

NEWS

## A TARGET OF INS ANTI-TERROR ZEAL

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Around 6 a.m. on Nov. 8, immigration agents and police charged into an apartment in Bushwick, Brooklyn, and arrested Faisal Ulvie, a Pakistani living in this country illegally since 1995.

Also inside the apartment were Ulvie's wife, Nadine, the couple's 2-year-old child and her two young children from a prior marriage - all American citizens.

According to Nadine, the agents broke through the downstairs front door of their apartment building, pounded on the family's apartment door and rushed past 7-year-old Britany. Ulvie was still asleep in the couple's bedroom, and his wife was in the shower.

A clothing store salesman, Ulvie had never been in trouble with the law. But like many other Pakistanis and Muslims in this country, he was caught in the federal government's semi-secret but expanding dragnet for potential foreign terrorists.

"Every week for the past few months, I've gotten reports of five or six Pakistanis or Muslims being picked up in Brooklyn," said Ahsanullah (Bobby) Khan, who runs the Coney Island Project, a community group that assists Muslim immigrants.

"Many of these people disappear. Their families sometimes don't even know where they are," Khan said. "And none of them have any involvement with terrorism."

Agents carted Ulvie off to an Immigration and Naturalization Service detention center at the Middlesex County jail, where hundreds of detainees were being held.

Ulvie originally came to the United States at age 18 as a member of a Pakistani martial arts team.

After a tournament in Georgia, he applied for political asylum. But when he failed to show up for his final asylum hearing, an immigration judge ordered his deportation.

Ulvie overstayed his visa and disappeared, eking out a living as an illegal immigrant in Brooklyn.

He and Nadine were married in April 2001.

The week after his arrest, his wife, with help from Khan, hired attorney Elizabeth OuYang.

"He has no criminal record, he's married to a U.S. citizen with three children," said OuYang. "Due process would allow for him not to be deported until this issue could be resolved by an immigration judge."

On Sunday evening of Nov. 17, Ulvie telephoned his wife and told her he was being deported.

Nadine got in touch with Khan, who was working late at the offices of the Coney Island Project. Khan and OuYang immediately drove to the Hudson County jail, where Ulvie had been moved.

Bus to the plane of deportation

OuYang said jail officials told her Ulvie was being moved again, but that she would have to find out where from the INS. OuYang waited in the jail parking lot until 3 a.m., when she spotted a white INS bus. She waited for another 90 minutes but saw no one get on or off.

The lawyer drove back to New York and called the INS emergency hotline. That was when she learned from an INS official that her client was scheduled to be deported from Newark Airport at 11:30 that morning.

OuYang rushed to 26 Federal Plaza to ask an immigration judge to block Ulvie's deportation.

At 10:15 a.m., federal immigration Judge Patricia Rohan approved the request and agreed to give Ulvie a hearing.

By then, Ulvie and scores of other Pakistanis were already waiting to take off. The judge had to call the aircraft on the cell phone of an airport immigration officer.

Rohan ordered Ulvie taken off the plane.

INS officials referred all requests for comment on Ulvie's case to the Justice Department's Executive Office for Immigration Review. Elaine Komis, spokeswoman for that agency, said the department cannot discuss cases that are of "special interest" - the government's jargon for all immigrant detentions under stepped-up anti-terrorism efforts.

So far, Ulvie's worst crime appears to have been living here illegally.

"I would never have thought that these clandestine deportations are taking place if I hadn't been in that parking lot and seen that bus come to take those men," OuYang said.

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Caption: Nadine and Faisal Ulvie

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