



CommuniQUÉ

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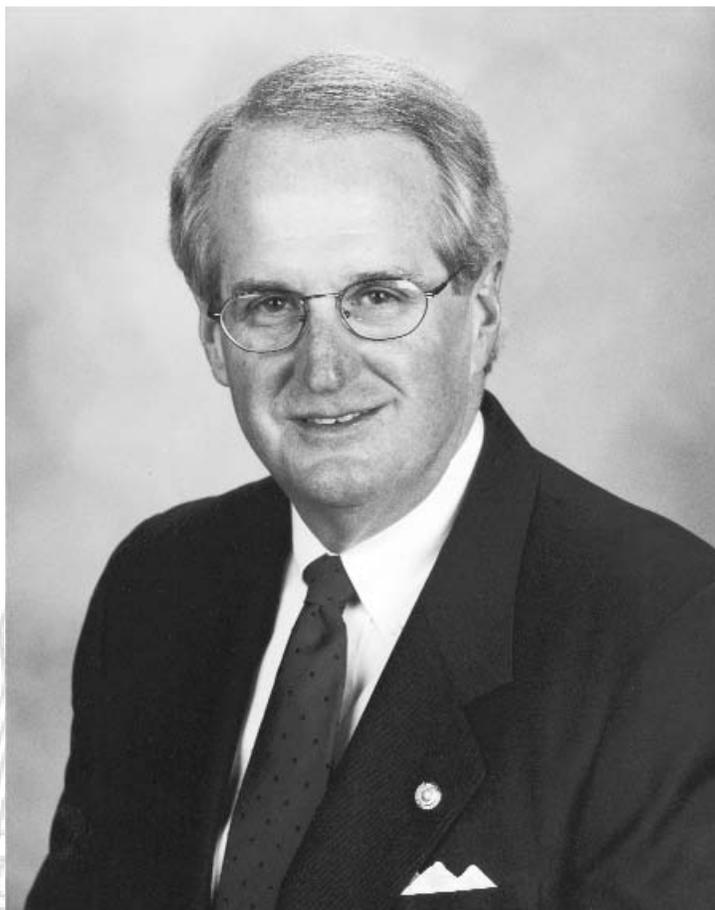
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HEADQUARTERS *News*

In his own words

COMMISSIONER'S MESSAGE TO EMPLOYEES ANNOUNCING HIS DEPARTURE TO PRIVATE LIFE

“*I am most proud to have been able to serve with the men and women of the INS. Few outside of the Service understand, or are willing to acknowledge, the incredible job you do each and every day.*”

—Commissioner Ziglar

LAST year, when President Bush nominated me to serve as Commissioner of the Immigration and Naturalization Service (INS), one of the major goals he gave me was to restructure the INS. Notwithstanding the events of the past year, we have pursued that objective vigorously and, I believe, made substantial progress. It is clear, however, that the events of September 11th and the subsequent announcement of the proposed creation of a Department of Homeland Security have fundamentally changed the context of that objective.

Redesigning border security

Last year's terrorist attacks demonstrated not only that the President was correct in directing an INS restructuring, but that the entire way we address border security needs to be redesigned. In dealing with the reality of international terrorism, the President has proposed the establishment of a Department of Homeland Security. From my experience as INS Commissioner, I clearly understand the need for this department with its promise of unification, synchronization, and coordination of our efforts to protect ourselves from terrorism. I support the creation of the Department of Homeland Security, and I am confident that legislation establishing such a department will be enacted in a format similar to that proposed by the President.

The new department will bring a new prominence and budget priority to 'border security' in its many manifestations. This new prominence will be good both for the nation and for the men and women of the INS who serve as America's guardians of the border. As

I talk to INS employees around the country, I am heartened by how they look forward to becoming part of this new department and undertaking the larger responsibility that it will entail. There is understandable concern about what this change will mean for individual employees and their families, but I believe that there are far more positives than negatives for each of you.

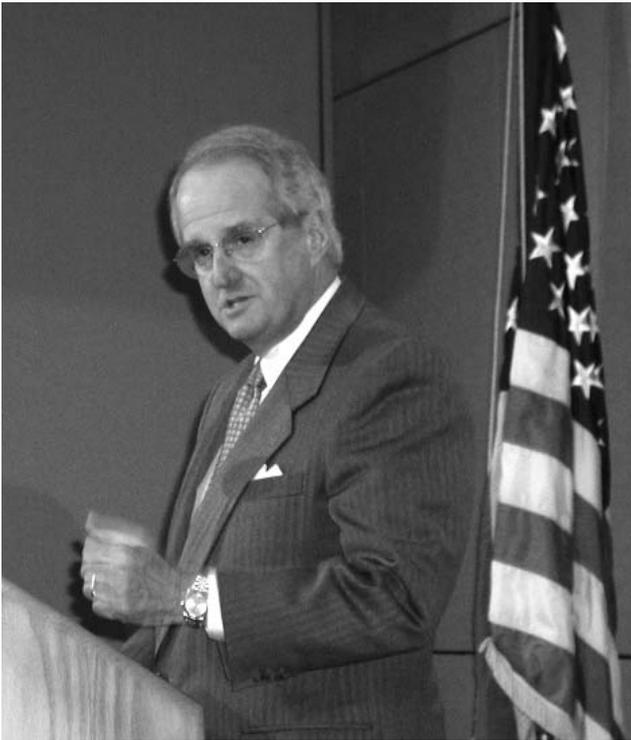
Restructuring will now be achieved through the merger of the INS into the new department, and border security will now receive the priority status it deserves. Knowing these goals will be successfully accomplished as part of a larger and stronger agency, it is an appropriate time for me to return to private life. Last month, I informally advised the President and the Attorney General of my intention to retire from federal service and return to private life. Yesterday, I sent the President a letter formalizing my decision.

Leaving sometime in fall

At the request of the White House, I have not set a specific date for my departure. Assuming that the legislative process continues on its projected schedule, I presently contemplate staying on through the passage of the homeland security bill, and for a reasonable period thereafter to assist with the merger of the INS into the new department. I anticipate that I will be leaving sometime in the fall. However, I have set Dec. 31, 2002, as the outside date for my departure.

I have been blessed to serve our country on various occasions in all three branches of government dating back to 1964. I am particularly thankful for having been given the

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Commissioner James W. Ziglar

opportunity to lead the INS during this critical and historic period, and I am grateful for the trust that the President has reposed in me. I am also grateful for having had a forum to articulate my views on the importance of standing fast for the principles that have made our country great. We must never bow to evil forces that exhibit a single-minded determination to undermine our resolve to protect those principles and thereby cause us to abandon our heritage as a nation of laws and a nation of immigrants.

Touching millions every day

However, above all, I am most proud to have been able to serve with the men and women of the INS. Few outside of the Service understand, or are willing to acknowledge, the incredible job you do each and every day. Each year you touch every one of the over half a billion people who enter this country legally. Each year you remove well in excess of one million people who have attempted to enter illegally, or who have broken our immigration laws. While doing this, you also process immigration petitions for over 8 million non-citizens who want to be a part of this great nation, and the promise it represents to the rest of the world. It truly has been a privilege to be one of you, and I will treasure that experience always.

As the INS enters a new period in its history, I know it will continue to serve the American people with the same dedication it has in the past. When I leave, I will leave with every confidence that America will continue to be well served by the men and women of the INS.

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GOOD NEWS: INSIDE

The INS *Communiqué* is published by INS Headquarters under a contract with *Casals & Associates Inc.* of Alexandria, Va. The publication is committed to informing the employees of the Immigration and Naturalization Service about official and unofficial activities. Readers are encouraged to submit articles, photographs, and letters to the editor. Write to *Communiqué* c/o Casals & Associates / 1199 North Fairfax Street, Third Floor / Alexandria, VA 22314 / attention: INS *Communiqué* Editor. Submissions in electronic format may be sent to << ins@casals.com >>.

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INS NEWS FROM *the Field*

INS BREAKS UP LARGEST KNOWN CHILD-SMUGGLING RING IN HISTORY

INS agents broke up the largest known child-smuggling ring in INS history this summer—a ring preying upon the desire of desperate undocumented migrants to be reunited with their children and subjecting their young human cargo to squalid conditions and perilous journeys.

“This was not some humanitarian operation built on any shred of compassion,” Executive Associate Commissioner for Field Operations Johnny Williams said at an Aug. 12 press conference at Headquarters. “It was a mean-spirited, criminal enterprise driven by greed.”

Squalid conditions

Williams said the ring smuggled hundreds of children, from toddlers to teenagers, into the country from Guatemala, El Salvador, and Honduras at a cost of \$5,000 each. The risky trips took 10 to 30 days, he said, and forced children as young as 18 months to endure squalid conditions, malnourishment, and treks through harsh deserts and desolate mountain passes.

At the press conference, Williams announced the Aug. 9 arrest of three key members of the ring in Houston, Texas. They were identified as Ana Karina Cruz Rivas, Juan Orlando Servellon De Leon, and Andrea Giron.

Their arrests brought to five the number of alleged ring members in U.S. custody. On July 15, INS special agents from Los Angeles, Calif., and Washington, D.C., arrested Berta Campos, an alleged leader of the smuggling operation, in Los Angeles. The fifth defendant is Guillermo Antonio Paniagua, who was arrested on June 13 in Houston, Texas. All are from El Salvador.

“Shining example of cooperation”

“The smuggling of children over hundreds of miles in the hands of unscrupulous smugglers is extremely dangerous and will not be tolerated,” Williams said. “Breaking up this criminal

organization is a credit to the dedication of law enforcement to ending the illegal smuggling of children for profit, and a shining example of the cooperation between the governments of the United States, El Salvador, and Guatemala.”

The smuggling suspects are charged with conspiracy to commit alien smuggling in indictments obtained by the U.S. Attorney’s Office in Washington, D.C., and the Criminal Division of the Department of Justice. If convicted, they face up to 10 years in prison and fines of up to \$250,000. None of them are believed to be legal permanent residents, so they are also subject to deportation after serving any prison terms.

Campos has appeared in the U.S. District Court in Los Angeles and has been ordered to be sent to the District of Columbia to face the charges in the indictment. The three defendants arrested in Houston Aug. 9 will have preliminary proceedings in the U.S. District Court there before ultimately also being sent to Washington, D.C. Paniagua has been presented before Judge Richard J. Leon of the U.S. District Court in Washington, D.C.

Joint international investigation

The investigation included INS officers in El Salvador; Guatemala; Mexico City, Mexico; Washington, D.C.; Houston and Los Angeles as well as law enforcement officers from the Salvadoran National Civil Police (Border Police Investigation Unit), the Guatemalan Migration Office, the Guatemalan National Civil Police, and the Guatemalan Fiscal General’s office (Attorney General’s office).

“This joint international investigation has dismantled an organization that specialized in the smuggling of children into the United States,” said Warren Lewis, director of the INS Washington District Office. “Our efforts today would not have been successful without the partnership and

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SMUGGLER'S USE OF WRONG-WAY DRIVERS TERRORIZE HIGHWAYS NEAR SAN DIEGO

A deadly smuggling method that has already cost several people their lives has been gaining favor with Tijuana-based smuggling operations.

Drug and alien smugglers are speeding into oncoming highway traffic near San Diego, said Chief Patrol Agent William T. Veal of the Border Patrol's San Diego Sector. The wrong-way drivers often cross the border at night with their headlights off to avoid detection by law enforcement.

He said the shocking method is the latest used by organizations that are responsible for literally hundreds of deaths over the last few years.

"With security on the border tighter than ever, the tactics of smuggling rings are becoming more desperate, ruthless, and deadly," Veal said. "With little regard for human life, today's smugglers are leaving people to die in searing desert heat, freeze in mountain passes, drown in rivers and canals, and now crash in vehicles driving at night against oncoming traffic with their lights out."

Newly identified ring

A newly identified smuggling ring employing this tactic was responsible for the June 24 deaths of six people who were killed when a van crammed with 33 illegal border crossers collided head-on with two other vehicles about 45 miles east of San Diego, Veal said. The van's driver had crossed the center median and drove into oncoming traffic with his headlights off to avoid the Border Patrol's remote Interstate 8 checkpoint. The checkpoint is located more than three miles from the crash site.

"Intelligence reveals that this is a large smuggling venture—involving both people and/or drugs—and has been generating a significant amount of dollars," Veal said. "The ring has specially modified vehicles to facilitate driving at night on the wrong side of the road and to avoid detection."

The smugglers' vehicles are equipped with reinforced bumpers and high-powered headlights that are used to blind drivers in oncoming vehicles. The tires are filled with silicon enabling them to drive over the wrong-way tire shredders without sustaining any damage.



A Border Patrol surveillance video shows smugglers enter southbound lanes in Mexico. Then vehicles, such as the one in the far left, speed the wrong way into oncoming traffic.

"The heavy-duty tire shredders installed at the port of entry are ineffective against these modified vehicles," Veal said.

Federal authorities initially did not realize the risks the organization was willing to take, but now believe the smuggling ring has used the modified vehicles and wrong-way driving technique dozens of times within the past year.



Smugglers are filling tires with silicon to enable their vehicles to drive over wrong-way tire shredders without sustaining any damage.

Border Patrol surveillance videos show smugglers entering southbound lanes in Mexico during the week between midnight and 3 a.m. through a large taxi stand a few hundred yards south of the Tijuana border. They then speed north through the port of entry, passing over a row of wrong-way tire shredders, and onto southbound Interstate 5, where they continue at extremely high speeds with their lights off. One video clearly

shows a smuggler's vehicle pushing a southbound car out of the way as it crosses over the border.

"They only turn on their headlights to blind drivers in oncoming vehicles, and they deliberately steer them off the road," Veal explained. "Clearly, putting an end to this potentially deadly practice is a top priority."

Preventive measures taken

In response to these wrong-way driver incidents, the Border Patrol has taken preventive measures to ensure that all motorists and citizens are safe. A team, led by Field Operations Supervisor Joe Perez

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HOBBY PUTS BORDER PATROL MECHANICS ON A TELEVISED COLLISION COURSE

BE careful when you lay down a dare to Tim McTigue, a mechanic with the Border Patrol's Yuma Sector. He is likely to take up the challenge, as his wife, Lorene, can attest.

McTigue's quest for victory in the "Extreme Warriors 2.0" robot-elimination tourney on the TNN television network started with an off-handed comment to Lorene while the two were watching television one night in the spring of 2001. Surveying the line-up of radio-controlled battle robots appearing on the "Robot Wars" show, McTigue said that he could design and build a robot that could go toe-to-toe with these machines.

"Put up or shut up," came the comment from the other side of the bed.

And so the concept of the "NightStalker" robot was born. The metal frame, a body panel shaped like an inverted cooking wok, and the electronic innards would be assembled over the next three months by McTigue and two Border Patrol colleagues.

The NightStalker name was borrowed from a Border Patrol task force. By day, McTigue serviced the task force's vehicles, among others. By night, he, Eric Davies, and Jack Northcutt designed and built a rugged mobile combat robot.

Robot warfare is a demolition derby in which small vehicles sporting such armament as whirling metal-slicing blades, hydraulic-powered punch bolts, and flame-throwers do battle in an enclosed arena. The robots are remotely guided by human operators who work the controls from behind a half-inch-thick plastic safety screen.

It is a sport that appeals equally to bored engineering students and weekend workshop enthusiasts who have run short of fix-up projects around the house. And it is gaining fans worldwide as TNN's "Robot Wars," Comedy Central's "BattleBots," and the Learning Channel's "Robotica" stage knock-out bouts that resemble mechanized versions of televised wrestling.

The Border Patrol trio brought an ideal combination of skills to the game. Davies, who recently transferred to the Grand Forks Sector on the Northern border, services radio gear and sensing equipment and took charge of developing the NightStalker's electronic controls. Northcutt, who customizes metal fabrications for the Yuma

Sector, worked on the chasis and body shell. McTigue, with three decades of automotive repair experience, adapted the NightStalker's various motors and also reached into his wallet to cover the \$3,000 cost of parts. The NightStalker, he said repeatedly, cost "not one penny of government money."

Key to the NightStalker's defense and the largest contributor to its 220-pound weight was its inverted-wok body armor. Its primary offensive weapon was a pair of blades designed to spin at 1,000 revolutions per minute and rip into other robots. McTigue described the formidable fighting machine as "a mobile, four-and-a-half-foot wide circular saw with a really bad attitude."

Months in the making, the team's dream of victory ended just two minutes into its first bout, amid a cacophony of sound and the smell of smoldering electronic gear on the floor of Robot War's television studio in London, England. We turn to McTigue for a play-by-play account:

"Even before the NightStalker's whirling blades got up to full speed, we lost all radio control, and it was set upon by the other robots. They pushed the NightStalker into the grips of 'Sir Killalot,' who fiendishly sliced, diced, and then roasted our powerless 'bot over a six-foot flame. He then tossed the carcass out of the arena."

After a 24-hour repair job, the NightStalker returned for a consolation bout that went only slightly better. After holding its own for the first three minutes, the robot lost its removable link, a mandatory safety cut-off switch that prevents a robot from setting off on its own uncontrolled path of destruction. The opponent pushed the disabled NightStalker into the center of the arena where it met up with a course hazard: a washing machine dropped from the studio ceiling.

What amounted to a "lights-out" call for the NightStalker failed to dim McTigue's fascination with robot combat. He joined another three-member team that entered three robots in a Tempe, Ariz., competition in September and walked away with first-, second- and eighth-place finishes.

Combat robots still figure prominently in McTigue's leisure-time pursuits, which include doing genealogical research, earning a pilot's license, and stoking a locomotive engine for the Yuma Valley Railroad. He would like to share some of these pastimes with his and Lorene's three daughters and five—and counting—grandchildren.

Robot combat, he said hopefully, "is a family sport."



Jack Northcutt and Tim McTigue stand by the green-eyed NightStalker, a veteran of televised robot wars.

BORDER PATROL AGENTS WELCOME NON-LETHAL PEPPERBALL LAUNCHER

A “pop, pop” sound follows the firing of non-lethal pellets from the air-powered pepperball launcher. As the powder-filled pellets disintegrate upon impact, the white powder clouds into the air. It begins to irritate the eyes, nose, and mouth of the persons throwing rocks at Border Patrol Agents attempting to deter the illegal entry of several suspected undocumented migrants. The assailants retreat into Mexico, and the agents safely take the remaining undeterred illegal entrants into custody.

Discourages rock throwing

“The Border Patrol hopes that the use of the pepperball launcher system will discourage attacks on agents and migrants by bandits and smugglers,” said Tucson Sector Chief Patrol Agent David V. Aguilar.

“These devices are yet another tool our agents will be able to use to address potentially dangerous situations safely, such as rock-throwing assaults,” he continued. “The implementation of this device further underscores the scope of our ongoing commitment to border safety and security—for border area residents and agents alike.”

The Tucson Border Patrol began distributing the first of 45 pepperball launchers to its agents in the field in August. The launchers also have been introduced recently in the El Centro and the Yuma sectors after being tested earlier this year in the San Diego Sector.

Resemble paintball guns

The launchers, made by Jaycor Tactical Systems of San Diego, Calif., are designed like paintball guns and use compressed air to fire plastic pellets about

the size of a gumball containing Oleoresin Capsicum, a powdered, pepper-like chemical. The launchers have a hopper for the pellets on top of the barrel with an air bottle attached on the end, becoming the stock.

Provides non-lethal option

“The Border Patrol is committed to providing agents with an array of non-lethal options to defuse violent situations. All Border Patrol Agents are equipped with collapsible steel batons and pepper spray, but those devices are only effective at

relatively close range,”

Aguilar said. “The primary advantage of the pepperball pellets is that they can be used both at close range and at distances up to 100 feet.”

Agents can fire the initial shots into the ground near the attackers, with the chemical mushrooming up around them. If they continue to approach or attack, the upper torso is targeted, where the pepper-like chemical will be closer to their face, increasing its potency.

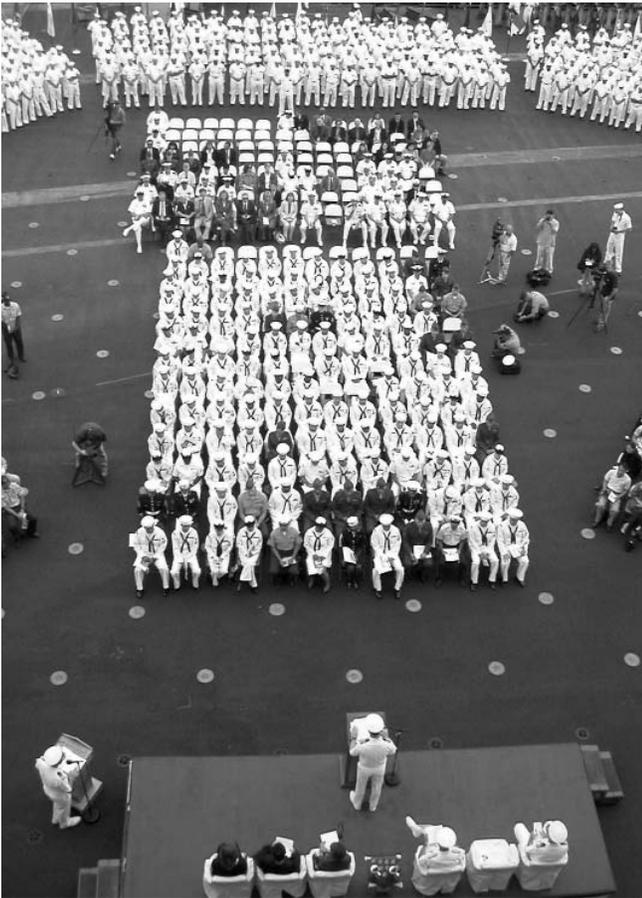
“People shot with a pepperball will receive a welt on impact but will not be seriously injured,” Aguilar said. “Only when the pepperball fails to stop an aggressor or eliminate the threat will an agent be required to resort to escalated use of force.”

All of the agents carrying the new device receive special training leading to certification prior to deployment to the field.

Supervisory Border Patrol Agent Clint Stoddard, Special Response Team Commander, said while the pepperball launchers may not be able to diffuse every dangerous situation, he believes the proper deployment of this system will discourage some types of situations from even starting.



Consulate General Ruben Beltran attends a pepperball demonstration for Mexican Consular officials on Aug. 27 in the Tucson Sector.



U.S. military personnel in dress uniforms about to take the Oath of Allegiance.

“ Our fine servicemen and women are fighting and winning the war on terror. They deserve the gratitude of all people who cherish freedom.”

—President Bush



Contract Applications Clerk Maime Schemenauer (left), District Adjudications Officer Robert McCowen (second from left), and other INS employees hand out naturalization certificates.

AIRCRAFT-CARRIER DECK FITTING SITE FOR ALL-MILITARY NATURALIZATION CEREMONY

By Marie Sebrechts

IT wasn't just a patriotic ceremony with 146 U.S. military personnel seated in crisp dress uniforms on the deck of a flagship aircraft carrier. It wasn't just an inspiring naturalization ceremony where new citizens promised to give their "lives, fortunes, and sacred honor to support the Constitution and laws of this republic."

Although it was both of those things, it was something else as well.

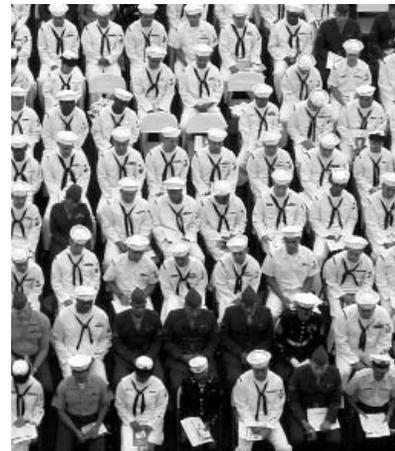
The colorful ceremony was the first all-military naturalization for the seaside military community of San Diego. With the sun shining brightly over the harbor and a host of patriot songs filling the air, men and women in uniform from 31 countries took the Oath of Allegiance to their adopted country on Aug. 20.

The keynote speaker at the historic ceremony, Rear Admiral José Betancourt, commander of the U.S. Navy's Southwest Region, is a naturalized citizen himself, the son of migrant workers.

"Like you," he told the men and women from the U.S. Navy, Marine Corps, and Coast Guard, "I had the opportunity many years ago to take the same oath.... So, I believe I have a special appreciation for the meaning of this day to each of you."

San Diego District Director Adele Fasano noted how fitting it was to mark the occasion aboard the San Diego-based aircraft carrier, USS Constellation, which is considered sovereign territory wherever it travels.

"'Connie' was commissioned under the motto 'Spirit of the Old, Pride of the New.' How appropriate, as this also describes each of you and your journey to



U.S. Navy, Marine Corps, and Coast Guard personnel take part.



District Adjudications Officer Donald Hasson (right) congratulates Rudyard De Matias Cillo of the Naval Dental Center.



U.S. military personnel from 31 countries.

citizenship," she said. "In the aftermath of Sept. 11, we find ourselves a country of renewed spirit—spirit to strengthen our national unity and maintain the privileges and promises of liberty."

She noted that for almost 200 years, a ship bearing the name "Constellation" has traveled the world's oceans representing America's interests, and, in the same way, for 200 years, immigrants from all corners of the world have come to these shores to build this country.

The new citizens are part of an often unnoticed group of U.S. military personnel who are prepared to fight for this country, perhaps die for this country, even though they are not U.S. citizens. According to the Defense Department, some 31,000 foreign nationals are enlisted in the U.S. military.

Some of the new citizens participating in the San Diego ceremony were aided by special immigration law provisions allowing U.S. military personnel to apply for citizenship after living in the United States legally for three years, rather than the standard five years.

More of their foreign national compatriots are likely to follow suit in the coming months due to President Bush's July 3 executive order speeding up citizenship proceedings for non-citizens who have been serving in the U.S. military since the Sept. 11 attacks. The order allows them to apply for naturalization immediately rather than serve in the U.S. military for three years before becoming eligible under current immigration law.

"Our fine servicemen and women are fighting and winning the war on terror," Bush said when he signed the executive order. "They deserve the gratitude of all people who cherish freedom."

At the San Diego ceremony, Western Regional Director Carolyn Muzyka agreed: "Welcoming new citizens is one of the most important things we do as a nation—for all people—but it is a particular privilege to welcome those who serve our nation and put their lives on the line to protect the ideals and principles of freedom."



1 countries receive a warm welcome as they become U.S. citizens on the deck of the USS Constellation.

NEW CITIZENS APPLAUD UNINTIMIDATING PROCESS

By Sharon Rummery

FOR the Sacramento sub-office of the San Francisco District, this summer's outreach started with a few bashful naturalization applicants in a church's gym and ended with 50 new citizens giving a standing ovation to Officer-in-Charge Sue Curda.

The Sacramento Valley Organizing Community (SVOC) had approached Curda a few months before the late-July start of the outreach effort, talking about their initiative to prepare people for naturalization. It fit right in with Curda's plans.

"We were looking for opportunities to work with our community-based organizations," Curda explains.

To do this in an unthreatening setting, Curda took five of her adjudications officers to a nearby Catholic church, Our Lady of Guadalupe. Each applicant who walked into the church's gym found members of the SVOC, the same people who had carefully coached them to pass the interviews, waiting to sign them in and, with much encouragement, to usher them into an inner room where the INS officers waited. Each successful applicant emerged from the interview room to hugs and applause. The few who were unsuccessful received immediate counseling, consolation, and support.

On the last Friday and Saturday of July, the officers interviewed applicants at Our Lady. The applicants waited together in the gym, nervously munching doughnuts and sipping soda pop and coffee, courtesy of SVOC. In all, 55 were successful, and just seven failed the interview. When it was all over, the volunteers gathered in the doorway of the interview room and warmly applauded the officers.

One week later, on Aug. 2, in the hall of another Sacramento church, the Cathedral of the Blessed Sacrament, the 55 gathered with their families and friends, again surrounded by the SVOC faithful, for a joyous oath ceremony.

"Those of you who will take the oath today have studied together, you've laughed and worried together, you've supported each other throughout this



Officer-in-Charge Sue Curda addresses the new citizens.

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INS NEWS *of Note*

SEPT. 11 CHOSEN AS STARTING DATE FOR NEW RULE ON ENTRY OF INTERNATIONAL VISITORS

THE Justice Department has chosen Sept. 11 as the starting date for a new rule requiring tens of thousands of international visitors to be fingerprinted and photographed at the border, Attorney General John Ashcroft announced Aug. 12.

pilot program will require the same individuals to periodically confirm where they are living and what they are doing in the United States as well as to confirm their exit from the country.

Violators placed in NCIC

International visitors who violate these rules, along with other alien absconders, will have their photographs, fingerprints, and information placed in the National Crime Information Center (NCIC) system. The nation's 650,000 police officers check this system regularly in the course of traffic stops and routine encounters.

During a test project using the same fingerprint technology to identify wanted criminals attempting to re-enter the United States, the results were extremely positive. The INS has received an average of more than 70 fingerprint "hits" a week, resulting in the arrest of more than 2,000 wanted felons from January through July 2002.

INS thanked for diligence

"It will provide a vital line of defense in the war against terrorism," Ashcroft said. "I thank the INS for their diligent work in getting this critical system up and running in such a short period of time."

The system goes in effect at selected U.S. ports of entry Sept. 11. After an initial 20-day period for testing and evaluating the system, all remaining ports of entry—including land, air, and sea—will begin the pilot program's implementation on Oct. 1.

The Attorney General announced the proposed regulations governing the pilot program on June 6. The final rule, published on Aug. 12, updated existing regulations—which were not always enforced—allowing the registration and fingerprinting of any illegal immigrant older than 14 years who is in this country for more than 30 days as well as requiring rigorous registration and fingerprinting for nationals of Iraq, Iran, Sudan, and Libya.

"The vulnerabilities of our immigration system became starkly clear on September 11th. This system will expand substantially America's scrutiny of those international visitors who may present an elevated national security risk."

—Attorney General Ashcroft

"The vulnerabilities of our immigration system became starkly clear on September 11th," Ashcroft said. "This system will expand substantially America's scrutiny of those international visitors who may present an elevated national security risk."

Aimed at responding to a Congressionally mandated goal of developing a system that tracks virtually all of the 35 million annual visitors to the United States by 2005, the rules call for a pilot program focusing on individuals who pose potential national security risks.

Under the pilot program, the fingerprints of a small percentage of entering international visitors will be matched against a database of

known criminals and a database of known terrorists. These visitors will be selected according to intelligence criteria reflecting patterns of terrorist organizations' activities.

In addition to requiring the fingerprinting of higher-risk visiting aliens at the port of entry, the

IMMIGRATION FRAUD SCHEME SHUT DOWN AFTER YEAR-LONG FEDERAL INVESTIGATION

A massive immigration fraud scheme that allowed as many as 2,700 illegal immigrants to obtain permission to work in the United States was shut down recently after a year-long investigation by the departments of Justice, Labor, and State; INS; and IRS.

Samuel G. Kooritzky, 63, of Vienna, Va., and Ronald W. Bogardus, 65, of Arlington, Va., were charged July 24 with immigration fraud, accused of forging the names of local employers on behalf of immigrants seeking green cards, said Paul J. McNulty, U.S. attorney for the Eastern District of Virginia.

“This case represents an on-going effort by the Department of Justice to expose and stop fraud against the government,” he said. “Messrs. Kooritzky and Bogardus are alleged to have misused their positions of trust to perpetrate a fraud not only against the government, but against those individuals seeking employment within our nation’s borders.”

Kooritzky, an attorney, and Bogardus, an engineer with the Department of State, allegedly filed between 1,425 and 2,700 fake applications for alien employment certification with the Department of Labor, charging clients at least \$8,000 per

application, according to a 60-page affidavit filed in federal court in Alexandria.

The documents would certify that an employer needed a foreign worker for a job because no U.S. citizens were available, even though the businesses and their managers were unaware they were being used as “sponsors.” Kooritzky and Bogardus forged managers’ signatures to make it appear that the applications were real, the affidavit said, and placed employment ads in a local newspaper, submitting them as evidence that they had tried to hire local workers.

INS USES COMMISSION OF GENOCIDE FOR FIRST TIME AS REASON TO DENY ENTRY

THE commission of genocide has been used by the INS, for the first time, as a reason to deny a foreign national admission into the United States.

“Those who commit acts of genocide have no place in the United States, and the INS will use every tool at its disposal to deny their entry into this country,” said Commissioner James W. Ziglar. “The INS will continue to ensure that the U.S. does

not become a safe haven for human rights abusers and persecutors.”

The charge, brought in Immigration Court in Bloomington, Minn., on Aug. 15, was lodged against Enos Iragaba Kagaba of Rwanda. Kagaba was previously charged with fraud and entering the United States without a valid entry document.

Kagaba attempted to enter the United States and was arrested on Dec. 14, 2001, at the Minneapolis/St. Paul International

Airport. Shortly after his arrest, the INS district office in Bloomington, Minn., initiated an investigation to determine whether there was evidence that Kagaba engaged in genocide. INS special agents conducted an in-depth investigation domestically and abroad.

Genocide is a legal ground to deny an application for admission into the United States. The INS has brought the charge in civil removal proceedings. Kagaba has been in INS custody since his arrest.

WRONG WAY

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of the Chula Vista Station, has worked long hours to install new tire shredders at the San Ysidro Port of Entry.

“We don’t want to see anyone get hurt,” Perez said. “This is a multi-agency effort to stop these wrong-way drivers before they endanger anyone else.”

But the efforts to stop this deadly trend don’t end there. Additional pro-active measures are being discussed.

“We’ve developed a system whereby we identify these vehicles when they are still well inside of Mexico,” Veal said. “We are hopeful that our Mexican counterpart agencies will intercept these vehicles before they have the opportunity to enter the United States.”

The increased support of all law enforcement agencies, including the San Diego Police Department, Chula Vista Police Department, California Highway

Patrol, U.S. Customs, Mexico City INS District Office, and the San Diego Sector Border Patrol, is helping ensure area highways remain safe.

“We place great value on human life,” said Deputy Chief Patrol Agent Paul Blocker Jr. of the San Diego Sector. “It’s a top priority for all law enforcement agencies to keep these smugglers off of our nation’s freeways before they harm anyone else.”

IMPERSONATION OF INS AGENT NEAR DENVER ILLUSTRATES UNUSUAL BUT WORRISOME PROBLEM

POLICE in a Denver suburb were called on the night of June 12 to assist a man who said he was an INS contractor and was apprehending a resident at a local apartment building. Four police officers responded to the call, and assured by the credentials the man presented, stood by as he searched the premises.

Only later did the police realize that they were the victims of a clever impersonator. The man who they had helped was himself a parolee on state criminal charges.

Suspect arrested Aug. 2

Denver District investigators arrested the 39-year old native of Iran on Aug. 2 on charges that he impersonated a contract agent of the INS and claimed the authority to arrest illegal aliens. He was also charged with the illegal possession of a firearm by a felon. A check of the man's criminal record showed five previous convictions in California and Colorado on felony drug, theft, and burglary charges. The defendant remains in a county jail in Denver with an INS detainer pending state charges.

The case illustrates an unusual, but worrisome, problem confronting INS investigators. Impersonating an INS official, in either the enforcement or services branches, is a federal crime. Cases in which persons falsely claim to be INS employees who can assist aliens, for a fee, in obtaining immigration benefits turn up regularly at some INS district offices. However, impersonation of INS enforcement officers is believed to occur infrequently.

Impersonations can leave lasting damage

However few in number, such impersonations of enforcement officers can leave lasting damage, both to the expectations of aliens that they will receive fair treatment from INS officials and to the agency's public image among other law enforcement agencies.

"Our reputation as a professional law enforcement agency is critical to our work in this district," said Denver Assistant District Director for Investigations Scott Weber. "We have in the past and will continue to reach out to the community and to local law enforcement to ensure that reputation remains intact."

Since the incident, the Denver District has incorporated new instructions in how to detect fraudulent federal credentials in a class it regularly offers law enforcement officers.

The Denver District also cautioned police in Colorado that the INS does not use contract agents to conduct such enforcement actions and it provided a 24-hour contact number that law enforcement agencies can use to speak directly with an INS agent.

INS investigations did not uncover a motivation for the defendant who stands accused of impersonation. The June 12 incident began at a Denver restaurant where the defendant allegedly confronted a restaurant employee, who was described as a legal permanent U.S. resident born in Iran. According to affidavits filed with the U.S. District Court in Denver, the defendant reportedly said that he had come from Washington, D.C., to arrest the restaurant worker.

Defendant brandished a handgun

The restaurant worker was handcuffed and the two men drove to an apartment outside the city to review the worker's documents. In the apartment building's parking lot, a family member of the resident confronted the defendant. The defendant allegedly brandished a phony handgun and threatened to shoot the family member. After the family member called 911 to report the incident, the defendant did the same and told a dispatcher that he was a contract INS agent and asked for police backup.

The defendant presented police with a badge that was hanging from his neck and an identification card describing him as a "U.S.

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NATURALIZATION

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naturalization process like a family,” said Curda as she kicked off the ceremony. “It’s only fitting, therefore, that today all of you become part of a larger family, that of citizens of the United States of America.”

Further into the ceremony, Curda administratively naturalized the prospective new citizens. *Sacramento Bee* Journalist Edgar Sanchez, the keynote speaker, told of his own emigration from El Salvador, and the joy he felt when he got his citizenship.

Filmmakers Shari Robertson and Michael Camerini attended both events, as part of a documentary project on democracy.



A new citizen joyful wraps herself in the American flag.

“This is one of the most inspiring things—we’re really happy the Service included us,” said Robertson.

The Sacramento Valley Organizing Community does its work through 38 churches in Sacramento, Solano and Yolo Counties, all part of California’s Central Valley area.



INS officers interviewed the naturalization applicants in the less intimidating atmosphere of a church gym.

“It was a great experience working with INS,” said Carmen Mirazzo of SVOC. “I found working with the INS relaxing—you worked really well with us. Other volunteers also thought it was very positive and enjoyed every minute. They’re asking when we’ll do it again, because they have relatives and friends who’d like to be naturalized this way.”

When the ceremony ended, everyone stood to applaud Curda, grateful for the atmosphere of partnership and friendship that made their naturalization day something special.

IMPERSONATION

Continued from page 12

Judgement Enforcement agent.” A Denver newspaper reported that the defendant, according to his parole officer, operated a Colorado Springs business called U.S. Judgement Enforcement that conducted background checks for financial institutions.

The defendant, however, told police that the INS had contracted with him to track down illegal aliens wanted on warrants. After looking over the resident’s documents, the defendant pronounced them genuine and freed the man.

Following his arrest, the defendant was initially held without bail on the federal charges. A few weeks later, the defendant was charged with kidnapping in state court. Federal charges were dismissed in favor of the state violations, which carry a harsher sentence upon conviction.

GETTING ARTICLES IN COMMUNIQUÉ

Communiqué is always looking for interesting articles about INS activities and employees and encourages employees—who are most familiar with their district, sector, or office’s operations and people—to submit both news and feature articles. The editors are open to many different ways of generating coverage.

“Some people write fact sheets or first-person narratives that we rewrite into stories and then return for approval before publication,” Editor Monica Jerbi said. “Other people prefer to be interviewed and have us write the entire article. Still others like to write the whole article themselves and get a by-line.”

For more information or to get an article and photo(s) published in *Communiqué*, please call (703) 920-1234; send an e-mail to ins@casals.com; or write *Communiqué*, 1199 North Fairfax Street, Third Floor, Alexandria, Virginia 22314.

HEADQUARTERS *News*

INS IMMIGRATION INSPECTORS, BORDER PATROL AGENTS GET RAISE

IMMIGRATION inspectors and Border Patrol agents recently received a pay grade increase thanks to a supplemental spending bill signed by President Bush in August.

"I am pleased to be able to report this victory. I know that this has been a long struggle for those of you who have contributed much good work over the years," Commissioner James W. Ziglar said. "This upgrade is fair and equitable, and ensures that our officers and agents are on par with other law enforcement officers on the front line of our homeland defense."

The change—effective Aug. 11—affects agents and inspectors who have successfully completed

their year-long probation period after being hired. The pay of these journeyman agents will reflect a GS-11 level instead of a GS-9, increasing it from \$38,675 to \$45,285 annually. In higher-cost areas, such as San Diego, Calif., the change will result in a pay raise from \$40,120 to \$46,978.

Some 1,800 inspectors and 3,150 Border Patrol agents received the raise—seen not only as a good recruiting incentive, but also crucial to the agency's efforts to retain those already in the field.

"The Immigration and Naturalization Service has no greater asset than its employees," Ziglar said, "and I have consistently strived to improve job opportunities for members of the INS workforce."

Record 1 million gained residency

THE number of immigrants becoming legal U.S. residents in a single year broke the million mark for the first time in Fiscal Year

(FY) 2001, a record the INS largely attributes to reductions in application backlogs.

"Last year the President declared his goal was to reduce the processing times to six months by 2004, and this just shows we're on track to do that," INS spokesman Bill Strassberger said.

A total of 1,064,318 persons legally immigrated to the United States between October 2000 and September 2001. That number rose from 849,807 recorded the year before.

The increase reflects faster INS processing of applications to adjust immigrants' status to permanent resident—up 48 percent between FY 2000 and 2001 from 442,405 to 653,259. Nationally, such applications take an average of 11 months, down from 30 months at the beginning of 2000.

Sixty-one percent, or 653,259, of the new permanent residents already were living in the United States as temporary employees, refugees, students or under asylum and simply adjusted their status. The rest of the new residents—411,059—

entered the country on a visa. That is an increase from fiscal year 2000, when 407,402 new arrivals became legal permanent residents.

Other highlights of the FY 2001 immigration figures include the following:

- The major categories of immigrants were immediate relatives of U.S. citizens (443,964), family preferences (232,143), employment preferences (179,195), refugee/asylee adjustments (108,506), and diversity program (42,015).
- Sixty-five percent of legal immigrants settled in the following six states: California (282,957), New York (114,116), Florida (104,715), Texas (86,315), New Jersey (59,920), and Illinois (48,296).
- Five countries accounted for 40 percent of immigrants: Mexico (206,426), India (70,290), The People's Republic of China (56,426), Philippines (53,154), and Vietnam (35,531).

Unlike the U.S. Census reports on the foreign-born population, INS' immigration counts refer only to the number of persons granted legal permanent resident status in the United States during a one-year period. These numbers are not a population count and do not include all foreign-born persons.

NEW POLICY ENABLES PART-TIME CANADIAN, MEXICAN STUDENTS TO ATTEND U.S. CLASSES

MEXICAN and Canadian students can commute to attend classes part-time at U.S. colleges and universities near the U.S. border, Commissioner James W. Ziglar announced Aug. 24.

“The purpose of this rule is to acknowledge the special relationship between the United States and its neighbors and to legitimize such study by border commuter students, while placing it within a regulated, controlled process,” he said.

Previously, immigration law prohibited international visitors from attending school part-time as commuters. Nevertheless, it had become commonplace for students from Mexico and Canada to enter as visitors on a daily basis until post-Sept. 11 security concerns tightened enforcement of existing laws.

“This new rule will prevent the significant disruption of part-time studies, which have become an accepted fact of life along our borders with Mexico and Canada,” Ziglar said.

The new rule enables Mexican or Canadian nationals who regularly commute across a land border to study to do so on a part-time basis within the F-1 or M-1 nonimmigrant visa category. To qualify, they must attend an INS-approved school located no more than 75 miles from the border and obtain the appropriate Certificate of Eligibility for Nonimmigrant Student Status (Form I-20), and obtain the appropriate visa, unless exempt.

“Clarifying the legal manner in which part-time students enter the U.S. will benefit not only the students, but American schools in the border communities,” said Attorney General John

Ashcroft. “This new rule will prevent the significant disruption of the part-time study that has become an accepted fact of life along our borders with Mexico and Canada.”

To enable commuter students to study in the United States while obtaining the new documentation, the INS instructed immigration officers to parole Canadian and Mexican nationals who have already enrolled in U.S. schools until Dec. 31. This will also benefit commuter students who wish to commence part-time study at a border school once they have obtained the necessary documentation.

By January, the INS will have in place an Internet-based reporting system known as the Student and Exchange Visitor Information System (SEVIS). Under the system’s regulations, schools will have 24 hours to notify the INS if a student fails to take the required course load or drops out, fails to show up, or is disciplined for criminal behavior. Part-time commuter students will be included in the new system.

President Bush expressed his support for the new rule during an Aug. 23 speech in Santa Ana, Calif.

“I know it’s an important part of life for many students in our border communities in Mexico and Canada to attend school here in the United States,” the President said. “We shouldn’t try to restrict people. It’s good for our colleges, and it’s good for the Mexican citizens and the Canadian citizens. And so we’re going to expand eligibility for student visas, to ensure that part-time commuter students can continue to study here in America.”

CHILD SMUGGLERS

Continued from page 4

assistance from our foreign law enforcement counterparts.”

Guatemalan authorities intercepted seven buses on April 5, resulting in the rescue of 53 children ranging in age from 2 years to 17 years, and the arrest of 12 smugglers. Special agents from INS offices in Mexico City; El Salvador; Los Angeles; and Washington, D.C., worked with law enforcement officers in El Salvador and Guatemala to investigate the smuggling ring after learning that children were being transported from El Salvador to the United States.

Roscoe C. Howard Jr., the U.S. Attorney for the District of Columbia, said the cooperative effort

should serve as a reminder to those who engage in alien smuggling that they do so at their own peril.

Vigilance to continue

“We will continue to be vigilant in our ongoing efforts to stop this exploitive, dangerous, and unlawful business,” he said. “Working together with our law enforcement partners at INS, and with the assistance of its counterparts abroad, we will make every effort to secure our borders by investigating and prosecuting those who violate our immigration laws and at the same time exploit the vulnerable.”

GOOD NEWS INSide

\$15.6 MILLION IN NARCOTICS SEIZED

McAllen Sector Boarder Patrol Agents seized \$15.6 million in cocaine, heroin, marijuana, and methamphetamines Aug. 25 from a truck driven by a Mexican national south of Falfurrias, Texas. While the



Some of the \$15.6 million in narcotics McAllen Sector Border Patrol agents seized Aug. 25.

agent on primary duty questioned him as to his immigration status, another agent with a canine conducted a free air inspection of the vehicle. The canine alerted to the rear of the vehicle, and inspection revealed it contained cardboard boxes of what appeared to be detergent. Closer inspection revealed 135 bundles of cocaine, 32 bundles of heroin, 50 bundles of marijuana, and seven bundles of methamphetamines.

CHICAGO ARRESTS 24 SERIOUS CRIMINALS

On Aug. 21 agents of the Chicago District arrested 24 foreign nationals with serious criminal convictions that make them deportable from the United States. The INS routinely monitors the conviction databases of area law enforcement agencies to identify deportable foreign-born criminals.

Since the inception of the district's Sex Offender Task Force in 1998, the INS in Chicago has arrested and deported 463 registered, foreign-born sex offenders. The district also has deported 1,273 foreign-born criminals since the beginning of the fiscal year in October 2001. The number of criminals deported has continued to rise each year, and the latest figure represents a 700 percent increase from the number of criminals removed by the Chicago District in 1996.

"One of our main goals at INS is to apprehend criminal aliens who have no right to be in this country and who are committing crimes against the innocent people of the United States," District Director **Brian R. Perryman** said.

AGENTS LOCATE MISSING ALZHEIMER'S PATIENT

Members of the El Centro Border Patrol Sector Search, Trauma, and Rescue (BORSTAR) Team located an Alzheimer's patient who wandered away from his home Aug. 1. Upon the request of the Imperial County Sheriff's Office, the agents located his tracks and rescued him in brushy terrain about a quarter of a mile from his home. He was suffering from heat stroke, and the specially trained BORSTAR agents provided him with emergency medical care until the arrival of paramedics. The El Centro Sector BORSTAR team has rescued some 200 people since the beginning of the fiscal year.

2 HONORED AS 'FLEET MANAGER OF THE YEAR'

Two fleet managers of the year awards were given out at an INS fleet conference in Kansas in July. **Stan Henderson**, Del Rio Sector, was honored in the large fleet (more than 500) category and **Tim Stevens** from Boston, Mass., was the recipient of the small fleet honor.

AGENT WINS MEDALS IN 6 DIFFERENT EVENTS

Temecula Border Patrol Agent **Diana Hill** received six medals in the recent 27th Annual Nevada Police and Fire Games in the 100, 200, and 400 meters; 10K; and 1 X 100 and 1 X 400 relay races. Receiving bronze medals were Agents **Rene Gonzalez** and **Rick Barnes** in bass fishing (big fish category) and Agents **Fred Vetter**, **Jerry Bobo**, and **Reid Zachary** in team golf.



Agent Diana Hill posing with her six medals.

3 HONORED FOR OUTSTANDING WORK

Miami Sector Border Patrol Anti-Smuggling Unit Special Agents **Juanita Santana** and **Jeffrey Shields** received "Outstanding Law Enforcement Officers" awards from the Southern District of Florida U.S. Attorney's Office on July 23 for their roles in three very successful alien smuggling cases earlier this year resulting in convictions. Also honored for "Outstanding Law Enforcement Leadership" was Miami Sector Chief Patrol Agent **Lynne M. Underdown**.



Agent Walter Davenport competing in the California Police and Fire Games 2002.

DAVENPORT WINS 4 MOTOCROSS MEDALS

Supervisory Border Patrol Agent **Walter Davenport** won four medals (one gold, one silver, and two bronze) in various motocross/European scramble events at the California Police and Fire Games 2002 held recently in Santa Ana, Calif., earlier this year.

73 RESCUED AMIDST ROTTING WATERMELONS

Agents of the Kingsville Border Patrol Station discovered 73 undocumented migrants Aug. 5 hidden in a load of rotting watermelons in a refrigerated trailer attached to a Freightliner rig. The driver had been referred to a secondary inspection lane after a canine alerted positively to the vehicle. None of the migrants required medical attention, and the agents, concerned with their welfare, offered fresh water and food.

AGENTS DISCOVER MARIJUANA FIELD

Border Patrol agents from the Campo Border Patrol Station's "Hauser Canyon Unit" recently discovered a field of 1,823 young marijuana plants with an estimated street value of more than \$546,000. The agents discovered the field hidden in Cuyamaca State Park while following a tip from California State Parks Department officers concerning a campsite of suspected undocumented migrants. The agents and the San Diego Narcotics Task Force conducted a pre-dawn raid of the sight on Aug. 17 and eradicated all the plants. No arrests were made at the time of the raid, and officials are investigating several leads.

To get a blurb and photo published in *Communiq e's* "INSide" column, e-mail it to ins@casals.com or mail it to *Communiq e*, 1199 North Fairfax Street, Third Floor, Alexandria, Virginia 22314.