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Illegal Immigration and The New Terrorism Threat Collide

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Washington D.C. Metro suspected terrorist Farooque Ahmed.
Photo: File U.S. Government

Late last week Senator Charles Grassley (R-Iowa) demanded the Department of Homeland Security cough up the immigration and naturalization records of Washington D.C. Metro rail suspected terrorist bomber Farooque Ahmed.

In an effort to determine the best method to protect Americans from illegal aliens who have nefarious intentions toward U.S. citizens, Grassley sought the immigration process used by Ahmed from the U.S. Citizenship and Immigration Services (USCIS), but he was refused the records and told he needed a privacy release form from the suspected terrorist.

Grassley's letter highlighted a clear conflict provided by USCIS and showed that the language contained in the Privacy Act details an exemption for members of Congress. Grassley said it, "is unacceptable as a matter of accountability," for the American people.

Senator Grassley outlined his concern in a letter to the Department of Homeland Security. "It's about the suspected terrorist from media reports, including accounts that the would-be bomber hoped to harm as many Americans as possible on the metro system." In addition to seeking the

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suspected terrorist's immigration history, Grassley also asked for the legal background for the excuse the USCIS used to disregard a provision of law designed to ensure checks and balances by giving Congress access to this kind of information.”

The senator pointed out several media reports that concerned him regarding the process used by the Federal Bureau of Investigations (FBI) and other agencies to arrest Ahmed.

“According to news reports, the Federal Bureau of Investigation (FBI) conducted an undercover sting operation, and exposed Mr. Ahmed of plotting terrorist attacks against Americans,” he said in a letter to Janet Napolitano, Secretary of DHS. “Some reports indicate that earlier this year, Mr. Ahmed ‘conducted surveillance and reconnaissance and suggested ways to generate the most causality’s on the DC metro. He reportedly wanted to battle U.S. troops in Afghanistan and Pakistan and trained himself in martial arts, use of firearms, and knife and gun tactics. Mr. Ahmed informed those whom he believed to be his co-conspirators that he also planned to wage jihad overseas.”

Various news reports cite that Ahmed obtained a degree in Computer Science from the College of Staten Island, which is a part of the City University of New York. Later Ahmed work in the telecommunications industry in Northern Virginia. It is also alleged that in order to keep his legal status, Ahmed began pursuing an online graduate degree in risk management and data security from Aspen University.

Senator Grassley’s concerns about Ahmed’s visa status draws attention to the process by which potential immigrants enter the country and what kind of background checks are required to ensure the legitimacy of prospective students who seek higher education in the U.S.

“I would like to know how Mr. Ahmed entered the United States and through which immigration channels he was able to remain here,” said Grassley who is also a senior member of the Senate Judiciary Committee and a member of the Subcommittee on Immigration, Refugees, and Border Security. “I therefore request that you provide me with copies of all documents and reports relating to the issuance of student visa(s), any adjustment of status and subsequent visas, and naturalization for Mr. Ahmed including, but not limited to the following:

- a. All immigrant and non-immigrant visa applications filed by Mr. Ahmed;
- b. All certificates of eligibility for immigrant and non-immigrant visas provided by Mr. Ahmed in support of his application(s) for legal status in the United States;
- c. All law enforcement reports that contained information on Mr. Ahmed’s associations with al-Qaeda and which were available to homeland security official(s) who approved his visa application(s) and naturalization application.

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- e. Any records on Mr. Ahmed included in the student tracking system, SEVIS, including but not limited to his degree program and classes taken at City University of New York and Aspen University.
- f. All documents related to the naturalization process for Mr. Ahmed.

While these documents are a start for Senator Grassley's office, others are now questioning the effectiveness the H-1B visas and the need to update the provisions to better fight terrorism in a post 9/11 world.

The main pathway for H-1B Visa holders is to obtain a degree from a U.S. college or university on a F-1 Visa, and perhaps extend it with OPT (Optional Professional Training) for up to 29 months and then obtain a H-1B Visa for employment of 6 or more years.

One factor of particular concern for Americans is the easy process for foreigners to obtain an H-1B visa. "These visas are discouraging young Americans from entering technology fields," according to Gene Nelson, Ph.D. who is an expert in immigration policy. "Why should American students complete the expensive and challenging training to become a scientist or engineer if prospective employers will hire essentially unlimited numbers of (inexpensive) technical professionals from India or Communist China to quickly displace the young Americans from technology fields?"

Nelson believes the second effect of this immigration visa is just as significant, but more difficult to quantify.

"The lack of vetting of imported technical professionals under work visa programs such as H-1B is causing national security harms. I have discussed this problem in testimony delivered in the U.S. House of Representatives and the National Academy of Sciences since 1996," Nelson explains. "The long-term negative externalities of such immigrant avidity include the prospect of large-scale nuclear terrorism or bioterrorism in the U.S., likely in cities such as Washington, DC or New York City."

The H-1B Visa holder is a de-facto indentured servant, according to Nelson. He also points out their visa is conditioned on being continuously employed and employers are able to hold out the "carrot" of the eventual green card sponsorship.

Ferretting information about students can be as easy as looking to social networking sites. For

example, Ahmed's LinkedIn profile showed that he was enrolled in a master's computer engineering program at CUNY's College of Staten Island. It went on to explain that he did not get his degree because of a "political issue between computer science and engineering department."

Nelson explains that an employer-sponsored H-1B visa requires practically no vetting of applicants and allows foreign students to remain in the U.S. for at least six years. Plus, foreign students or employees are often granted automatic extensions while they are waiting for a green card. Once a green card is in hand, foreigners are well on their way to completing the U.S. naturalization process.

As far as employers ensuring that no one in America is qualified for the high-tech job, U.S. employers are required to make a "good faith" attempt to hire an American first before they grant an H-1B visa to a foreigner. However, experts contend that few employers do this because they know foreigners are willing to work for less money and longer hours.

According to the Labor Department's 2006-2011 Strategic Plan notes; "H-1B workers may be hired even when a qualified U.S. worker wants the job, and a U.S. worker can be displaced from the job in favor of the foreign worker."

This should be very concerning to Americans. Many of the H-1B visa jobs involve national security inside the telecommunication industry.

In Ahmed's case he worked for three telecommunication companies since 2000 and according to the Labor Department each of these companies applied for hundreds of H-1B visas; Ericsson which has applied for 446 H-1B visas, Glotel who has applied for 143 H-1B visas and Sprint who has applied for a staggering 857 H-1B visas.

Once Nelson navigated through the Sprint VA H-1B visa spreadsheet he found some disturbing details. He pointed to an incorrect work city shown for Sprint "network" positions that begin in July, 2006, which matched his LinkedIn profile. "Also there is only one Sprint LCA for the state of Illinois, but it is not for Ahmed's job title. This suggests to me that Sprint failed to follow the (loophole-laden) rules, as a LCA is for a specific job title in a specific city and state," Nelson points out. (Here is the link to Sprint info; <http://www.flcdatacenter.com/CaseH1B.aspx>)

One thing is certain, a rash of terror plots continues to be uncovered across the country and there seems to be no end to the profound hatred these terrorists have towards America. The underlying terror threats will require the country's national security agencies to continually evolve and grow if they are to be successful in preventing the next 9/11 attack.