

**Minor immigration slip becomes costly;**  
**INS: Palestinian faces ouster on little-used law**

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## **Body**

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The federal government wants to deport a legal immigrant from the West Bank because he failed to promptly report a change of address, an unusual effort that highlights the enforcement of minor laws to fight suspicions of terrorism.

The Immigration and Naturalization Service went to court in Atlanta on Tuesday in an attempt to ship out Thar Abdeljaber, a 30-year-old Palestinian father of five.

The INS says he broke a law requiring the 17.8 million noncitizens in the United States to report address changes within 10 days of moving.

It's a law that even the INS admits it rarely enforces, a sentiment echoed by immigration lawyers.  
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"The reality is that nobody is deported on the basis of that simple a violation," said Jeanne Butterfield, executive director of the American Immigration Lawyers Association. "It's ridiculous."

In fact, the INS' own guidelines say failure to report an address change "shall not normally serve as the sole basis for . . . deportation."

So how did Abdeljaber end up in an orange jail jumpsuit, hands cuffed to his waist?

One Tuesday in March, police in Raleigh clocked him driving four miles over the speed limit.

A police officer pulled him over and found several thousand dollars in cash, as well as North Carolina maps with red circles drawn around some cities.

Soon FBI agents were asking Abdeljaber about terrorism.

"They were asking him, 'Why did you make circles on a map? Those circles are close to airports,' " said Khitam Abu Sabi, his wife.

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Abdeljaber told them he drew circles around places with flea markets and "swap meets and Mexican stores," an INS report says. Abdeljaber travels to such places to sell electronic equipment he buys through the mail, relatives said.

The FBI did not charge him with a crime, but INS agents joined the investigation.

They discovered Abdeljaber was a legal permanent resident who came to the United States in 1998 on a passport issued by the Palestinian Authority. He came to join his wife, who also is a legal resident and had moved to the United States earlier.

They have two children who are U.S. citizens, two others who are legal residents, and a daughter born in the West Bank who is on the path to legally moving to this country.

During the investigation, the INS found out that Abdeljaber had moved from South Florida to suburban Richmond around 1999, to live near a sister, but that he did not notify the agency within 10 days. Agents arrested and jailed him. He pleaded guilty in U.S. District Court in Raleigh and was sentenced to 25 days in jail, which he served.

Following his sentence, the INS kept Abdeljaber behind bars and began proceedings to deport him.

On Tuesday, a government lawyer told an immigration judge the INS had concerns about Abdeljaber's "identity and activities," but did not elaborate. Abdeljaber's attorney, Charles Kuck of Atlanta, was furious.

"He's committed no crime other than not changing his address," he said.

The topic of terrorism never came up, and the government agreed with Kuck to recommend a \$5,800 bond. The bond will let Abdeljaber get out of jail for the first time in four months. He will remain free until the deportation proceedings are concluded.

Kuck said he hopes Abdeljaber can stay in the United States.

"They couldn't get anything else on this guy. They want to get rid of him because he's Palestinian," he said. "Let's focus our attention on getting rid of immigrant criminals, but not changing your address? That's silly."

W. Fred Alexander, deputy director of the INS in Atlanta, conceded that the agency rarely charges noncitizens with failing to report an address change, a requirement that dates to the 1950s.

He declined to go into detail about the case, except to say the agency will "listen to the defense" before deciding what course to pursue.

Butterfield, of the immigration lawyers' group, said the case is part of a larger trend since Sept. 11 to enforce laws once considered minor, such as overstaying a visa.

She expects more address-change violations after the INS starts a program this fall. It will require about 100,000 foreign visitors to register, give fingerprints and check in periodically with the INS.

Authorities say it would help them keep track of people who could threaten national security, but Butterfield worries about abuses.

"They're using the immigration laws to go after people that they don't have any basis to go after under the criminal laws," she said. "I think it's appalling."

## Classification

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