

INS adjusts to role in terrorism fight

St. Petersburg Times (Florida)

October 06, 2001, Saturday, 0 South Pinellas Edition

Copyright 2001 Times Publishing Company

Section: NATIONAL; AMERICA RESPONDS: IMMIGRATION; Pg. 1A

Length: 1296 words

Byline: MARY JACOBY

Dateline: BALLSTON, Va.

Body

Sean Jad should have been in Boston at his computer science classes. Instead, the 27-year-old student from Morocco was standing Tuesday in a federal office in suburban Washington, counting out \$ 5,000 in crisp \$ 100 bills.

Jad had come to bail out his cousins, Faical Chafouk and Mohamed Oushain, jailed for three weeks by the Immigration and Naturalization Service for taking jobs in a pizza parlor, a violation of the terms of their student visas.

The real reason for their detention, of course, was law enforcement's dragnet for Arabs and Muslims cast after the Sept. 11 terrorist attacks. But when asked if he was angry about the ethnic profiling that had snared his cousins, Jad said, "I am, and I'm not."

INS06

A part of him felt sympathy for the predicament of law enforcement authorities, especially the INS. "I think they're doing their job for the safety of the people. They just don't know what's going on right now," Jad said.

Three weeks after the worst terrorist attack ever on U.S. soil, the INS - one of the most maligned agencies in the federal government - has been garnering generally good reviews for its procedures in the aftermath of the crisis.

Much criticized in the past for its slow processing of immigration papers and often abusive treatment of asylum seekers and foreign visitors, the agency now seems to be getting the benefit of the doubt as it finds a new footing in a changed world.

Syed Hyder, the lawyer for the Moroccan students, said his clients had nothing to do with **terrorism** but had been swept up in events. "It's purely an Arab-profiling situation. It's very unusual to hold them for something like this, no bond."

Still, he said, the backlash was worse in 1979, when there were American hostages in Tehran, and authorities in the United States increased their scrutiny of Iranian students here.

"Fortunately it hasn't gone that far this time, and I think it's because of the stand the president has taken from day one against racial profiling," Hyder said.

As one of the nation's first lines of defense against would-be foreign terrorists, the INS is playing a central **role** in new law enforcement strategies.

INS adjusts to role in terrorism fight

With 34,000 employees in 33 domestic and 33 overseas offices, the agency's duties include guarding the borders, deporting criminal aliens and ***fighting*** immigration fraud. It also conducts naturalization and asylum interviews, grants permanent residency and issues green cards.

Undocumented workers usually seek to avoid the INS. But on Friday, with officials suspecting that perhaps hundreds of undocumented workers perished in the World Trade Center attacks, INS Commissioner James Ziglar said the government would not punish anyone who could help provide an accurate count of the missing.

"I want to personally urge the immigrant community to come forward, and assure everyone that INS will not seek immigration status information," Ziglar said in a statement.

Meantime, the INS bureaucracy is grinding as usual, lawyers say.

Applications for naturalization, permanent residency, asylum and work permits are proceeding apace, they say, even as the INS conducts a routine annual audit of petitions.

During the audit, the agency is adding bar codes to documents to keep better track of petitions, an action that had been planned but became a higher priority after the attacks.

Attorneys who belong to the American Immigration Lawyers Association in Washington are reporting that business from Middle Easterners has slowed dramatically, said Crystal Williams, the association's INS liaison.

"Anecdotally, we're hearing from members that clients from the Middle East are calling and saying, 'Stop work on our case' " for temporary work and student visas, Williams said. "People from the Middle East are not trying to get into the country right now."

Indeed, State Department figures show a 49 percent decrease in the number of visa applications from Morocco, Egypt, Israel, Lebanon, Syria, Jordan, Iran and Iraq in the two weeks after the attacks compared with the two weeks before.

Worldwide, the decrease in visa applications is 15 percent for the same time. But fears that the United States will make it harder to obtain a visa haven't been borne out yet, said Paul Virtue, an immigration lawyer in Washington.

"We did have some clients who were concerned about attending these (visa) interviews at U.S. embassies abroad, but we haven't heard of any problems," said Virtue, a former INS general counsel.

State Department figures show no increase in the rate of visa refusals, either from the Middle East or worldwide.

The most marked changes in INS procedures have been in airports, where the agency is on "alert status one," its highest state of readiness.

About 200 of 9,500 border agents were temporarily reassigned to airport security duties, although most of those agents are now returning to their regular posts as the National Guard and other security officers are deployed, INS spokesman Greg Gagne said.

Immigration lawyers say their clients report seeing INS agents at gates for international flights, checking identification of passengers as they hand in boarding passes to airline personnel.

There has been particular scrutiny for passengers traveling to Canada, with reports that Arabs and people of Middle Eastern extraction are facing extra questioning about their destinations, their reason for being in the United States and their contacts.

Rodney Germaine, an INS spokesman in Miami, denied reports of racial profiling. "Our actions have nothing to do with race, religion or nationality," he said.

But an INS spokesman in Washington, Bill Strassberger, acknowledged that there are gray areas, at least in terms of INS detention policies.

INS adjusts to role in terrorism fight

"Right now the circumstances are a little bit different," he said. "Realistically, all the people who have been held on immigration charges, some of them probably have nothing more than immigration violations."

On Thursday the INS was detaining about 150 foreigners rounded up after Sept. 11 on immigration infractions, a number that fluctuates as some people are released and new people are detained.

Some Middle Easterners who were in detention before the attacks and were set to be released have found freedom delayed.

Julie Ferguson, a lawyer with Bander, Fox-Isicoff and Associates, a Miami law firm, said a client from Iraq who is seeking asylum has been held since July 31 after arriving in the U.S. without a passport.

On Sept. 10, the day before the hijackings, the INS indicated it was preparing to release him pending an FBI background check, Ferguson said. "Now I'm not going to be able to get him out at all," she said. "Meanwhile, all the guys from Albania and Moldova are being let go."

As for the Moroccan students, they appeared Tuesday before an immigration judge in a courtroom near Washington, via video-conferencing from an INS jail in Farmville, Va. They wore orange jump suits and leaned toward an off-screen microphone to speak.

"Thank you, your honor," Chafouk said after bail was set.

Afterward Jad, Chafouk's sister and another cousin left the courtroom with attorney Hyder to post bail.

At the bail payment office, his clients gathered around a chair to count out their \$ 100 bills. They were in a hurry: It was a four-hour drive to the jail in rural Virginia and a 14-hour drive back to Boston.

And so it was unwelcome when the cashier tapped on the glass window. "We don't take cash," he said.

The three young Moroccans looked at each other, and shook their heads. Then they went to find a bank that would exchange their cash for a cashier's check, the final hurdle, they hoped, to freedom for their family members.

- Staff writer David Adams in Miami contributed to this report.

Classification

Language: ENGLISH

Subject: IMMIGRATION (90%); US FEDERAL GOVERNMENT (90%); LAW ENFORCEMENT (90%); PASSPORTS & VISAS (89%); TERRORIST ATTACKS (89%); ILLEGAL IMMIGRANTS (89%); CITIZENSHIP (89%); RACIAL PROFILING (89%); **TERRORISM** (89%); STUDENTS & STUDENT LIFE (89%); IMMIGRATION LAW (89%); FOREIGN LABOR (89%); POLITICAL ASYLUM (89%); FOREIGN STUDENTS (78%); BAILOUTS (77%); LEGISLATION (77%); DEPORTATION (76%); NATURALIZATION (76%); POLICE MISCONDUCT (76%); RACE & ETHNICITY (75%); SEPTEMBER 11 ATTACK (75%); MATH & SCIENCE EDUCATION (73%); LAWYERS (72%); JAIL SENTENCING (71%); MUSLIMS & ISLAM (70%); BORDER CONTROL (70%); HOSTAGE TAKING (70%); COMPUTER SCIENCE (58%); RELIGION (55%)

Company: IMMIGRATION & NATURALIZATION SERVICE (92%); IMMIGRATION & NATURALIZATION SERVICE (57%)

Organization: IMMIGRATION & NATURALIZATION SERVICE (92%); IMMIGRATION & NATURALIZATION SERVICE (57%)

INS adjusts to role in terrorism fight

Industry: LAWYERS (72%); INTERNATIONAL TOURISM (64%); COMPUTER SCIENCE (58%)

Geographic: BOSTON, MA, USA (79%); TEHRAN, IRAN, ISLAMIC REPUBLIC OF (72%); UNITED STATES (93%); IRAN, ISLAMIC REPUBLIC OF (92%); MOROCCO (79%)

Load-Date: October 10, 2001

End of Document