

Iranian, kin reunited in U.S. with 8 hours to spare;

Immigration glitch: Bureaucracy nearly kept man, 21, from joining family in Decatur.

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Body

One day in April, an envelope marked "URGENT" in Atlanta arrived at a government complex in Lincoln, Neb. Inside were documents from a 20-year-old Christian man in Iran named Hovik Baghramian Milagerdi. He was trying to flee religious persecution and rejoin his parents and an older brother, who had left Iran for a new life in Atlanta.

Unless the U.S. government acted with unusual speed, though, Baghramian Milagerdi would be trapped in Iran for several years, the victim of a quirk in immigration law that causes hardship for refugees with relatives in the United States. The law lets them come to this country if they have a parent or spouse here as refugees, but they must be on U.S. soil before they turn 21.

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That can mean trouble for young men and women like Baghramian Milagerdi, a soft-spoken man with a boyish grin and jet-black hair. His parents applied for a visa to bring him to the United States as soon as they arrived. By that time, though, Baghramian Milagerdi was just months shy of his 21st birthday, and it can take a year for the government to push paperwork like his through the system.

Without a major effort and a little luck, Baghramian Milagerdi would be stuck in a country where Christians face discrimination and persecution.

He had five months --- until his 21st birthday Aug. 2 --- to get to the United States.

His advocates in Atlanta scrawled "URGENT" and "EXPEDITE" on his visa application, the first step in an attempt to shift into high gear a seemingly immovable bureaucracy. Workers at the International Rescue Committee, a nonprofit agency that resettles refugees, began calling people who could help in the United States and in Iran, Pakistan and Turkey. They called colleagues at resettlement agencies and officials at U.S. embassies and consulates who could speed up the process. An aide to U.S. Sen. Zell Miller would provide some last-minute help.

As efforts unfolded in America, Baghramian Milagerdi went to church to light a candle and say a prayer.

"I asked God, 'Please open a way for me, open a door so I can be with them,' " he said, speaking through a Farsi interpreter.

Baghramian Milagerdi grew up a welder's son in a city about an hour's drive from Tehran. His name marked him as a Christian in Islamic Iran. The U.S. government says members of religious minorities in Iran face discrimination, arrest and, on occasion, execution.

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Citing religious persecution, Baghramian Milagerdi's mother, father and brother left Iran last year,. Baghramian Milagerdi had to stay behind because he could not get out of a required two-year stint in the Iranian Army.

The family was granted refugee status and arrived in the United States in March, settling in a two-bedroom apartment near Decatur. They decorated the living room with images of Christ and a red cloth wall hanging that shows the Statue of Liberty, a space capsule circling the moon and an Old West stagecoach, all framed with the phrases, in English and Farsi: "The United States of America" and "200 Years of Progress."

Baghramian Milagerdi finished his military service this spring. His parents completed an INS form asking for permission for their son to join them in Georgia.

With the assistance of refugee resettlement workers, they mailed it April 12 --- 3 1/2 months before his birthday.

Reuniting separated families has been a guiding principle of U.S. immigration law since 1965. But an arcane provision of the nation's labyrinthine immigration laws can have the opposite effect in the case of foreign nationals approaching their 21st birthdays. It says single children trying to rejoin refugee parents must be in the United States before they turn 21. The law creates the danger that people applying at age 20 will get their visas after their birthdays. Advocates call it "aging out."

It affects a very narrow class of people but has attracted attention in Congress. Bills in the Senate and House would fine-tune the law by preserving a person's right to come to the United States as long as he or she applies before turning 21.

The change essentially would stop penalizing foreign nationals for the slowness of the federal government. But there's a catch: The change would only protect immigrants, people whose relatives came to the United States mainly for economic reasons. It would not protect refugees like Baghramian Milagerdi.

"I just don't know why refugees are not included in this. It would be pretty horrific to have this go through and for every group to get a shot except refugees," said Jane Kim, national immigration and legal officer for the International Rescue Committee, which resettled 10,000 refugees around the country last year.

She has lately spoken with members of Congress and said she expects them to revise the proposals to include refugees. But the Sept. 11 terrorist attacks have stalled the proposal.

The application process to reunite sounds simple. First an INS officer at the Nebraska Service Center reviews the application. If it is approved, the INS sends the file to the National Visa Center in Portsmouth, N.H., run by the U.S. State Department.

Workers there send the visa to the U.S. embassy or consulate nearest to the person requesting it.

The INS approved Baghramian Milagerdi's visa request in July, but it still had to send the visa to the U.S. Embassy in Ankara, Turkey.

Baghramian Milagerdi said he rode three days in a bus to get there, enduring hassles from border guards and local police officers who did not share his sense of urgency.

He got to Ankara on July 23, nine days before his birthday.

Everything was going smoothly until Adis Malkoc, a caseworker at the Atlanta IRC office, and Clare Richie, director of the Atlanta IRC office, realized someone accidentally had sent Baghramian Milagerdi's visa to the U.S. Embassy in Islamabad, Pakistan, more than 2,000 miles from the embassy in Ankara.

Malkoc and Richie called the embassies and anyone else they could think of who might help. Could the embassy in Pakistan fax the paperwork to its counterpart in Ankara? It agreed to after the intervention of an aide in Miller's Atlanta office.

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Finally, after a health screening and interviews, the embassy in Turkey gave Baghramian Milagerdi permission to go to the **United States**.

It was July 31 --- with just two days to go before he turned **21**.

Baghramian Milagerdi bought his own ticket and flew from Ankara to Istanbul, Turkey. Then he waited in the airport for a flight to the **United States**. Any delay would almost certainly doom him to several more years in Iran. The plane finally left. It landed in New York late in the afternoon of Aug. 1.

He made it by eight **hours**.

Graphic

Photo:

Hovik Baghramian Milagerdi (center) has been **reunited** in **Decatur** with his brother, Zorik (left), his mother, Horomsima Vartoomian, and a friend's baby, Emil Sarian./ BITA HONARVAR / Staff

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