

REMEMBER 9/11: IMMIGRATION REFORM: Coming to America; Tighter rules spark debate, cloud prospects for future arrivals

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Body

Foreign terrorists changed the rules of immigration a year ago when they carried out the deadliest attack on the U.S. mainland. They fueled suspicion about people crossing U.S. borders and sent authorities scurrying to tighten an immigration system that critics call ripe for exploitation.

When the nation marks the Sept. 11 anniversary next week, some of those who land on U.S. soil will be photographed and fingerprinted as soon as they step off their planes.

It's the latest of dozens of changes --- some implemented, some proposed --- that subject immigrants to more scrutiny at a time when the United States and metro Atlanta have more foreign-born residents than ever before.

The changes, however, smack of too little, too late for people such as Betty Johnson, a Forest Park retiree.
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"If the Immigration and Naturalization Service did what it was supposed to do, then all this [the terrorist strike] might not have happened," she said.

Others say talk of tighter controls gives people a false sense of security.

"If you're talking about a sophisticated terrorist operation, I really think it would be rare that tighter immigration controls would identify him," said David Martin, a University of Virginia law professor and INS general counsel from 1995 to 1998.

Meanwhile, civil libertarians argue that some of the changes are unconstitutional. A federal appeals court agreed. It ruled Aug. 26 that the government could not hold secret deportation proceedings for immigrants detained in the largest criminal investigation in U.S. history.

The federal government has jailed at least 1,100 people from the Middle East and South Asian countries. Authorities will not divulge the exact number, and they're appealing the order of another federal judge who said it was unconstitutional for the government to keep information on the detainees secret.

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Most of the 1,100 have been deported or left under threat of deportation. They were held for immigration violations, such as overstaying a visa. None was accused of terrorism.

In addition, the FBI fanned out across the United States to question 5,000 Middle Eastern students. Congress ordered the INS to develop computer systems to monitor foreign students, tourists and businesspeople entering America.

Martin doubts that the student tracking system will amount to much. The INS plans to start using the system in January. Colleges will send the INS information about students, such as their birth date and date they show up for class.

The goal is to keep track of people such as Stella Xu, a 33-year-old native of China who is studying business at Georgia Perimeter College in Clarkston. She said she feels targeted by the monitoring system, but she understands the need.

"They do have a right to keep track of us. We do have an obligation to remain full-time students," Xu said.

The system is designed to alert authorities when a foreign student violates terms of a visa by, for example, failing to show up for classes, as one of the Sept. 11 terrorists did. But some question whether the INS will act on violations the computer system spots.

The agency has about 2,000 agents to enforce immigration laws inside the United States, home to an estimated 8 1/2 million illegal immigrants. The agents also are responsible for monitoring violations of immigration law by U.S. citizens, including a routinely flouted one against hiring illegal immigrants. The government may wind up spending millions of dollars for a tracking system that is of little practical use, Martin said.

After the attacks, the State Department, which issues visas, began asking more questions of men ages 16 to 45 who want to enter the United States. It asks them about their military service, any experience with weapons of mass destruction, and about their affiliation with professional, social and charitable organizations.

The rules were limited initially to Muslim nations, but the State Department, after an outcry, expanded them to cover visa applicants in all countries.

The 19 terrorists who struck Sept. 11 were from Saudi Arabia, Egypt, Lebanon and the United Arab Emirates. Fifteen entered the United States by obtaining tourist visas at U.S. embassies or consulates in their native countries. Three posed as businessmen to get business visas. One received a student visa to study English in California (he never showed up for class).

Congress also has ordered the INS to develop a computer system to monitor more than 300 million foreign citizens --- a very rough estimate --- who enter and leave the United States each year to tour, shop or do business. The system would alert the INS when a visitor stayed beyond a visa expiration date.

Three Sept. 11 hijackers had overstayed their visas, but the INS didn't know because it does not keep tabs on visa holders, a failure that bewilders Johnson of Forest Park.

"When their visas expire, they need to go home," she said.

A recent report about foreign-born terrorists and immigration law says, "Enforcing visa time limits could disrupt or perhaps even uncover future terrorist plots." The report was written by Steven Camarota, research director for the Center for Immigration Studies, an organization in Washington that favors tighter immigration controls. It is titled "The Open Door: How Militant Islamic Terrorists Entered and Remained in the United States."

"While no immigration system can be completely foolproof, if only some of those involved in a terrorist plot can be stopped by our immigration system, it is possible that whatever conspiracy they are part of could be uncovered," he wrote.

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The report focuses on 48 foreign-born terrorists who have admitted or been convicted of terrorist plots or activities in the United States since 1993, including the Sept. 11 hijackers. It says 41 of the 48 entered the United States with visas and that at least 22 violated immigration law by overstaying a visa, fraudulently marrying a U.S. citizen to become a legal resident, working illegally or providing false information on residency applications.

Despite tough talk, Camarota said, most of the steps the government has taken will safeguard the country only if it also hires more agents and consular officers to review visa applications.

Other changes that have been implemented include more screening of refugees and requiring airport baggage handlers to be U.S. citizens. The INS also dusted off a little-enforced law that requires 18 million noncitizens to notify the agency of address changes within 10 days.

Authorities also have proposed reducing the duration of many tourist visas from the standard six months to 30 days, a proposal that worries Xu, the student at Georgia Perimeter College. She said her mother hopes to come here to see her graduate in May. She wants to show her mother Los Angeles, Seattle and other cities, and she said a 30-day tourist visa would make that difficult.

"I worry that 30 days is not enough," she said.

Others worry that the government's actions infringe on the rights of Arab and Muslim immigrants.

The government's strategy could backfire by creating mistrust in these communities within the United States, said David Cole, a law professor at Georgetown University. He said the government could use help from those communities in finding the few terrorists among the vast majority who obey the law.

Cole is not fully convinced that the changes will be effective in thwarting terrorism in the United States.

"I think it's about making us feel safer, but I don't know if it's actually made us safer," he said.

Graphic

Photo: Immigrants from around the world who call Atlanta home include, from Vietnam, Thanh Le (3); from Mexico, Manuel Rendon (1), Cesar Rendon (2) and Jesus Sanchez (4); from Ghana, Paul Musey Jr. (5), Victoria Musey (6) and Dr. Paul Musey (8); from Afghanistan, Durkhanai Nassery (7) and Mary Osman (9); three generations from India: Inderpreet Kour (10), Preetinder Singh (11), Gurtej Singh (12), Anmol Kaur (13), Manjit Singh (15), Chanmeet Singh (16) and Arvind Narang (20); and from Jamaica: Jaisen Thompson (14), Barrington Henry (17), Jennifer Henry (18) and Andre Thompson (19)./ JENNI GIRTMAN / Staff; Photo: Immigrants from around the world have found a home here. Among them are the Sumardis from Indonesia, the Bastos from Colombia and the Sharmas from India. At right is Mini Sharma, holding Isabel Sumardi, 14 months; Sharma's husband Amitabh sits next to her. Next to him is Benny Sumardi; behind him are wife Lydia and son Phillip. In the back row are Margarita Wiechard (left) and her parents, Libardo and Leonor Basto./ JENNI GIRTMAN / Staff; Graphic: AT THE BORDER

Total inspections of citizens and noncitizens for entry into the United States.

Seasonally adjusted total inspections (Land, air and sea admissions)

In millions

Line graph traces the inspections from May 2001 through June 2002

Note: 15 million U.S. citizens were admitted at INS ports of entry during June 2002, compared with approximately 24 million noncitizens admitted during the same month.

Source: Immigration and Naturalization Service / Staff

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