

BILL AIMS AT HELPING KOREANS;

LAWMAKER TARGETS DEPORTATION EFFORTS

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Body

Rep. Mike Honda, D-Campbell, today will introduce a **bill** that could give permanent legal status to 275 Korean immigrants who are facing **deportation** after learning years later that their green cards were authorized by an immigration official in San Jose in exchange for bribes.

Last year, the federal government ruled that the green cards the immigrants obtained from veteran immigration official Leland Dwayne Sustaire were fraudulent.

In 1998, Sustaire confessed to a scheme of taking more than \$500,000 from immigration consultants who were **helping** the **Koreans** obtain permanent legal residency, or green cards.

The fraud dated back to 1986. In 1999, Sustaire was convicted of the crimes in federal court.

In stories published by the Mercury News last year, the Korean immigrants, who came to the United States legally on various visas -- H-1B work visas, student and visitor's visas -- denied they were accomplices in the scheme.

They said they paid the consultants to **help** them complete immigration papers filed with the Immigration and Naturalization Service, now known as the Citizenship and Immigration Services. They denied knowledge of the bribe scheme the consultants had with Sustaire.

"It was our people who caused this. Why should these Korean immigrants be punished for the corrupt actions of a government official?" said Honda by telephone on Thursday. "I think it's an issue of right and wrong, and I don't see how any fair-minded legislator can say this is not a fair action to take."

The **bill** will direct the Department of Homeland Security, the government agency that oversees the CIS and the Immigration and Customs Enforcement, to end **deportation** proceedings against the Korean immigrants and drop its legal challenge of the green cards authorized by Sustaire.

Last year, the ICE began filing **deportation** charges against some of the Korean immigrants. Government lawyers argued the immigrants were willing accomplices and that the green cards they received, although issued officially, were fraudulent.

Alex Park, a San Jose lawyer who represents 95 of the Korean immigrants, praised Honda for introducing the **bill**.

"I feel it's a good solution to resolve this problem so people can go on with their lives," Park said on Thursday. "This is a hope to correct the wrong."

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All of his clients will go to trial on the deportation charges in late spring or early summer next year. Many have established and successful lives in the Bay Area.

If approved, the bill will allow the Korean immigrants facing deportation to seek a different avenue to get permanent legal status. For instance, some of them are married to U.S. citizens who can then petition on their behalf, Park said.

On Thursday, one of the immigrants facing deportation, 27-year-old Jung Kim, said, "My life has been on hold for so long it's getting ridiculous."

Kim, an accountant and a Park client who lives in Passaic County, N.J., was 13 when he and his family immigrated to the United States. His entire family -- parents and a younger sister -- were facing deportation because of the green-card-for-bribe scheme. About a year ago, a 10-year-old application filed on their behalf by an aunt who is a U.S. citizen was approved. But the petition only covered his parents and minor children. His sister was under 21 at the time, but the petition did not include Kim because he's over 21.

In other words, his parents and sister have a solid hope of staying, with or without Honda's bill. But Kim does not.

"I've been hoping for such a long time," he said. "I can only hope for a good outcome." Although the bill specifically targets the Korean immigrants, Honda said he would be open to allowing other immigrants who are unwitting victims of government corruption to seek relief.

The congressman said he has lined up 10 Democratic co-sponsors of the bill.

A number of Bay Area non-profit and religious groups, state legislators and the Santa Clara County Human Rights Commission have been lobbying the federal government to end deportation proceedings against the Korean immigrants.

Sharon Rummery, a San Francisco spokeswoman for ICE and CIS, declined comment on Thursday. Critics of the plan said the bill has little or no chance of passing in a lame-duck session of Congress, as newly elected Republican legislators prepare to take office.

"When you're paying somebody off, a reasonable person would know there's fraud going on," said Ira Mehlman, a spokesman for FAIR, the Federation for American Immigration Reform, a national group that lobbies for stricter immigration reforms.

"If you're willing to circumvent the law, you shouldn't be given a reward and a free pass," he said, adding that passage of the bill is unlikely. "This is not going to be a high priority in the new Congress," he said.

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