FAMILY FIGHTS DEPORTATIONS;

CUPERTINO TEENS' ROAD TO RESIDENCY BLOCKED

POST-SEPT. 11 SECURITY MAKES BIG DEAL OUT OF A ROUTINE IMMIGRATION SNAG

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Body

It is 6 a.m., and Ahmad Amin should be at home, resting for football practice or studying for his fall SATs. Instead, he's on a train to San Francisco with his mother on a Wednesday morning for his monthly visit to an ***immigration*** officer.

Amin, a high school senior who recently turned 18, has been ordered ***deported*** to Lahore, Pakistan, along with his brother, Hassan, 19. Like a criminal parolee, Ahmad must report to the ***immigration*** officer, who holds his Pakistani passport, to attest that he has not left the country while the ***family*** ***fights*** to keep the brothers here.

Until two years ago, the Amins' ***immigration*** problem would probably have been settled quickly, without the brothers' ***deportation***. But one date changedthe tenor of their entire case -- Sept. ***11***, 2001.

"I just want to graduate from high school," said Ahmad Amin, who plays tight end for the ***Cupertino*** High School football team. "My dream is for this to be over."

The devastating event that is now known simply as "9/***11***" may be receding into national memory, but it is far from over. It continues to haunt those who lost loved ones in the terrorist attacks, and has rolled through the lives of countless others, including Ahmad and Hassan. They are among 13,000 primarily Arab and Middle Eastern men and boys facing ***deportation*** after voluntarily coming forward for a national ***security*** registration program and then being told they had overstayed their visas.

Government officials said they have caught suspected terrorists in this dragnet, and that tighter ***immigration*** controls are essential to stopping more mass murders. But critics say many immigrants such as the Amin brothers are paying the price of the government's intensified focus on enforcement and national ***security***.

Many immigrants have been ***deported*** on minor ***immigration*** violations that would have been resolved with reasonable discretion and compassion before Sept. ***11***, lawyers and leaders in immigrant communities say. Many immigrants, including the Amin brothers, already had pending applications for legal ***immigration*** status that are now of little use to them because they have been targeted for ***deportation***.

Since fall 2001, almost half a million people from more than 200 countries have been ***deported*** from the United States. Some were legal immigrants who lost their ***immigration*** status after committing serious crimes. Others

were temporary visitors who stayed after their visas expired. A majority of those ***deported*** were citizens of Latin American countries, including Mexico, caught after slipping across borders into the United States.

Those who have been been ***deported*** are permanently barred from entering the United States again, often leaving behind American ***families*** -- siblings, parents, husbands and wives. Those who agree to leave voluntarily can reapply to enter the country after 10 years.

For the Amin brothers and their ***family***, the possibility of ***deportation*** has wrecked the calm, domestic ***routine*** they had been following on the ***road*** to citizenship.

The brothers' mother, Tahira Manzur, first ***immigrated*** to the United States in 1973, the wife of a Pakistani doctor. The couple lived in Chicago, and she gave birth to a son, Imran Mughal, who automatically received American citizenship because he was born in the United States.

But two years later, Imran's father was murdered in a robbery. Manzur returned to Pakistan with the baby, where she eventually remarried and had two more sons, Hassan and Ahmad Amin.

Imran Mughal returned to the United States when he was 18, attended Purdue University in Indiana and trained as a software engineer. After college, he took a high-technology job in Dallas. By this time, his mother in Lahore had divorced, remarried and divorced again.

When Manzur came to visit her American son in 1998, with his teenage half-brothers Hassan and Ahmad, she decided for the second time that she was going to settle in this country. The ***family*** moved to San Jose in 2000.

"I wanted my children to be all together. We wanted to build a new life in America," said Manzur, now 52.

Mughal's citizenship helped his mother obtain a green card, or permanent residence, in the United States. The plan was for Mughal, the main breadwinner, to help his two young brothers win legal, permanent resident status, too.

Now, Manzur and Mughal say they're paying for bad legal advice they received from a Dallas lawyer in 1998. Instead of filing permanent legalization papers for the mother and her two sons, the lawyer filed only for the mother, saying the boys' ***immigration*** status would derive from her permanent ***residency***. All three were qualified to apply because Mughal is a U.S. citizen.

Manzur received her green card in 2001, but it became clear the lawyer's approach had failed for her sons. By then, Ahmad and Hassan Amin had overstayed their visas, which expired Jan. 3, 1999. Mughal immediately filed a new petition on their behalf.

In February, Ahmad and Hassan went to the ***immigration*** office in San Joseto comply with a new government regulation requiring all men and boys on temporary visas from certain Middle Eastern, Arab and Asian countries to register. It was part of the government's new border ***security*** measures resulting from Sept. ***11***, designed to track the movement of foreigners.

Mughal said he felt reasonably confident that nothing would go wrong because he, an American citizen, had petitions pending on their behalf.

To the ***family***'s horror, ***immigration*** officials immediately placed the Amin brothers in ***deportation*** proceedings.

Hassan Amin was detained overnight in Yuba County Jail. Ahmad Amin, who was then 17 years old, was released to his mother. It cost the ***family*** $4,000 to get Hassan bonded ***out*** of jail. Legal fees to ***fight*** his brothers' ***deportation*** will cost thousands more, Mughal said.

Because of this, Mughal has set aside his plans to buy a home for his ***family***.

"It's just mental torture that you don't know what's going to happen," said Mughal, a software engineer for America Online. "I can't take the next steps in my life."

Everything is on hold. Ahmad should be preparing to choose a college to attend next year. But he can't.

All summer, he has been in training with his ***Cupertino*** High School football teammates. But, facing the possibility of ***deportation***, he's not sure whether he'll keep playing with the team.

Most of his close friends on the team and his coach, Jay Braun, know only scant details of what he's facing. It's hard to explain, he says, even to a team full of players who are the children of immigrants.

"Ahmad is a good kid, but in the same breath, I respect the government in a way because it's doing it's job," Braun said.

After a sweaty, hourlong weight-lifting session one afternoon, Ahmad was taking a drink of water, preparing to hit the field. One of his teammates teased him: "Getting ***deported***, huh?"

For a moment, Ahmad looked stricken. Then he ran to the field.

At De Anza College, Hassan's friends are excitedly talking about the four-year colleges they're headed to this fall. Hassan doesn't have much to talk about. His plans are on hold.

"It's the first thing I think about when I wake up in the morning," he said. "I think about it all the time."

For his mother, the thought of being separated from her children has caused great anxiety.

"I'm tired of this now, physically, emotionally," said Manzur, who teaches at a child development center in Sunnyvale.

Sharon Rummery, a spokeswoman for the new Bureau of ***Immigration*** and Customs Enforcement, or BICE, in San Francisco, declined to comment on the Amin brothers' case. But Garrison Courtney, a Washington, D.C.-based spokesman for the bureau, disputed critics who say the government is ***deporting*** more people from Arab and Middle Eastern countries.

Deportation, he said, is the price of violating U.S. ***immigration*** laws.

"I don't think there's a crackdown. We're closing loopholes," he said. "We're enforcing ***immigration*** laws and people are noticing that."

The Amin brothers' lawyer, however, said the young men are the victim of new heavy-handedness on the part of the federal government.

"Why are they being tough on these folks? This has nothing to do with ***security***," said Banafshe Akhlaghi, a San Francisco ***immigration*** attorney. "The government is ***deporting*** people based on hyper-technical violations" that would have been resolved before Sept. ***11***, she said.

Sept. ***11*** forced a major reorganization of the former ***Immigration*** and Naturalization Service. The former INS is now a three-tiered agency -- ***immigration*** services, enforcement and customs. The BICE handles enforcement, while the Bureau of Citizenship and ***Immigration*** Services, or BCIS, handles ***immigration*** and citizenship applications.

Enforcement in the old INS was "schizophrenic," Courtney said, because the agency was saddled with the dual missions of helping legal immigrants and stopping illegal ones.

But with the creation of the enforcement agency, the loopholes that allowed undocumented immigrants to stay in the United States long enough to establish ***families*** are being closed. There is also more intense focus on immigrants who commit serious crimes.

"We know what our mission is," Courtney said. "And that's what we're going to do."

In the San Francisco district of the BCIS -- which extends from Bakersfield to the Oregon border -- 5,302 people from 49 countries were ***deported*** in 2002, an ***11*** percent increase from two years ago. More than 80 percent of those ***deported*** had criminal convictions, Rummery said.

Mark Krikorian, executive director of the Center for ***Immigration*** Studies, a national group that advocates tougher measures against illegal ***immigration***, likened the focus on ***deportation*** to Mayor Rudolph Giuliani's stance on crime in New York City. Cracking down on minor violators led to the arrest of hardened criminals, he said.

"A new seriousness about ***immigration*** enforcement will result in getting real bad guys," Krikorian said. "It also sends a message that ***immigration*** law is no longer a joke."

But for the Amin brothers, the new toughness may mean they get swept ***out*** as well. Returning to Pakistan is not an option, they said. The ***family*** has discussed heading to Canada if their efforts to end the ***deportation*** fails. The brothers have a legal hearing on Sept. 18.

Rifling through a stack of ***immigration*** documents in the ***family***'s cramped, two-bedroom apartment in West San Jose, Mughal pulled ***out*** a newspaper page dated Dec. 15, 2000. It was a list of President Bush's campaign promises, from the days before Sept. ***11*** shook the nation and upended the ***family***'s life.

Mughal has highlighted one:

"Encourage ***family*** reunification by allowing spouses and minors of legal residents to apply for visitor's visas while their ***immigration*** applications are pending."

Then Mughal carefully folded the page and put it away.

CHART: MERCURY NEWS

U.S. ***deportations***, 1998-2003

Source: Bureau of ***Immigration*** and Customs Enforcement

[Chart not taken in database]

Notes

9: ***11***: 01

TWO YEARS LATER

Graphic

Photos (4), Chart;

PHOTO: SUSANNA FROHMAN -- MERCURY NEWS

[Tahira Manzur]

PHOTO: SUSANNA FROHMAN -- MERCURY NEWS

Ahmad Amin dons leg guards as he prepares to bat in a cricket match in San Leandro. The 18-year-old native of Pakistan also plays football at ***Cupertino*** High School, but sports and other matters hang in the balance pending a ***deportation*** hearing.

PHOTO: SUSANNA FROHMAN -- MERCURY NEWS

Ahmad Amin, left rear, next to his brother, Hassan, and with mother, Tahira Manzur, and half-brother Imran Mughal, awaits a hearing on his and Hassan's possible ***deportation***.

PHOTO: SUSANNA FROHMAN -- MERCURY NEWS

Ahmad Amin's role as tight end for the ***Cupertino*** High School football team is in suspense.

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