 4453), sponsored by Representative Jerry Moran (R-KS), next moves to the full House Judiciary Committee for further consideration.

H.R. 4453 would extend by one year the “Conrad 30 program”—a state-based waiver program allowing a limited number of foreign-born physicians to work in medically underserved areas for three years—and would clarify that these physicians would be granted a change of status to H-1B without regard to the numerical cap. An earlier version of the bill, also introduced by Representative Moran, would have extended the program for five years and allowed state agencies to designate health professional shortage areas. However, in an attempt to ensure that the bill would move quickly through committee, Representative Moran replaced his original bill with a weakened version.

An amendment introduced by subcommittee ranking member Sheila Jackson Lee (D-TX), which would have restored the original elements of the bill, was defeated by the subcommittee on a voice vote, despite eloquent speeches by Representatives Jackson Lee and Linda Sanchez (D-CA).

The Conrad 30 program expired on May 31 and supporters hope that the extension will quickly move to the House floor for a vote. A bipartisan companion measure introduced in the Senate (S. 2302) awaits mark-up. Currently S. 2302 still retains the original language providing for a five-year extension and expansion of the program.

Legislation Would Eliminate “Specialized Knowledge” Basis for Obtaining L Status

Representative Henry Hyde (R-IL), on May 20, introduced the Save American Jobs through L Visa Reform Act of 2004 (H.R. 4415). This overreaching piece of legislation would eliminate the L-1B visa category for intracompany transferees with specialized knowledge.

The L visa program is divided into two categories: the L-1(A) visa for executive or managerial positions and the L-1(B) visa which requires the employee to possess specialized or advanced knowledge that generally is not found in the particular industry. Since their creation in 1970, both the L-1A and the L-1B visas have been essential vehicles for job creation and business investment in the U.S. Through the L-1B visa program, large and small companies have brought to the U.S. experienced personnel with specialized knowledge from their operations abroad to expand business operations here and transfer proprietary skills and knowledge to their U.S. workforce. Taking away the L-1B category would prevent the U.S. from obtaining these benefits and, as a result, American jobs could suffer.

In addition to eliminating the valuable L-1B category, H.R. 4415 would place a numerical cap of 35,000 per fiscal year on the L-1A visa category and strip from L visa holders the ability to obtain and maintain L status while simultaneously pursuing legal permanent resident status. H.R. 4415 also includes a sense of Congress that employers should pay L-1 visa holders the greater of the prevailing wage or the actual wage paid to similar employees.

This bill follows a February 3, 2004 hearing on the L visa convened by Representative Hyde in his capacity as chairman of the House International Relations Committee. The hearing presented

an unbalanced view of the L-1 visa category with panelists consisting primarily of witnesses who supported restricting the L-1 visa and who failed to recognize the L-1 visa category as a creator of U.S. jobs.

In similar fashion, by unnecessarily restricting the L program and eliminating the L-1B category, Representative Hyde's bill also fails to recognize the importance of the L-1 visa as a tool to increase foreign investment and create American jobs. Instead of overreaching restrictions on the L-1 category that would hurt American workers and employers, the L-1 visa program needs narrowly tailored reform. Such reforms already have been proposed in legislation introduced by Senator Saxby Chambliss (R-GA) (S. 1635). Currently, no bill similar to S. 1635 has been introduced in the House. For more information on the L-1 visa, visit www.aila.org.

House Votes to Allow Troops to be Used for Border Security

The House of Representatives, on May 19, approved an amendment to the Defense Department FY2005 Authorizations Bill (H.R. 4200) that would authorize the Secretary of Defense to assign members of the Army, Navy, Air Force, and Marine Corps, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions. The amendment, offered by Representative Virgil Goode (R-VA) was approved by a vote of 231-191. The House approved the underlying bill the following day, May 20, by a vote of 391-34.

Representative Silvestre Reyes took the lead in opposing the amendment, calling it "simply the wrong solution to our current problems along the border":

I spent more than 26 years in Federal law enforcement on the border between the United States and Mexico [and]...was on the front lines of our Nation's war on drugs and against terrorism. I know how difficult it is to patrol and to secure our Nation's borders. And I know the need for additional resources...However, I rise in opposition to this amendment because it is simply the wrong solution to our current problems along the border. This amendment will send our military personnel to our borders at a time when they are already stretched thin in places like Iraq, Afghanistan, Korea, Kosovo, Bosnia, and over 100 other countries around the world. We cannot and we should not ask our military personnel to patrol our borders...We should not use military personnel for these kinds of jobs. We need our military to be at their best. Patrolling our borders against illegal immigration and against drug trafficking has very minimal military value and detracts from the training with our warfighting equipment for our warfighting missions. It will also lead to decreased military training, which reduces unit readiness and overall combat effectiveness of our armed services.

The Senate is currently considering its version of the defense authorization bill (S. 2400). To date, the Senate bill contains no language providing for the use of troops at the border. As always, should the two chambers approve differing versions of the legislation, a conference committee will need to resolve the differences between the two before a final vote can take place. (The House, in prior years, has passed the Defense Department bill with this provision. However, the language has always been stripped out of the final version of the legislation due to Senate opposition).

Trafficking Victim Who Served 22 Years in Prison Obtains T Visa

On May 25, 2004 the Department of Homeland Security announced its decision to grant a T Visa to Maria Suarez, a trafficking victim and a battered immigrant who has spent the last 22 years behind bars. Maria Suarez and her family immigrated legally to the United States from Mexico in 1976, when Maria was 16. Just two weeks after entering this country, Maria was approached by a woman offering her a housekeeping job. The woman then sold Maria as a sex-slave for the sum of \$200. The man who enslaved Maria repeatedly raped, battered, and tortured her for five years. Neighbors, who were also fearful of the man known as a witch doctor, allegedly murdered him and implicated Maria as an accomplice. With ineffective counsel and no opportunity to enter evidence of the battering and its effects at trial, Maria was convicted of conspiring in the murder and was sentenced to prison.

Last December, California Governor Arnold Schwarzenegger paroled Maria Suarez when the California Board of Prison Terms found that that she was the victim of “one of the most egregious instances of Battered Woman Syndrome that [the BPT has] ever investigated.” However, current immigration law mandates the deportation, upon release from prison, of noncitizens convicted of certain crimes, regardless of whether they were wrongly convicted. Despite a lifetime of abuse and suffering, the U.S. government ordered Maria deported to Mexico. An appeal of the decision was pending when the government announced its approval of Ms. Suarez’s T visa application.

Created under the Victims of Trafficking and Violence Protection Act of 2000 (Pub. L. No. 106-386), T visas are available to individuals who are victims of trafficking. Individuals granted T visas may adjust to permanent resident status three years after they are granted the visa.

Senate Briefing Focuses on Women’s Human Rights and Asylum Policy

Human Rights First (formerly Lawyers Committee for Human Rights), on May 17, hosted a Senate briefing sponsored by Senators Sam Brownback (R-KS) and Hillary Clinton (D-NY) on the laws and policies that affect individuals seeking asylum from gender-based persecution. The highly publicized asylum claim of Ms. Rodi Alvarado served as the focal point for the panel discussion. The distinguished panelists included Karen Musalo, Resident Scholar at U.C. Hastings College of the Law; Bo Cooper, former general counsel to INS; and Wendy Wright, Senior Policy Director for Concerned Women for America.

Ms. Alvarado fled Guatemala after a decade of severe and unmitigated domestic violence. Her case, *Matter of R-A-*, carries broad implications for gender-based asylum claims and is currently pending before the Attorney General. As reported in a prior edition of *Update*, the Department of Homeland Security (DHS) submitted a brief in support of Ms. Alvarado’s claim that set forth the basic legal analysis that should be adopted in reviewing future such claims. The panelists discussed the case, its interesting procedural posture, and the soon to be published DHS regulations addressing the issue of gender-based asylum.

AILA joins the panelists in strongly advocating for recognition of such claims and for a grant of asylum in Ms. Alvarado’s case.

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. 4469, introduced on May 20, 2004 by Representative Lynn Woolsey (D-CA), would authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California.

H.R. 4462, introduced on May 20, 2004 by Representative Max Sandlin (D-TX), would make appropriations for homeland security programs within the Departments of Energy, Health and Human Services, and Homeland Security for the fiscal year ending September 30, 2005.

H.R. 4452, introduced on May 20, 2004 by Representative Gregory Meeks (D-NY), would require funds made available to each Federal department and agency for United States development or humanitarian assistance programs to be made available to foreign countries through the activities of United States organizations or businesses that are owned or controlled by naturalized United States citizens, or aliens lawfully admitted for permanent residence, who are from those foreign countries.

H.R. 4440, the Identification Security Act of 2004, introduced on May 20, 2004 by Representative Elton Gallegly (R-CA), would amend the INA to render proof of possession by an alien of a consular identification card issued by a foreign mission prima facie evidence that the alien is deportable, and to render inadmissible for 10 years any alien who is unlawfully present in the United States and presents such a card to satisfy a federal identification-related requirement.

H.R. 4418, introduced on May 20, 2004 by Representative Philip Crane (R-WI), would authorize appropriations for fiscal years 2005 and 2006 for the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security, as well as for the Office of the United States Trade Representative, and the United States International Trade Commission.

H.R. 4417, introduced on May 20, 2004 by Representative James Sensenbrenner (R-IL), would amend § 303 of the Enhanced Border Security and Visa Reform Act to extend for another year the deadline by which countries in the Visa Waiver Program must include biometric identifiers in their passports. The new deadline would be October 26, 2005.

H.R. 4415, the Save American Jobs Through L Visa Reform Act of 2004, introduced on May 20, 2004 by Representative Henry Hyde (R-IL), would amend the INA to eliminate the “specialized knowledge” basis for obtaining nonimmigrant “L” status as an intracompany transferee. The bill would also cap the number of L visas issued (or aliens provided L status) at 35,000 per year, and would remove intracompany transferees from the classes of aliens not presumed to have immigrant intent. Finally, H.R. 4415 contains a “Sense of Congress” that employers of L nonimmigrants should pay such nonimmigrants wages that are the greater of the actual wage level paid to similarly situated employees or the prevailing wage for the occupational classification in the area of employment. (Review AILA’s opposition to this legislation in a previous article in this *Update*).

H.R. 4406, the Fairness in Immigration Litigation Act, introduced on May 19, 2004 by Representative James Sensenbrenner (R-WI), would continue the radical restrictions on due process for noncitizens first propounded in the 1996 immigration laws and exacerbated by the 2002 Board of Immigration Appeals (BIA) “reforms” by, among other things, proscribing habeas corpus review for immigrants with final removal orders. Senator Orrin Hatch (R-UT) introduced companion legislation in the Senate (S. 2443). (AILA’s opposition to this bill is detailed in a previous article in this *Update*).

Senate Legislation

S. 2443, the Fairness in Immigration Litigation Act, introduced on May 19, 2004 by Senator Orrin Hatch (R-UT), together with Senate cosponsors Jon Kyl (R-AZ), John Cornyn (R-TX), Saxby Chambliss (R-GA), and Jeff Sessions (R-AL), would continue the radical restrictions on due process for noncitizens first propounded in the 1996 immigration laws and exacerbated by the 2002 Board of Immigration Appeals (BIA) “reforms” by, among other things, proscribing habeas corpus review for immigrants with final removal orders. Representative James Sensenbrenner (R-WI) introduced companion legislation in the House (H.R. 4406). (AILA’s opposition to this bill is detailed in a previous article in this *Update*).

MEDIA SPOTLIGHT: Members and Staff in the News

Carl Shusterman (Southern California) was quoted in a June 2 *Associated Press* article about a new USCIS pilot program that cuts the average time to renew or replace green cards from a year to about a week. *The Associated Press* quoted **Marshall Hyman** (Michigan), **Lisa McGuire Ahmed** (Michigan), **George Mann** (Michigan) and **Crystal Williams** (National) in a June 1 article about the backlog in Michigan’s immigration court which will force thousands of immigrants to wait months or even years to find out if they will be allowed to remain in the United States. **Marshall Fitz** (National) was quoted in a June 1 *Detroit Free Press* article about the CLEAR Act.

Peter Koenig (New York) was featured in a May 31 *New York Times* article about his client who is being detained pending a deportation hearing due to mistaken identity. **Tammy Fox-Isicoff** (Southern Florida), **Chuck Kuck** (Atlanta) and **David Leopold** (Ohio) were quoted in a May 31 *Sun-Sentinel* article about the effect DHS’s Operation Endgame will have on immigrants. **J. Donald Ridenbaugh** (Washington, DC) had a letter to the editor published in the May 31 edition of *The Capital (Annapolis, MD)*, in which he rebukes Governor Robert Ehrlich (R-MD) for the Governor’s statement that “multiculturalism is bunk.” **Joseph Miller** (Texas) had a letter to the editor published in the May 30 edition of the *Dallas Morning News* about actress Pamela Anderson’s private citizenship ceremony before a federal judge and how his client has had to wait over 8 months for her citizenship ceremony to take place.

Raul Ray (Santa Clara) and **Peter Schey** (Southern California) were quoted in a May 28 *Contra Costa Times* article about the 150,000 undocumented immigrants who were denied the chance to apply for amnesty under the 1986 amnesty program and who now have a second chance to live permanently in the U.S. **Leonor Perretta** (Utah) was quoted in a May 28 *Associated Press* article about accusations by anti-immigrant candidate Matt Throckmorton, who is seeking the Republican nomination for Congress, that Representative Chris Cannon (R-UT) supports “amnesty” for undocumented immigrants. **Ms. Perretta** and **Lynn McMurray** (Utah) were also quoted in a May 28 *Deseret Morning News* article about Representative Cannon’s support for immigration reform.

The Miami Herald featured **Eduardo Soto** (Southern Florida) in a May 27 article about his client, Fidencio Resendiz, who is appealing his deportation to the U.S. Court of Appeals for the 11th Circuit on the issue of whether U.S. immigration authorities can use minor state drug convictions for first offenders as a basis for deporting undocumented immigrants, even when the same conviction under federal law cannot be grounds for deportation. **Heather MacKenzie** (Carolinas) was quoted in a May 26 *Associated Press* article about the arrest of about 20 alleged undocumented immigrants who used to work for a closed temporary staffing agency that has been sued for failing to pay overtime. **Terry Preshaw** (Washington State) was featured in a May 26 *Seattle Times* article about her new photography show.

Charles Song (Southern California) was quoted in a May 25 *Pasadena Star-News* article on the case of Maria Suarez, a trafficking victim and a battered immigrant who has spent the last 22 years behind bars and who was recently granted a T visa by the DHS (for additional details, see the full article on Maria in this *Update*). **Michael D. Patrick** (New York) had an article about the H-1B cap published in the May 24 edition of the *New York Law Journal*. **Carlina Tapia-Ruano** (Chicago) was interviewed on a May 23 broadcast of *LatinoUSA* about the deportation of parents of native-born American children and whether they suffer extreme hardship.

David Leopold (Ohio) and **Dennis Muchnicki** (Ohio) were quoted in a May 22 *Columbus Dispatch* article about a ruling by the U.S. Court of Appeals for the 6th Circuit that could have nationwide effect because it recognizes a woman as a refugee even though the legal issue concerns her 16-year-old daughter, whom she fears could be forced to undergo female genital mutilation if they are deported to Ethiopia.

Joren Lyons (Northern California) was quoted in a May 22 *San Francisco Chronicle* article about how thousands of undocumented people who were refused legal status under the 1986 amnesty program will be allowed to reapply for permanent residence under the same law for a one-year period. **Kimberly Kinser** (Washington, DC) was quoted in a May 22 *Washington Post* article about her client, a man alleged to have terrorist ties, and who has stated that federal agents have tried to intimidate witnesses in his case. **John Nechman** (Texas) was featured in a May 21 *www.houstonvoice.com* article about the abuse of prisoners in Iraq.

The Houston Chronicle quoted **Judy Golub** (National) in a May 20 article about a bill sponsored by Senator John Cornyn of Texas, Senate Judiciary Chairman Orrin Hatch of Utah and other GOP House and Senate members, which, among other things, would limit the ability of immigrants in the United States to appeal their Bureau of Immigration Appeals deportation orders in federal district courts. **Susan Cho Figenshau** (Missouri/Kansas) and **Arthur Carr** (Missouri/Kansas) were quoted in a May 20 *St. Louis Dispatch* article about the need to increase temporarily the H-2B cap for seasonal employers. **John Crow** (Arizona) was quoted in a May 19 *Tucson Citizen* article about voter approval for bonds to protect the desert. **Irving Gonzalez** (Southern Florida) was interviewed on a May 19 *WSCV-TV* broadcast about the application process for immigrants through the Internet. **Marshall Fitz** (National) was quoted in a May 19 *Congressional Quarterly* article about recently introduced House and Senate bills that would prevent undocumented immigrants with criminal convictions from filing habeas corpus petitions in federal district courts to avoid deportation.

Ben Bruner (Atlanta) and **Boyd Campbell** (Atlanta) were quoted in a May 18 *Associated Press* article about a revised list of immigrant driver's licensing rules for the state of Alabama despite claims that the changes don't go far enough to help foreign nationals living legally in Alabama. **Jessica Dominguez** (Southern California) was quoted in a May 18 *Los Angeles Times* article about a raid that found 79 undocumented immigrants packed inside a so-called drop house. **Judy**

Golub (National) was quoted in a May 18 *New York Sun* article about H.R. 3722, a recently defeated bill that AILA opposed that would have compelled emergency room employees to report undocumented immigrants to the Department of Homeland Security.

Jeff Joseph (Colorado) was quoted in a May 18 *Scripps Howard News Service* article about a permanent resident who faces deportation after pleading guilty to possession of drugs – she just recently lost her soldier son to a roadside bomb in Iraq. **Randall Caudle** (Northern California) took part in a May 18 press conference held by San Francisco Supervisor Matt Gonzales announcing a proposal to allow noncitizens to vote in San Francisco school board elections. **Enrique Arevalo** (Southern California) was interviewed on a May 18 *Hoy En El Mundo* broadcast about H.R. 3722—the controversial legislation that would have forced doctors and hospitals to notify immigration authorities if they treat illegal immigrants. **Michael Feldenkrais** (Southern Florida) was interviewed on a May 18 *Hoy En El Mundo* broadcast about changes in immigration laws.

Joseph Sena (New York) was quoted in a May 17 *Journal News* article about a permanent resident whose green card was seized because she stayed out of the country longer than a year – she leaves her husband and children behind as she now lives in Israel. **Lance Wiessenberger** (Colorado) was quoted in a May 17 *Rocky Mountain News* article about U.S. government policy to deport all legal permanent residents who've been convicted of a crime. **Gloria Curiel** (Southern California) was interviewed in a May 17 *Noticias* broadcast about the SOLVE Act. **Jessica Dominguez** (Southern California) was interviewed in a May 17 *Noticias* broadcast about the raid that resulted in the detention of 79 undocumented immigrants. **Jorge Rivera** (Southern Florida) was interviewed in a May 17 *Noticias* broadcast about a mother facing deportation as her son recovers from injuries sustained during a brutal attack by a pitt bull dog.

Judy Golub (National) and **Chuck Kuck** (Atlanta) were quoted in a May 17 *National Law Journal* article about how the immigration hearing and appeal process has worsened since an August 2002 reorganization ordered by Attorney General John Ashcroft that reduced the Board of Immigration Appeals from 23 to 11 judges, initiated review of appeals by a single judge instead of a three-judge panel and forbade *de novo* reviews of the factual bases of denials of asylum. **Laura Reiff** (Washington, DC) was quoted in a May 16 *Denver Post* article about the need to increase temporarily the H-2B cap for seasonal employers. **Cyrus Mehta** (New York) and **Linda Nanos** (New York) were featured in a May 16 *Newsday* question and answer article. **Jorge Rivera** (Southern Florida) was interviewed on a May 16 *Noticieras 51* broadcast about a Honduran woman who faces deportation as her son recovers from the injuries he sustained in a pit bull dog attack.

Heather MacKenzie (Carolinas) was quoted in a May 15 *Post and Courier* article about an undocumented immigrant who drowned after he fell while working on constructing a bridge. **Irving Gonzalez** (Southern California) was interviewed in a May 14 *Primera Edición* broadcast about how the Massachusetts gay marriage law will affect immigration law. **Barbara Federman** (Southern California) was quoted in a May 13 *New York Post* article about her client, actress Pamela Anderson, who recently passed her U.S. citizenship test, after which a federal judge swore her in during a private ceremony in L.A. **Kim Salinas** (Colorado) had an op-ed published in the May 12 edition of the *Fort Collins Coloradoan* about the need to pass the SOLVE Act. **Philip Bern** (New England) was featured in the May edition of *Nuestra Voz* in an article about a rally in which local Latino organizations participated to urge legislators to pass legislation that will protect the rights of immigrant families.

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?

“People have a misconception that immigrants have poorer health, but when you look at empirical data...you almost always find they do better than their U.S.-born counterparts.”

--Gopal K. Singh, a National Institutes of Health statistician whose research, published in May in the *Canadian Journal of Public Health*, reported that immigrant life expectancy surpassed 78, while U.S.-born life expectancy hovered at 75. As reported by the *Associated Press*, May 26, 2004.

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