

## **OPERATION CROSSROADS INTERNATIONAL**















National Records Center



d's Milestones



"HITS A HOMERUN"

from the media following a news conference at Headquarters.

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The largest operation yet targeting alien smugglers in the Western Hemisphere intercepts more than 7,800 intending migrants and arrests 75 alleged smugglers.

In another enforcement action, Houston and San Antonio Districts join forces on a oneyear undercover operation against alien smuggling that leads to 21 arrests.

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### A Records Management reminder for any wall in the office

Prize-winning posters help to explain the mission of Records Management.





## Asian Pacific Heritage Month at INS

Two views of the Asian American experience are aired during events in Chicago and at Headquarters honoring Asian Pacific American Heritage month. One recalls a sad chapter in U.S. history and the other testifies to the hope and optimism that immigrants bring to America.

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## A chapter in the fight for Constitutional rights spotlighted at Chicago's Asian Pacific events

By John McArtor

The Chicago District Office commemorated Asian Pacific Heritage month with back-to-back observances that presented a first-hand account of the injustices suffered by persons of Japanese ancestry during World War II.



Gordon Hirabayashi

Gordon Hirabayashi, who in 1942 challenged a curfew

imposed on persons of Japanese descent, was the keynote speaker for a program on June 4 at Chicago's O'Hare International Airport. The program was repeated the following day in the Ceremonial Courtroom of the Dirksen Federal Building, located next door to the Chicago District Office.

The U.S. Constitution is more than a mere piece of paper, Hirabayashi said. Attempts to violate the Constitution's ideals should be taken personally, and opposed firmly.

His personal fight to defend constitutional rights in the face of wartime hysteria was described in detail in a Public Broadcasting Service (PBS) documentary about his court case. The piece, entitled "A Personal Matter - Gordon Hirabayashi vs. United States," was screened at both programs.

Hirabayashi spoke of discrimination that confronted nearly all persons of Asian ancestry in the United States, in the decades leading up to World War II. Under federal laws enacted following World War I, immigrants from Asia were ruled "not eligible for naturalization" and issued only resident and work visas. Three West Coast states imposed additional restrictions that prevented persons who were ineligible for naturalization from owning land or engaging in the practice of such professions as medicine, dentistry, education and law.

It was not until 1947, two years after the end of World War II, that most Asian-born immigrants were allowed to naturalize, Hirabayashi noted.



Miki Trongkamsataya performs a Thai dance

Japanese-born aliens waited until the enactment of the McCarran-Walter Act in 1952 for that same opportunity.

The gravest affront to constitutional rights arose from Presidential Executive Order 9066, issued in early 1942. It mandated removal from the West Coast of all residents of Japanese ancestry - aliens and native-born American citizens alike. They were sent inland, most to relocation camps that Hirabayashi described as American-style concentration camps.

Faced with laws and government orders that he felt certain were violations of constitutional rights, Hirabayashi said he found himself grappling with the meaning of freedom, rights, citizenship,

## Daughter of immigrants delivers the keynote talk for Asian Pacific Heritage event at Headquarters

Being chosen the featured speaker for an observance of Asian Pacific Heritage Month at INS Headquarters was an honor for New York State Solicitor General Preeta D. Bansal.

However, it may have been an even bigger source of pride for her parents that their daughter was invited to speak at the INS, one of the first U.S. government agencies that they encountered after immigrating from India more than three decades ago.

"When I told them I was coming to the INS, they were especially excited," Bansal said at the May 24 event, which was also carried on INS-TV. "My father asked, what are you going to say?"

Under the event's theme of "Asian Pacific Americans Emerging Together," Bansal shared a personal perspective on how immigrants often see the United States as a country rich in opportunities and freedoms, but that also presents occasional contradictions to its professed ideals.

"Obviously, there are imperfections in how these ideals are applied," she said. The immigrant's role is "to hold up the ideals,



Acting Commissioner Kevin Rooney presents an honorary Statue of Liberty to guest speaker Preeta Bansal

believe in them, and help this country achieve them."

The INS holds a special place in her parents' recollections of their arrival in the United States, where Bansal's father had come to earn a graduate degree at the University of Nebraska. In sharp contrast to their struggle to obtain passports from government officials in

India a few months before, the INS staff assisted them with the necessary forms.

"They were so overwhelmed with how friendly people were," she said. "It was through their exposure to the INS that they really came to appreciate public service."

"People's first exposure to this country really comes through your agency," Bansal said. Her father would eventually earn a PhD and join the ranks of public servants, as a civil engineer with the state of

liberty, and the meaning of life itself. In his view, Japanese ancestry could not be the basis for a crime.

However, his arrest and conviction on curfew violations was upheld by an appeals court in June 1943, and Hirabayashi was sent to prison.

After the war, Hirabayashi returned to the University of Washington where he completed a BA degree in 1946, an MA in 1949, and a PhD in 1952.

More than four decades after his arrest, the 9th U.S. Circuit Court of Appeals in San Francisco threw out Hirabayashi's conviction under the curfew law. The 1987 ruling set the stage for a broader redress of the federal government's treatment of 120,000 persons of Japanese ancestry who were sent to relocation camps during the war. A year later, President Ronald Reagan signed the Civil Liberties Act of 1988, which apologized for wartime prejudice and authorized payments of \$20,000 to each victim of the internment.

The same government that had once imprisoned Hirabayashi for violating a law that was based upon his ancestry honored him in November 1999. The U.S. Forest Service dedicated the Gordon Hirabayashi Recreation Site at a former prison road camp near Tucson. It includes a portion of the road that Hirabayashi had helped to build while serving his prison term. Interpretive panels at the site explain that it is named for a person who fought for the rights of all citizens, regardless of race or national origin.

Last year, the University of Washington established the Gordon Hirabayashi Professorship for the Advancement of Citizenship. Hirabayashi is a Professor Emeritus at the University of Alberta in Edmonton, Canada.

Both observances included beautiful live music performed by the Thai Classical Music Academy and dances performed by Micki Trongkamsataya. The programs concluded with a tasty sampling of assorted Asian cuisines.

Nebraska. The same respect for public service has helped shape some of Bansal's own career choices.

After working in the White House Counsel's office and at the Department of Justice, Bansal was named New York state's solicitor general by that state's attorney general in February 1999. She manages a staff of 600 attorneys.

Like many immigrants, her parents expected that their children's road to economic security and social acceptance in the United States would be paved with scholastic achievement. It has been a road well-traveled by Bansal, the former "Nebraska Youth of the Year" who graduated magna cum laude from Harvard-Racliffe College and Harvard Law School. She served as the supervising editor of the *Harvard Law Review* and clerked for U.S. Supreme Court Justice John Paul Stevens.

Similar to many immigrants, Bansal's parents envisioned science as the proper field for their children to pursue. She said that science was viewed as quantitative, less prone to discrimination and less demanding of the social skills required in the prevailing culture. "In science, you just have to get good grades. Results are more objective."

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## U.S. and Mexican officials chart a course for cooperation on border lifesaving mission

Vowing to do everything possible to reduce migrant deaths and injuries, U.S. and Mexican officials announced June 15 in Tucson several new measures - from joint rescue training to the deployment of additional helicopters - to enhance lifesaving capabilities along the Arizona stretch of the international border.

A week later, similar lifesaving measures were announced in San Diego, following a two-day meeting of U.S. and Mexican delegations there and in El Centro, Calif. The San Diego Border Patrol Sector also said that under a pilot program some agents would be issued air-powered pepperball launchers as an additional form of non-lethal force.

The meetings and agreements reflect a new cooperative spirit among U.S. and Mexican officials as they strive to make the border safer. U.S. President George W. Bush and Mexican President Vicente Fox set the tone during their meeting last February in Mexico. That session led to the formation of a High Level Working Group, involving U.S. Attorney General John Ashcroft and Secretary of State Colin Powell, and their counterparts in the Mexican government.

The High Level Working Group called on regional officials of both countries to work jointly on border safety issues. "Our commitment to promoting a safe and orderly border extends to trying new approaches," Ashcroft said, following a recent meeting in Mexico. "I'm very encouraged by the progress that has been made during these local border meetings and commend the efforts of everyone involved."

### Meetings seen as crucial

Border Patrol Chief Gustavo De La Viña, who headed the U.S. delegation in Tucson, said: "These binational meetings are a crucial part of the border safety effort. They give us an opportunity to share ideas that will help both countries better address this challenge."

"Both countries are committed to working to promote safe, legal, humane and orderly immigration," said Roberto Rodriguez-Hernandez, the Deputy Director of Protection and Consular Affairs with the Mexican Ministry of Foreign Affairs.

The latest planned improvements to border safety in the Tucson Sector include the deployment of additional resources to high-risk crossing areas, closer collaboration between U.S. and Mexican officials on mapping and communications, and additional search and rescue training.

Much of the attention at the meeting was focused on the state's western desert, where a tragic border-crossing attempt in May claimed the lives of 14 migrants. Those who died were part of a group of 28 migrants who had been abandoned by alien smugglers after crossing into the United States. Other members of the group were rescued and treated at a hospital in Yuma, Ariz.

### Desert area a top concern

Of particular concern to both delegations is the area of the Sonoran Desert located between Nogales and Yuma. Because of the extreme dangers in this area during the summer months, the group agreed to designate it as a "high-risk zone." When conditions become dangerous there, both U.S. and Mexican authorities will deploy additional personnel and equipment on both sides of the border to be betterpositioned to perform rescues.

As part of the lifesaving program, Chief De La Viña announced that three additional helicopters and pilots would be temporarily assigned to the Tucson Sector, expanding its fleet to 12 aircraft. The helicopters' ability to land and take off in rugged terrain makes them a valuable tool in conducting rescues. One of the helicopters on loan is equipped with infrared technology, which enables the Border Patrol to conduct nighttime search and rescue missions.

In San Diego, the binational delegations designated the All-American Canal and New River in Imperial County as high-risk crossing areas. Both areas will receive increased surveillance and resources.

During the meetings, INS officials outlined plans to install 100 additional

permanent lights along the banks of the All-American Canal. The El Centro Sector recently received 20 additional all-terrain vehicles, doubling its fleet.

### **BORSTAR** to expand

As in Tucson, Mexican and U.S. officials also agreed to collaborate on mapping high-risk areas, exchanging intelligence information related to alien smuggling, improving communications, and increasing binational search and rescue training. Such training will focus on mountain rescues and emergency medical techniques, much of it overseen by the Border Patrol's Search Trauma and Rescue (BORSTAR) team. Following BORSTAR's success in the San Diego and Tucson Sectors, the program is being expanded to Yuma and El Centro.

The Border Patrol also announced its pilot program to use pepperball launchers as a means to quell violent situations, such as rock attacks on agents. The launchers will supplement other non-lethal tools already carried by officers, including batons and pepper spray. The launcher is designed for use at close range up to a distance of 100 feet.

The launchers, which are already in use by other law enforcement agencies, employ compressed air to fire plastic pellets containing a powdered, hot pepper-like chemical (oleoresin capsicum). The pellets burst on impact causing irritation to the nose, eyes and mouth.

"We believe this device represents a significant advance for border safety," said San Diego Border Patrol Sector Chief William Veal. "We hope to reduce the risks not only for migrants, but for our officers as well."

The pilot program involves an initial deployment of 45 pepperball launchers to officers who have been trained and certified. During the test period, the Sector will keep detailed records on the effectiveness and durability of the devices.

## "Crossroads International" hits a home run in wider campaign to thwart alien smugglers

More than 7,800 intending illegal immigrants and 75 alleged smugglers and document vendors were arrested in the largest multinational operation ever conducted against alien smugglers in the Western Hemisphere, the INS announced on June 27.

Operation Crossroads International was directed by the INS Mexico City District Office and involved the Office of International Affairs and other U.S. law enforcement agencies. Its organizers "didn't just step up to plate, but truly hit a home run," Acting Commissioner Kevin D. Rooney told a press conference at INS headquarters.

Crossroads was the latest chapter in a broader INS campaign called "Operation Disrupt," which for the last five years has targeted international smuggling operations. It was the first of nine Disrupt operations that called for simultaneous and coordinated actions by countries in Latin America and the Caribbean.

Law enforcement officers from 13 other countries carried out most of the arrests. INS officers provided overall coordination and technical assistance in detecting fraudulent documents.

"We're talking about a great partnership in the Americas of going after people who try to make a profit and benefit in other ways from human misery and desperation," Rooney said. "When nations work together, we can achieve remarkable results in combating multi-billion-dollar alien smuggling operations."

The operation was conducted over 16 days in early June and involved law enforcement officers in Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Panama and Peru.

A total of 7,898 persons from 39 countries, all destined for the United States and Canada, were interdicted. All but two persons were stopped before entering the United States, which eased the task of returning most of the intending immigrants to their native countries. About 5,500 persons were repatriated after immigration processing in the countries where they were arrested.

The estimated cost to U.S. taxpayers of Operation Crossroads International was \$600,000, according to Acting Commissioner Rooney. If a similar number of illegal immigrants were apprehended in



Mexico City District Director Hipolito M. Acosta speaks to the news media. Executive Associate Commissioner for Field Operations Mike Pearson is at right.

the United States and processed for repatriation, "we would have spent about \$30 million."

More than 5,600 of the intending immigrants were detained in northern Mexico, evidence that the Mexican government is serious about discouraging the use of Mexico as a transit point by non-Mexicans attempting to illegally enter the United States, Rooney said.

Authorities arrested 75 alleged smugglers and fraudulent document vendors under the laws of the countries where they were arrested. Seven U.S. citizens were arrested on violations of U.S. immigration law. The operation also

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## 21 plead guilty to smuggling charges in Texas



Appearing at a Houston press conference are San Antonio Case Agent Robert Holdeman; Houston Assistant Director for Investigations Michael D. McMahon; San Antonio District Director Kenneth Pasquarell; and Houston Deputy District Director Roger Piper.

Twenty-one defendants pled guilty to charges of conspiracy, unlawful transportation and harboring of aliens into the United States after a one-year undercover operation in Texas, the Houston and San Antonio INS District Offices announced May 14.

Operation Night Rider also identified nine major criminal smuggling organizations that were responsible for smuggling more than 8,000 aliens into the Brownsville and Houston areas.

"This level of success sends a clear message of our commitment to prosecute to the full

extent of the law those responsible for human trafficking for the purpose of profit," said Mervyn Mosbacker, U.S. Attorney for the Southern District of Texas.

During the course of the operation, the agency used an undercover safe house to conduct business with the alien smuggling organizations. Agents worked undercover to provide smuggling services, including housing and transportation for aliens. Throughout the investigation, agents monitored the activity in the safe house with video and audio recording devices, collecting evidence of the smuggling organizations' business activities.

## Operation "Firm Grip" shows the long reach of Investigations

The INS announced June 27 the completion of Operation Firm Grip, a globe-spanning operation to identify alien smugglers.

Working in coordination with law enforcement agencies and airline security officers in six countries in Asia and Europe, the operation intercepted 415 aliens from 37 nations who were destined for the United States and other Western countries.

Completed in mid-June, the three-week operation involved 18 INS agents and more than 100 law enforcement officers in Sri Lanka, India, Thailand, Malaysia, the Netherlands and Singapore. It also trained 193 airline and law enforcement staff in identifying fraudulent documents and passenger-screening techniques.

## Federal judge imposes a lengthy sentence on man convicted of killing Border Patrol Agent

Border Patrol Agent Alexander Kirpnick was born in the former Soviet Union but died in Arizona in 1998 while arresting suspected marijuana smugglers. Agent Kirpnick's dedication to his adopted country was recalled by Tucson Sector Border Patrol Chief David V. Aguilar on May 17, during the penalty phase of the trial of Agent Kirpnick's killer.

"Freedom, honor, loyalty, security, justice," Chief Aguilar told the court.
"These are the pillars that uphold our democracy. Maintaining the sanctity and strength of these pillars comes at a great cost. The proud Kirpnick family knows too well that cost. These are the things that Alex stood for and represented."

Early on the morning of June 3, 1998, Agent Kirpnick, 27, was shot about three miles west of the Nogales Port of Entry. He and his partner were sent to Potrero Wash to investigate a report of an illegal border crossing. They were in the process of apprehending five suspects when the shooting occurred.

In 1988, Agent Kirpnick, along with his parents and a sister, fled religious persecution directed against Orthodox Jews in the Soviet Union. Agent Kirpnick became a U.S. citizen in 1995 and joined the Border Patrol in August 1996.

"Alex made the decision to dedicate his life to the enforcement of the nation's laws," Chief Aguilar said. "He became a guardian of our American ideals, our way of life, and our democracy."

Conversant in six languages, including Russian, Ukrainian and Yiddish, Agent Kirpnick was sometimes called upon to translate for Russians who were apprehended while attempting to illegally cross the border in the Nogales area.

Chief Aguilar acknowledged that no sentence rendered by the court would restore Alexander Kirpnick's life. However, he asked that the penalty be sufficiently tough "to serve notice to all that the life of a single American, a single Border Patrol Agent or of any law enforcement officer, carries with it the consequences of a proud nation that cares about its guardians."

"Alex cannot speak for himself but it is for this reason that I, as an honored representative of the Kirpnick family, the Border Patrol family, and the American family, ask that this court impose a lengthy and just sentence reflective of the lasting void that was left by the murder of Alex Kirpnick."

U.S. District Judge John M. Roll on May 17 imposed a sentence of two consecutive life terms in federal prison.

## Latin American citizens league chooses INS staff for three of its seven law enforcement awards

The League of United Latin American Citizens (LULAC) reached into the INS ranks to name three of seven recipients of its "President's Award for Excellence in Law Enforcement."

The awards for 2001 were announced at LULAC's annual training convention in Phoenix on June 5. Law enforcement officers working in local, state and federal police agencies were eligible for the awards.

Among those honored for improving the efficiency or effectiveness of law enforcement programs were two Border Patrol Agents from New Mexico and an Immigration Inspector assigned to the Seattle-Tacoma International Airport. They are:

• Supervisory Patrol Agent Shem T. Peachey of the Border Patrol's Alamogordo Station, who embarked on a personal crusade aimed at reducing the time required of agents to process detained undocumented aliens. Since the introduction of computers in detention procedures in 1995, Peachey has dedicated himself to mastering the computer hardware and devising improvements to software programming, largely on his own time. "He designed a program that reduced processing time from an average two to three hours to about 25 minutes," according to Peachey's nomination for the award.

To better accommodate the computer users, Peachey also applied his carpentry skills and built ergonomically efficient cabinetry, most of which is still in use after several years of hard use. His latest contribution was to develop a labor- and paper-saving refinement to the ENFORCE national operating program, which was accepted earlier this year by the Alamogordo Sector headquarters for use sector-wide.

 Senior Immigration Inspector David Canez of Seattle, who was credited with making 136 arrests of criminal aliens during a one-year period at Seattle-Tacoma International Airport. One of his investigations resulted in the removal from the airport of an airline-service company for violating sanctions that had been imposed as a result of the firm's employment of illegal

Canez cultivated a web of confidential informants in conducting probes of the smuggling of aliens, narcotics and prostitutes, according to the nomination submitted on Canez's behalf. It stated that "David's casework went far beyond the scope of what FBI and other federal special agents are required to do to prepare federal prosecution cases." Canez was granted rare blanket authority by the U.S. Attorney's Office to prepare affidavits in support of criminal prosecutions.

Senior Border Patrol Agent Louis P. Mauro, a 16-year veteran
who was the first agent at the Alamogordo Station to volunteer
as a Field Training Officer under the current system. He is
credited with developing several innovative approaches and
setting the standard for a formal Field Training Officer
program.

Mauro's nomination also cited his community work. He was pivotal in implementing the Drug Abuse Resistance Education (DARE) program in local schools. "After only a few years, there was not a child in the Alamogordo area who did not personally know a Border Patrol Agent," the nomination stated. One result of Mauro's efforts to involve the Border Patrol in the local DARE program was a significant improvement in the agency's reputation.

## BCI's first 1,000 days score successes in knocking down walls to cooperation

The Border Coordination Initiative (BCI) started in September 1998 as an effort to achieve closer cooperation between the INS and the U.S. Customs Service along the Southwest Border.

BCI's first 1,000 days have scored some successes in knocking down walls and bringing agencies together at the local level. Cross training of agents and inspectors and the sharing of information about suspected smuggling operations have both increased, according to Harvey L. Adler, INS' Border Coordinator. In addition, "We're creating a mindset" in which local managers feel free to seek help from, and offer assistance to, each other.

BCI's broader goal is to forge a coordinated border management strategy, involving the spectrum of federal agencies that are charged with targeting various types of contraband moving across the border, from illicit drugs to illegal aliens.

### **Producing results**

"This coordination has produced results," according to BCI's most recent quarterly report. Narcotics seizures along the Southwest Border increased between the first half of the 1999 fiscal year and the comparable six-month period of fiscal year 2001. "This includes an increase in cocaine seizures by 165 percent, marijuana by 45 percent, and heroin by 42 percent."

BCI officials also point to statistics indicating that increased inter-agency cooperation is helping to stem the flow of illegal aliens and contraband. Adler concedes that it is difficult to allocate credit for such results, given the interplay of factors that affect cross-border smuggling. However, it is clear that, through BCI, local managers of various agencies are communicating more frequently with each other and sharing information that can make each agency-partner more efficient and effective.

In addition, BCI has grown beyond its charter members, the INS and Customs. The U.S. Coast Guard and the U.S. Department of Agriculture (USDA) now contribute to the enforcement process and other federal agencies, such as the U.S.



Managers from a variety of agencies gather for a BCI meeting at the Gateway Bridge in Brownsville, Tex., during June.

Marshal's Service, the FBI, Drug Enforcement Agency, National Park Service, and the U.S. Forest Service, participate in the coordination effort in various locales. Numerous state and local agencies are also active participants.

"We're always trying to bring new people to the table." Adler said. Meetings that bring together senior managers from the member agencies in a given area are the backbone of BCI's approach to coordination. This approach makes BCI the facilitator in sharing information, it relies on each member agency's chain of command to carry out operations.

### **Sharing information**

Rapid distribution of intelligence information is one of BCI's contributions. For example, the INS is likely to be the first to spot a new trend in fraudulent documents. By quickly sharing its findings with other agencies, a larger group of inspectors and agents are prepared to spot the fraud.

"It makes no sense not to sit at the table and share information," Adler said.

BCI encourages cooperation and new approaches among agents and inspectors who work on the border, but steers clear of sending directives down the ranks, he said. "We ask those on the front lines to take our eight initiatives as broad guidelines and to come up with ideas that work for them."

The eight initiatives, or priorities, that form the cornerstone of BCI's mission are: port management, interdiction (formerly investigations), intelligence, technology,

communications, integrity, and air and marine operations.

In the hands of BCI's field representatives, initiatives have taken the form of INS cross-training and Customs inspectors in San Ysidro, Calif., and the emergency use by INS staff of Customs' specialized radio communication system in Del Rio, Tex.

In Fort Hancock, Tex., the INS, Customs and USDA representatives, working through BCI, have exchanged information with Mexican authorities regarding the smuggling of Mexican children, border safety, concealment of narcotics in shipments of fresh produce and precautions against foot and mouth disease.

A continuing collaboration among more than a half dozen agencies in Presidio, Tex., is credited with seizing nearly 100 pounds of marijuana, \$32,000 in undeclared currency and identifying 28 suspects believed to be involved in a large smuggling operation. Participating in that effort were INS Inspectors and the Border Patrol, the Customs Service, U.S. Marshals Service, the Presidio County Sheriff's office, the West Texas Narcotics Task Force, and both the Odessa and Pecos, Tex., police departments.

Summing up its impact, the recent BCI report stated: "What began as a planned five-year project between INS and U.S. Customs Service is now a model of cooperation, not only between those two agencies, but amongst virtually all federal inspection services along the Southwest Border."



Customs Inspector Carol Bracamonte and INS Senior Immigration Inspector Robert D. Knox check out a car trunk at the San Ysidro, Calif., Port of Entry.

The BCI Integrity Awareness Initiative Team Leaders are now developing the first edition of the BCI Integrity Awareness Bulletin. It is planned as a bi-monthly publication aimed at increasing awareness of integrity guidelines among Customs Service and INS employees.

# HEADQUARTERS News

## Premium Processing promising a 15-day decision debuts to enthusiastic response from employers

A Premium Processing Service was introduced on June 1 to anticipated strong demand from employers willing to spend an additional \$1,000 for faster processing of applications for work-related visas.

During its first four weeks, use of the expedited service is closing in on projections that employers will chose Premium Service for about one in 10 of eligible work visas. The initial results slightly lagged that 10 percent rate. If current trends hold steady, Premium Service is expected to account for about 9 percent of visa applications by the end of the current fiscal year on Sept. 30.

Premium Service guarantees that the INS will deliver a decision on certain work-related visa applications within 15 days.

Premium Processing was created in response to employers, many of whom have expressed a desire for faster processing of visas that permit foreign workers to fill specialized - often technical - jobs for which it is difficult to find qualified U.S. applicants.

The additional revenues collected from Premium Processing fees will be plowed back into INS operations, primarily to hire additional employees to assist in the processing of all visa applications.

"The Premium Processing service benefits INS, as well as its customers," said Bill Yates,

Deputy Executive Associate Commissioner. "With this program, businesses can rely on INS to meet the demands of today's fast-paced workplace.

"The enhanced revenue from the program will ensure faster service for the businesses without causing delays in the adjudication of other petitions. The revenue will allow INS to improve service and expand infrastructure to benefit all of our customers," he said.

The program is expected to generate \$80 million a year in new revenue and allow the INS to hire hundreds of additional workers to help with all visa applications.

Premium Processing also added a new twist for INS services: a performance-based, money-back guarantee.

With Premium Processing, the INS promises that within 15 days it will take one of four steps: approve the application; issue a notice of intent to deny it; make a request for evidence; or, issue a notice of investigation for fraud or misrepresentation.

If the INS misses the 15-day deadline, the \$1,000 fee will be reimbursed to the company, but the INS will continue to process the petition expeditiously.

In addition to the promise of quick processing, participating employers have the use of a dedicated e-mail address and a telephone number to check the status of pending applications, or to inquire about their petitions.

The program initially applies to a broad class of visas including entertainers, athletes, agricultural workers and other temporary workers. Beginning in July, the far more popular H-1B visas will be eligible for Premium Processing.

The optional Premium Processing Service was supported by the INS and authorized by a law enacted last December. The Attorney General was authorized to collect a \$1,000 "premium processing" fee, which may be later adjusted in step with the changes in the Consumer Price Index (CPI).

The \$1,000 fee is in addition to any normal application fees.

Businesses may request Premium Processing on pending and newly filed petitions and applications by filing a completed Form I-907 (Requst for Premium Processing) and paying the \$1,000 fee.

The \$1,000 fee must be paid separately from the regular petition fee. Form I-907 can be downloaded from the INS Web Site <<www.ins.gov>> or can be obtained by calling the INS forms line at 1-800-870-3676 or the INS National Customer Service Center at 1-800-375-5283.

The May 30 announcement and press conference drew widespread news coverage. Editorial opinions varied, with a few major newspapers suggesting that the program favors wealthy foreigners and large corporations, who would be better able to afford the \$1,000 fee.

Approvals of H-1B visas track toward higher ceiling for 2001

The INS reported that approximately 117,000 applications for work-related H-1B visas have been approved, as of May 23. An estimated 40,000 additional petitions for H-1B visas were pending review as of the same date. A limit of 195,000 H-1B approvals is in place for the current fiscal year, which ends Sept. 30.

The cap on H-1B approvals for fiscal 2001 was increased from a ceiling of 115,000 for fiscal 2000 by the American Competitiveness in the Twenty-First Century Act, which was enacted last October. The law set a higher ceiling of 195,000 H-1B approvals in each of three successive years, starting in fiscal 2001. The cap is to be reduced to 65,000, starting in fiscal 2004.



## Actor Ricardo Montalban answers a Tucson Agent's call and delivers a border safety message to intending migrants

#### By Rob Daniels

Border Patrol Agent Alex Arroyo doesn't dine with the Hollywood glitterati at Spago's restaurant in Los Angeles. Instead, he spends his workdays at the Willcox Border Patrol Station south of Tucson.

But, Arroyo last fall demonstrated some pull in the film industry. He told Tucson Sector Chief David Aguilar that actor Ricardo Montalban might be interested in doing a public service announcement (PSA), warning potential migrants about the dangers of attempting an illegal border crossing.

Montalban, a longstanding friend of the Arroyo family, is perhaps best known in the United States as the star of the television series "Fantasy Island" during the late 1970s and for his role in the movie "Star Trek: the Wrath of Khan."

The actor's voice is among the most widely recognized in Latin America, making him a natural choice to be cast as spokesman in PSAs targeting listeners and viewers in Mexico and elsewhere in the region.

With the prospect of tapping one of Latin America's biggest celebrities to deliver the Border Patrol's message, Chief Aguilar sought and received approval from the region and from Headquarters to pursue the PSA's production.

Using Arroyo's family connections, Tucson agents contacted Montalban through his agent, Jerry Velasco in Los Angeles. That contact set into motion three months of intensive preparations by the sector's Public Information

Officer and Border Patrol videographer David Gonzalez of the Nogales Border Patrol Station.

Agents Arroyo and Gonzalez traveled to the City of Angels last January to tape a series of PSAs aimed at discouraging crossing attempts during extreme weather



Standing behind Ricardo Montalban are Border Patrol Agents David Gonzalez and Alex Arroyo.

conditions, when the risks to life are greatest.

Praising the finished product, Chief Aguilar said: "The smugglers utilize massive resources to bring their human cargo through these deadly areas of the border. What we're doing with the help of Mr. Montalban is combating the problem at its source in hopes of preventing needless tragedy from occurring."

The Border Patrol has received reports from the Department of State that the first PSA is being broadcast in Mexico and in every country in Central America.

Early indications are that the message is being heard, if not always heeded. In recent weeks, some aliens apprehended in the Tucson Sector - and originating from as far south as Ecuador - report having seen the PSA. It is, of course, impossible to know how many persons were convinced by the PSA to forgo a crossing attempt.



## Scout-O-Rama provides the venue for INS to display its many roles

By Sharon Rummery



Rick Eaton finds a way to connect his job as a Supervisory Special Agent with his interest in Scouting.

As the chair of this year's San Francisco Bay Area Scout-O-Rama, Supervisory Special Agent Rick Eaton could look on his task through the eyes of a chef.

First, start with the primary

ingredients, some 2,500 boys and girls, ages eight to 18, who are members of the Boy Scouts, Cub Scouts, Varsity Scouts, Venturers or Explorers. Then, turn the scouts loose in a 20-acre park filled with 90 information booths and an array of fun activities where they could test their scouting skills, try their hand at outdoor cooking or ride a taut-wire zipline down an incline. Finally, add some adults, mostly moms and dads, and young friends of the scouts - bringing together thousands of people all out to have a good time.

The resulting mix was the San Francisco Bay Area Scout-O-Rama, held June 2 in Hayward, an East Bay suburb.

Eaton, a San Francisco District Investigations Branch Section Chief and longtime Boy Scout enthusiast, wasn't about to pass up the opportunity to make a strong impression about the INS on thousands of Scout-O-Rama visitors. The INS was represented with displays about immigration benefits and the Border Patrol, which joined 14 other law enforcement agencies.

Eaton topped off the INS' presentation by arranging for a naturalization ceremony in which 50 new citizens took the oath of citizenship. The ceremony offered an emotional and thought-provoking experience in the midst of often frenetic activities.

Acting San Francisco District Director David Still administered the oath of citizenship. He shared the stage with Alameda County Superior Court Judge Roy Hashimoto and guest speaker Charlie Plummer, Alameda County Sheriff.

"I so deeply admire people who do the right thing, and these new citizens have done the right thing," said Sheriff Plummer, who was also honored as the Boy Scouts' "Citizen of the Year."

At the INS booths, special agents made junior special agent badges for visiting youngsters and the Border Patrol's K-9 handler demonstrated how dogs assist agents in the field.

The competition for the time and attention of Scout-O-Rama visitors was fierce. A short stroll from the INS displays, the FBI exhibited an urban assault vehicle; the Drug Enforcement Agency set up a drug exhibit; and the Secret Service showed off both a Presidential limousine and a tactical vehicle. The federal Bureau of Alcohol, Tobacco and Firearms displayed emergency response vehicles and robots; and the California Highway Patrol landed a helicopter in the park. In addition, the U.S. Coast Guard brought in a patrol boat.

"It was the first time this many federal law enforcement agencies have been publicly showcased in the Bay Area," Eaton said. "This gave us an opportunity to go out into the community."

Eaton, a member of the San Francisco Bay Area Council's executive board, in 1995 founded the first Boy Scout troop affiliated with the INS. That same year, he became the first person from Nevada honored with the "Spirit of Scouting" award. He has since been recognized as one of the 60 Outstanding Scoutmasters in the United States, and has the Eagle Award of Merit and National Scoutmaster Award of Merit.

Acting District Director David Still addresses a naturalization ceremony at the San Francisco Area's Scout-O-Rama.





## A little late for Christmas, perhaps, but the INS delivers for Mr. Claus

### By Sharon Rummery

Wet-eyed but thoroughly happy, Henry Claus went from being an unwitting undocumented alien to full U.S. citizenship on Feb. 14 in Sacramento, Calif. The transition to citizenship had taken 78 years.

Claus, a World War II veteran who is now retired, had never given his citizenship a second thought until last fall. That's when a routine inquiry about supplemental Medicare benefits triggered the revelation of a new identity: Officially, at least, he was a citizen of Germany.

True, Claus knew from early childhood that he had been born in Germany. However, when you move to your new land at the age of three months, and both of your parents eventually become U.S. citizens, it's not a leap of logic to assume that you, too, have U.S. citizenship.

No one gave Claus any reason to doubt the assumption until a Medicare case worker in Sacramento asked to see his naturalization certificate. Claus figured a visit to the INS office in Sacramento would quickly clear up the matter. He filed a form that he hoped would prove that he had derived citizenship from his parents.

Instead, Adjudications Officer Jim Fitzgerald delivered the startling news that Claus had not derived U.S. citizenship. The records showed that by the time his mother naturalized, Claus had already passed his 18th birthday. As an adult, his mother's naturalization would not convey citizenship to him.

Claus was astounded. He told Fitzgerald how, as a young man, he had been drafted during World War II, trained as a practical nurse, and sent first to the European theater of operations, and later to the Philippines in the Pacific theater.

"I saw terrible things," he recalled. "I never had to carry a gun, but I saw the aftermath, and it haunts

me." Claus returned to civilian life, married, started a bakery, raised five children and never imagined that he was still a German national.

When Fitzgerald heard this, he knew that Claus' wartime service made him eligible to become a U.S. citizen. A law allows wartime U.S. military veterans - even those who are undocumented aliens - to apply for citizenship.

With Claus' approval, Fitzgerald kicked into motion a two-month process for obtaining naturalization. Claus' naturalization ceremony



Adjudications Officer Jim Fitzgerald shares a happy moment with Henry Claus, holding the paper that proves the U.S. citizenship that Claus long assumed was his.

was accorded star treatment, attracting news coverage of his belated citizenship from every Sacramento television station, *The Sacramento Bee* and the Associated Press.

Adjudications Officer Fitzgerald was moved by the ceremony. "Watching the tears, the joy and pride on the face of Mr. Claus, I fully realized just how important citizenship is to him, and was very proud of the efforts of our office to grant this so richly deserved citizenship."

"It's heartwarming when a person who has done everything a good citizen should do, who so clearly deserves citizenship, receives it," said Susan Curda, Officer-In-Charge of the Sacramento office.



### Milwaukee INS staff finds a new home to its liking

#### By Caren Pelland

The Milwaukee INS office staff moved in May to roomier quarters featuring an array of amenities. They include a 20-seat lunchroom, ample work space, extensive use of natural lighting, security features and access to a fitness center with locker rooms.

Even the cost of parking was reduced from the prevailing rates in downtown Milwaukee.

The newly constructed facility is located in downtown Milwaukee approximately two blocks from the end of Interstate 145. The INS previously occupied offices dispersed on two floors of the Federal Courthouse.

The new built-to-suit, two-story structure features a detention processing area with four holding cells.

Other improvements came with the new address. Information officers received microphones to better assist the public and the customer waiting area can be converted into an auditorium to accommodate naturalization ceremonies.

Investigations and Detention staff were assigned larger, secure working areas in which to conduct interviews. The Records Department was alloted a greatly expanded space and a conference room and research area were figured into the design. Card tables, which were used at the courthouse location to sort incoming mail, have been replaced by a separate mailroom.

All 44 Milwaukee employees who previously worked at the courthouse location made the move.

## INS stars shine at "Olympic" games

Around the office, Special Agent Bill Flynn of the San Francisco District pulls his weight. At the 2001 World Police and Firefighter Games in June, he lifted enough weight - 446 pounds - in the push-pull competition to take home a bronze medal.

At the same competition in Indianapolis, another INS staff member, Special Agent James Dobie of the Helena District took home a silver medal for his performance in the bench press competition. He pressed 325 pounds and placed second in the 165-pound weight class.



INS Competitors from left James Dobie, Bill Flynn and Lyne Peterson, wearing number 4 on her jersey and standing second from right.

And at a Senior Olympics competition in Pasadena, Calif., San Francisco District Adjudications Officer Lyne Peterson led her women's volleyball team to a gold medal. The Senior Olympics are held throughout the year in 14 California cities, attracting about 12,000 participants in more than 30 sporting events.

## Bob Miller's detour on his morning commute displays neighborliness near INS headquarters

It's early afternoon on the hottest day that Washington,

D.C., has cooked up so far this year and Bob Miller is checking on a colony of about 15 thirsty felines that live on the block across the street from INS headquarters.

"These cats are our neighbors," Miller says. He approaches a boarded-up building that appears to have disgorged its human occupants years ago and calls out, "kitties, kitties." Miller pours water into a bowl set on a ledge next to a broken basement window. From inside the building, a few plaintive meows can be heard, presumably spreading the message that the nice man from INS is making his second visit today.

On a sliding scale of neighborliness, Bob Miller, a Program Analyst with the Immigration Services Division, ranks at the top. He is just about the best neighbor that a feral cat colony could have.

Every weekday morning since early last year, Miller has pedaled his bicycle from his home on Capitol Hill to this shell of a three-story row house on Massachusetts Avenue, where the cat colony resides. During these brief morning visits, he usually cranks open a couple of tins of cat food. On hot days, like this one when the official temperature at the airport hits 90 degrees and life on the streets feels even hotter, an adequate water supply poses an even bigger concern than food.

A self-confessed cat lover, Miller doesn't just care about - and for - cats. He writes about them, too, in an elegantly descriptive style in Cats magazine. Most of his stories tell of street cats that he has adopted and strange cat behaviors. One of his unpublished stories is about Miller's cat, "Eddie," who will eyeball an aquarium of fish for hours on end. The article ran afoul of the magazine's editorial policies, however, when it speculated how a fish, perhaps attempting to escape Eddie's fearsome stare, may have flipped himself out of the aquarium only to expire on the kitchen floor.

For last February's edition of Cats, Miller wrote about the feral cats on Massachusetts Avenue and Agnes, the frail, elderly woman who introduced him to the practice of caring for the colony.

"Pieces of bologna and cheese sandwiches were in the food bowls," Miller

wrote in *Cats* about his first meeting with Agnes. "Seeing how this woman was prepared to share her own meal with the cats, I felt compelled to offer my help."

When Agnes later expressed concern about a pretty, and pregnant, calico cat in the colony, Miller promised to adopt a couple of the kittens and to help place the others. A few weeks later, "Little Ricky" and "Sammy" went home in Miller's gym bag, joining the foursome of cats that Miller and his wife, Roberta, already had.

Agnes' circumstances improved about the same time. She found a nearby apartment that allowed her to keep cats. "All those years of tending the colony paid off," Miller wrote. The two remaining "orange and calico kittens literally walked into her lap."

Knowing that such adoptions were not a long-term solution to the prospect of an exploding cat population, Miller and Agnes arranged to have Alley Cat Allies, an animal assistance group in Washington, sponsor the colony. The organization has helped in getting the colony's cats spayed and neutered and in providing food.

The building's owner has also been supportive, in part because his now departed mother years ago had cared for a group of cats when the family lived in the building. Once, Miller called about the screech of a distressed cat on an upper floor and the owner drove from his home in Virginia to investigate. The two of them freed a cat that was stuck behind a closed door.



Bob Miller and some members of the feral cat colony that live steps away from the front door of INS headquarters.

"I wondered, sometimes, how the cats managed to eke out an existence, but suppressed this uncomfortable thought with the hope that nearby vacant buildings and lots provided plenty of mice. This comfortable illusion was shattered last winter when I came to learn the true source of the colony's sustenance.

Passing one day, I saw an old woman in the yard surrounded by a half-dozen cats. Curious, I stopped to watch. ... Seeing me, she walked up and introduced herself as Agnes. I asked how she was able to befriend what were essentially wild cats. She replied that she had been looking after the colony for two years. They were her babies."

Bob Miller, writing in Cats magazine, February 2001

# PEOPLE ON the Sove

## Public Affairs veteran signs off, capping a 32-year INS career

Donald Mueller, most recently the Acting Director of Public Affairs, on June 29 stepped away from the media spotlight that occasionally falls on the INS and into retirement.

He was joined by Jim
Woodard, who retired a
month earlier after a 30-year
career in the Headquarters
offices of Budget and Personnel.



Jim Woodard, Budget Analyst, and Donald Mueller of Public Affairs both recently stepped away from long INS careers.

Mueller's 32-year INS career spanned several functions for the agency, including Budget Director, before he joined the Office of Public Affairs in 1994.

Among the send-off mementos presented at a farewell ceremony was a model of the Statue of Liberty, delivered with a special message of thanks from Acting Commissioner Kevin D. Rooney. Border Patrol Chief Gustavo De La Viña sent a plaque, presented by Renee Harris of the Border Patrol's headquarters staff, inscribed: "You always have a home in our family."

In brief remarks to the gathering of about 50 well-wishers, Mueller touched on the theme of family and friends in explaining his long INS career. "I wouldn't have stayed here if it wasn't for the INS family. And that still exists."

### Crossroads

continued from page 5

trained 560 police and airline staff in six countries in techniques for detecting fraudulent documents.

"This is the largest, most successful operation of its kind," said Mexico City District Director Hipolito M. Acosta. "The message is clear: the United States is committed with its partners to pursuing smugglers, wherever they operate."

Acosta said that one frightened woman among 80 persons discovered in a drop house in Southern Mexico thanked law enforcement officers. She told officers that she had been warned that she could expect physical abuse from smugglers along the route north through Mexico to the U.S. border.

### **Immigrants' daughter speaks**

continued from page 3

"It was my pathetic form of rebellion to become a lawyer," Bansal said.

The career choice did pose challenges. "In the legal profession, there isn't yet that much of an Asian American presence. There was no one I could point to and say, that's who I want to be like," she said.

But the sense of being different was already familiar to Bansal, who recalled growing up in Lincoln, Neb., with few Asian students in her classes. The result was that through college, "I didn't focus on my ethnicity."

One element that was thankfully missing in Bansal's experience, but that many immigrant children face, was the family's expectations that she would seek a high-salary career.

The search for financial security among new immigrants is understandable, she said. "When you come to this country, you seek with a vengeance all these things that are available here," she said. Likewise, whatever was scarce in an immigrant's native country - economic opportunity, political freedoms, justice, or the ability to freely practice a religion - often becomes a driving mission for immigrants who have resettled in the United States.

A case in point was Bansal's mother, who arrived in the United States intent that the family would ultimately return to India. On her first day in the United States, she started work on a Master's degree and eventually inspired the family's decision to put down roots in the United States. The primary attraction was the range of professional career opportunities available to U.S. women.

"What they couldn't have there, they really sought here," Bansal said.

## INS-TV: A new medium reaching out to INS employees



By Elizabeth George

Since INS-TV first came on the air in October 2000, the satellite television broadcast network offered by the Office of Administration has been reaching out to

employees in 161 INS offices.

INS-TV delivers a broadcast service 24 hours a day, five days a week. It has the capability - and plans - to eventually operate 24/7. The service enables every INS organization to easily and immediately communicate its message directly to INS employees, even those working several time zones away.

During its first seven months of operations, it has broadcast management briefings, updates on regulations, panel discussions, and training. INS-TV has carried both live broadcasts and videos produced by various INS administrative, program, and field offices. It has produced shows from its studio located at 1325 G Street, N.W., seven blocks from INS headquarters in Washington, D.C., and, as needed, from remote sites.

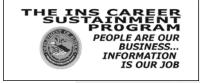
To supplement its in-house programming, INS-TV subscribes to the Law Enforcement Television Network (LETN), which provides programs on such topics as safety, training, firearms, recruiting, and detention.

The Media Center's objective is to provide an audio-visual medium for learning, discussion, and communications within INS. INS-TV contributes to that goal by reaching the largest possible audience of INS personnel at the lowest cost. It complements instructor-led training with distance learning. The service provides convenient viewing times for offices located in distant time zones and for employees on late-night work shifts. Sessions can also be taped for later replay.

Over the next year, the partnership of the Career Sustainment Program and INS-TV plans to increase the variety of programming so as to touch all aspects of the INS employees' work life. Upcoming topics include:

- Job-specific information
- Service-wide information
- Federal employment information

The goals of INS-TV are closely related to the mission of the Career Sustainment Program, which was created by the Office of Human Resources and Development to support INS employees, their families, and their communities.



Videos created by the Career Sustainment Program, which focus on non-operational aspects of INS employment, appear regularly on INS-TV. In addition, the Media Center and Career Sustainment Program jointly produced and broadcast two briefings: the first concerning Social Security benefits and the second on the National Records Center.

The Career Sustainment Program also formed a partnership with the Navy to develop an information portal for federal employees. The LIFELines site, www.lifelines2000.org/INS, promotes overall quality of life by providing support services that are available all day, every day to INS employees and their families worldwide.

The Career Sustainment Program has transferred its video library into a digital format that can be downloaded from LIFELines using streaming technology. Employees can log on from any office at any time and obtain the information they need. In addition, it provides a way for the families of INS employees to view Career Sustainment videos at home.

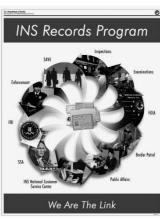
The partnership between Career Sustainment and INS-TV is working toward a simple goal: providing INS employees with the information they need to succeed in their jobs, and in their lives.

Check out the INS-TV program schedule online at **www.lifelines2000.org/ins**. LIFELines is the source for information about INS Career Sustainment programs and products. INS employees can log on to obtain a variety of information: the Employee Handbook, information about benefits, and financial management planning tools. "INS-TV and LIFELines: We're here for you!"



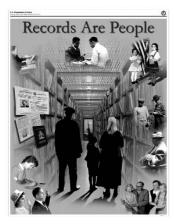


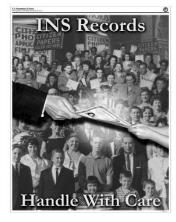












# Prize-winning posters tell the story for Office of Records Management

A series of wall posters that tell the story of the importance of records, and good record-keeping practices, have reaped an award for the INS Office of Records Management.

The full-color posters
produced by the office received one of
two Best Practice awards this year from the

National Archives and Records Administration (NARA). Jill Drury, the Assistant Commissioner of the Office of Records Management, accepted the award May 15 at the annual NARA Records Administration Conference, held in Washington, D.C.

Themes for the posters, many of which draw on historical images to make their point, were developed by a three-member committee comprised of Delia Chalonec, Dorothy Holmes and Marian Smith.

Working from the committee's ideas and sketches, a contract artist completed the designs, which portray the history and values of the Records Program.

An initial group of posters, including two entitled "Records are People" and "INS Records - Handle With Care," were the basis for the NARA Best Practices award. The series has since been expanded to a total of 12 posters, some of which reflect the modern era of record-keeping, showing computers and CD-ROM data storage disks. Words, too, capture the new age of technology, such as one entitled: "INS Records - Moving from Paper to Digital."

All of the posters underscore the connection between records and the lives of people. Under the caption of "Records are People," a family of immigrants in turn-of-the-century styles of clothing is depicted looking down rows of shelves holding records. Along the poster's margin are images of people and paper records that could have been part of an alien's transition to becoming a naturalized American citizen.

In "INS Records - Handle With Care," the image of a naturalization certificate passing between two hands is superimposed over a photograph of people who might be participating in a naturalization ceremony from the early 20th century.

Assistant Commissioner Drury suggested the poster project a year ago as part of a wide-ranging revitalization of the INS Records Program.

The ongoing revitalization effort began with the opening in November 1999 of the National Records Center in Lee's Summit, Mo. This facility consolidated in one central location the files of about 20 million aliens.