

No longer welcome: Cracking down on immigrants

by [Fred Tsao](#) in the [December 13, 2003](#) issue

You and the alien shall be alike before the Lord. You and the alien who resides with you shall have the same law and the same ordinance.

(Num. 15:15b-16, NRSV)

Like many young Pakistanis, Khalid Faiz-Mohammad believed he could make a better life for himself in America. On his first attempt to get into the country, in 1988, he was caught, deported and barred from returning for one year.

Back in Pakistan, Khalid met Taby, a Pakistan-born woman who was visiting from the U.S., where she was a legal resident. Khalid waited the required year, and then came back to the U.S. He married Taby and settled in a Chicago suburb. The couple had a daughter, Rabeal, who is now 11. Khalid has been a devoted husband and father and a law-abiding member of his community. A cab driver, he has never received even a traffic ticket.

When Taby became a citizen in 1996, she sponsored Khalid for his green card. The Immigration and Naturalization Service sat on the application because of Khalid's previous deportation. His case was still pending when Khalid and Taby heard about a special registration program. In the wake of the 9/11 attacks, the Department of Justice was requiring men who came to the U.S. on temporary visas from 25 countries (all but one of which are predominantly Muslim) to report to the INS for fingerprinting and interviews. Khalid knew that he would need to report in order to avoid any trouble with his green card application, so last February he reported.

Khalid did not realize, however, that the INS would pull up his previous deportation order and use it to deport him again. The INS arrested Khalid on the spot. He spent the next several weeks in a series of county jails throughout Illinois, including the Tri-County facility in far southern Illinois. Several times Taby and Rabeal drove six hours from Chicago to see Khalid at Tri-County, usually for less than an hour each time. On Memorial Day weekend, the INS put Khalid on a plane to Karachi without

allowing him to even hug Taby and Rabeal goodbye.

The Faiz-Mohammads are just three of the many victims of homeland security initiatives that the federal government has launched since September 11, 2001. The measures have targeted Muslim, Arab and South Asian immigrants. It's not clear that these actions have made the U.S any safer. It is clear that they have devastated immigrant families like the Faiz-Mohammads.

Immediately after the September 11 attacks, federal authorities rounded up 1,200 individuals, mostly Muslims or people of Arab descent, based on suspicion that they were involved in or had knowledge of terrorist activity. In the end none of them has been formally charged with terrorist activity. Yet the federal government has repeatedly refused to disclose information about these detainees.

The immigration courts have compounded this secrecy by closing many immigration hearings to the public and the media. The courts do not even acknowledge the existence of these cases or list them in their dockets. The Justice Department's inspector general blasted the department's detention policies in a report released in April 2003, finding that most of the detainees were held needlessly and without charge while the FBI cleared them of suspicion.

The State Department has required special clearance for visas from 26 Middle Eastern, north African and Asian countries. This policy has affected thousands who have nothing to do with terrorism, including many visiting artists and performers or foreign students, many of whom had returned to their home countries during academic breaks and who were delayed or blocked from returning for their school terms. The Justice Department has also conducted at least three rounds of interviews with several thousand individuals from Arab and Muslim countries. The interviews have produced very few useful leads, but have heightened the fear and insecurity in immigrant communities.

The special registration program sent shock waves throughout immigrant communities when people realized that the INS was using it as a trap to arrest and deport men who had overstayed their visas or committed other immigration infractions. Many members of Chicago's large Pakistani population, fearing detention and deportation, fled the U.S. for Canada or their native countries, abandoning their homes and businesses. Of the more than 83,000 registrants, at least 13,000 have been deported, as Khalid was, or now face deportation.

The federal response to terrorism has also had a severe effect on refugees. Refugees by definition are fleeing persecution in their home countries. Given the already years-long wait for resettlement processing, and the squalid conditions of refugee camps, it is extremely unlikely that any terrorist would try to enter the U.S. as a refugee. Yet the federal government closed down refugee admissions altogether in the two months after the September 11 attacks. When processing reopened in November 2001, additional security precautions (such as limits on the number of refugees who could arrive on a single plane) and a diversion of resettlement staff caused steep drops in admission rates. Out of an authorized ceiling of 70,000 for fiscal year 2002 (already a sharp drop from admission levels during the 1990s), only 27,000 refugees gained admission. Despite the State Department's pledge to speed up resettlement processing, only 28,000 refugees came to the U.S. in fiscal year 2003, which ended September 30.

The overwhelming majority of immigrants are here to work and make better lives for themselves and their families. Elvira Arellano came to the U.S. five years ago from Mexico. She sought a series of jobs to support herself and her young son Saul, who was born in the U.S. She eventually found work cleaning airplanes at Chicago's O'Hare airport. On December 10, 2002, federal agents stormed into Arellano's home early in the morning and arrested her for using a false Social Security number.

Elvira was one of 25 Chicago-area airport workers identified in Operation Chicagoland Skies, part of a national crackdown on undocumented immigrants who held jobs at airports. Federal authorities have undertaken similar operations at other locations, such as Chicago's Sears Tower and the John Hancock building. While the authorities claim these operations were designed to protect against terrorist threats, they have not found any would-be terrorists. They have merely netted dozens of low-wage workers who pose no threat to national security.

Before the September 11 attacks, the U.S. had been moving toward enacting a new program for the legalization of undocumented workers. Just the week before the attacks, Mexican President Vicente Fox visited the U.S. to jump-start negotiations for a new immigration arrangement between the two countries that would acknowledge the presence of approximately 9 million undocumented immigrants in the U.S. and the economic and social realities that brought them here.

In the post-9/11 era, undocumented immigrants like Arellano and Faiz-Mohammad, who have worked hard, raised families and contributed to their communities, should be given the opportunity to receive legal status. Legalization would not only honor

their labor but would also bring them out of the shadows so they wouldn't need to assume false identities to work and remain in their new home country.