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### ***Critics say strict enforcement of immigration laws has turned the war on terror into a war on immigrants***

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BOB EDWARDS, host:

Since the September 11th terrorist attacks, a cornerstone of the Bush administration's counterterrorist strategy has been strict enforcement of immigration laws. Officials say a broad crackdown on illegal aliens was needed to find terrorists already here and prevent more from entering the country. But critics say that approach has turned the war on terror into a war on immigrants and they question whether the changes are making the nation safer. NPR's Jennifer Ludden reports.

JENNIFER LUDDEN reporting:

Six weeks after the attacks on New York and Washington, Attorney General John Ashcroft announced a new focus on prevention. He said he was taking a page from Robert Kennedy who, it was said, had mobsters arrested for spitting on the sidewalk.

Mr. JOHN ASHCROFT (Attorney General): It will be the policy of this Department of Justice to use the same aggressive arrest and detention tactics in the war against terror. Let the terrorists among us be warned. If you overstay your visas, even by one day, we will arrest you. If you violate a local law, we will hope that you will and work to make sure that you are put in jail and be kept in custody as long as possible. We will use every available statute. We will seek every prosecutorial advantage.

LUDDEN: Law enforcement agencies began raiding airports across the country, arresting hundreds of illegal aliens working at them. At a recent Justice Department press conference, Paul McNulty, the US attorney for eastern Virginia, said the program has been expanded to other critical sites.

Mr. PAUL McNULTY (US Attorney, Virginia): We're looking at the power plants, the military bases, other places where people are employed that are vulnerable and we're running their names through criminal issue record checks. We're making sure that everybody who works there is who they say they are, and these are the ways we have to do business if we're going to prevent terrorism in the future.

LUDDEN: Many caught in these raids have been from the large Hispanic population, but the government's most controversial moves have been against Arab and Muslim men. Hundreds were detained and deported in the months after 9/11. An internal report by the Justice Department's inspector general criticized the harsh treatment and near random roundup of many of them. More recently, 80,000 Arab and Muslim men have been fingerprinted and interviewed under a new registration program; 13,000 of them face possible deportation, many for technical violations of immigration law.

Ms. DORIS MEISSNER (Migration Policy Institute): Maybe that would even be defensible if we were getting any results from it, but we are not getting results from it.

LUDDEN: Doris Meissner headed the INS during the 1990s and is now a senior fellow with Migration Policy Institute. She notes that no one who's registered and none of the earlier detainees has been charged with terrorism. In fact, in a new report by the institute, Meissner contends that despite all these measures, most of the 9/11 hijackers would again today be granted visas to the US. It's a point several current and former immigration officials do not dispute.

Ms. MEISSNER: This terrorism that we're facing today is a terrorism that has figured out the notion of clean operatives, people who can come in under the radar screen because they don't have criminal records or they are not already known by governments like ours.

LUDDEN: And won't be known, Meissner says, without better intelligence gathering and cooperation among law enforcement agencies in the US and abroad. The report credits all those things with the greatest anti-terror successes since 9/11. A perfect example, says Meissner, last week's announcement of the arrest of Lyman Faris, accused of plotting to blow up the Brooklyn Bridge. She notes Faris is a naturalized US citizen not subject to any of the new immigration measures. The Justice Department's Kris Kobach has helped craft those measures and he defends them.

Mr. CHRIS KOBACH (Justice Department): The national security of the United States has been enhanced in a very tangible way.

LUDDEN: Kobach says new tracking systems have identified nearly 800 people with criminal or immigration violations and they've led to the apprehension of 11 people suspected of ties to terrorism. Kobach will not reveal any details about these 11 and won't say if he expects charges to be brought.

Mr. KOBACH: But quite often, the most effective, easiest and fastest way is to remove them on a ground unrelated to terrorism, because you can establish that ground very quickly in immigration courts and get the person out of the United States quickly, enhancing the security of the United States in the process.

LUDDEN: The secrecy makes critics skeptical. In fact, last year, the government's own General Accounting Office found that three-quarters of all convictions labeled as terrorism were not. But that doesn't bother Mark Krikorian of the Center for Immigration Studies. He sees a big benefit in the immigrant crackdown: deterrence. He points to the effect of the registration program on the large illegal Pakistani community.

Mr. MARK KRİKORIAN (Center For Immigration Studies): Thousands of them fled the country voluntarily without having to be arrested and deported. They went to Canada, they went back to Pakistan, they went to England. They deported themselves, if you will.

LUDDEN: Krikorian says the reason was simple: The community got a long overdue message that, in his words, 'immigration law is no longer a joke.'

Mr. KRIKORIAN: What that teaches us is that like broken windows policing under Guiliani in New York, once the authorities make clear that order is being restored to a chaotic and archaic system, people respond.

Ms. ANGELA KELLEY (National Immigration Forum): What it's resulted in is exactly the opposite effect of making us safer; quite frankly, I think we're less safe.

LUDDEN: Angela Kelley of the National Immigration Forum says the government's high-profile targeting of the Arab and Muslim community is counterproductive.

Ms. KELLEY: It makes it impossible for the agencies to effectively focus on finding the bad guys. And it makes it terrifying for the communities to come forward and meaningfully participate at any level, to want to come forward to naturalize, to want to come forward to report a crime, to want to come forward to report suspicious activity. It couldn't be less effective, quite frankly.

LUDDEN: Kelley and other advocates contend the Bush administration has gone after immigrants largely because it can. Under US law, it is easier to lock up immigrants and hold them longer and they have no right to a government lawyer as defendants in the criminal justice system do. Immigration analyst Doris Meissner worries the government's actions threaten the country's self-image as an immigrant nation and jeopardize political and economic ties abroad.

Ms. MEISSNER: It makes us appear hypocritical, and domestic policy is undermining long-term foreign policy goals in a dangerous way. We should not be letting that happen.

LUDDEN: Despite the criticism, Meissner and others welcome some of the administration's reforms. They cite an expanding entry-exit system to track foreign visitors and a new initiative to deport convicted criminal aliens. Though success depends on getting enough money and manpower, immigration advocates say these programs are a good start toward enforcing long ignored laws. But much of this has little to do with counterterrorism they say and the government should make that clear. Jennifer Ludden, NPR News, Washington.

EDWARDS: The time is 29 minutes past the hour.