



U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT NEWS BRIEFING

PREPARED BY BULLETIN NEWS WWW.BULLETINNEWS.COM/ICE

DATE: FRIDAY, NOVEMBER 18, 2011 8:00 AM EST

TODAY'S EDITION

Leading the News

DHS Begins Reviewing Deportation Cases 1

Operational News

Reporting On San Diego Drug Tunnel Bust Continues..... 2

Occupy Oakland Activist Released From Jail 2

Illegal Aliens Found In Maine House 2

Massachusetts Man Pleads Guilty In Child Pornography Case ... 3

Maryland Man Pleads Guilty In Federal Child Porn Case 3

Three Arrested In California For Allegedly Selling Fake Makeup. 3

Nine Arrested In Texas ICE Sweep..... 3

Policy and Issues News

DOJ Intensifies Dispute With Alabama Over Immigration Law 3

Senate Judiciary Committee Chair To Put Cybercrime Measure
In Defense Bill..... 3

Analysts Say Piracy Bills Would Harm Cybersecurity..... 3

Group To Hold Vigil Outside Georgia Detention Center 4

ICE Reaffirms Position On Denice Witness Case..... 4

Undocumented Ohio Woman Freed After Arrest In Alabama
Protest..... 4

Queens Votes To End Some ICE Cooperation..... 4

Baltimore To Test New Policy To Freeze Select Deportations.... 4

Minnesota Man Arrested For Suspicion Of False Job Promises
To Immigrants..... 4

Human Rights Commission Alleges Former Tijuana Police Chief
Abused Suspects..... 4

In Brief

Lawyer For Obama's Uncle Says Police Didn't Have Right To
Stop Car..... 5

Top DHS News

Suspect In White House Shooting Charged With Attempting To
Assassinate Obama 5

House Republicans Press Administration On Border Agent, Gun
Walking Probe 6

Charges Highlight New Strategy For Human Smugglers 6

Free Press: Bersin Should Meet With Immigration Advocates 7

Pilot Trapped In Lavatory Triggers False Security Alert 7

Swarm Of Tomatoes Kills Six In Southeast 7

Boat Runs Aground In Cayman Islands Carrying 17 Cubans 7

Cain Requests, Receives Secret Service Protection 8

Reid: Senate To Take Up Cybersecurity Early Next Year 8

Rockefeller, Chertoff: Companies Should Disclose Cyber Risks . 8

Report: Hackers Attack US Water Utility, Destroy Pump..... 8

DHS Official Urges Congress To Pass Spectrum Legislation 9

Abdo Pleads Not Guilty To Fort Hood Bomb Plot Charges 9

Obama Threatens To Veto Defense Bill Over Detainee
Provision 9

Accused Terrorist In Norway Denies Links To Al Qaeda..... 9

DHS Secretary Discusses Cybersecurity Risks..... 9

DHS Official Questions Use Of Muslim Labels In
Counterterrorism..... 9

LEADING THE NEWS

DHS Begins Reviewing Deportation Cases.

Major dailies, cable networks, and an AP dispatch carried by 125 news sites reported on ICE's announcement yesterday that it will begin reviewing 300,000 deportation cases in a bid to weed out those deemed low priority. Reports note the reviews, which were originally announced in August, are welcomed by immigrant advocacy groups, while some Republicans have labeled the move "backdoor amnesty."

The Wall Street Journal (11/18, Jordan, Subscription Publication, 2.08M) reports the reviews come as the

Administration has been criticized for deporting people who lack criminal records. John Manley, an immigration attorney and member of the American Immigration Lawyers Association, hailed the reviews as a step in the right direction. Rep. Lamar Smith (R-TX), however, said the reviews are part of a "plan to implement backdoor amnesty through administrative action."

The Los Angeles Times (11/18, Bennett, 630K) reports the reviews have a "political context," noting that the President "has been criticized by Latino activists for deporting a record number of illegal immigrants even as the president has publicly called for reforms. With Congress unwilling to approve immigration legislation, administration officials have

been looking for actions they can take on their own." Noting criticism from both sides of the immigration debate, DHS Secretary Janet Napolitano is quoted saying in a speech last month, "Not surprisingly, our policies have been simultaneously described as engaging in a mean-spirited effort to blindly deport record numbers of illegal immigrants from the country and, alternatively, as comprehensive amnesty that ignores our responsibility to enforce the immigration laws.... Two opposites can't simultaneously be true."

The Houston Chronicle (11/18, 444K) reports, "The latest guidelines echoed a memo issued by ICE Director John Morton in June, which instructed field agents and attorneys to consider exercising prosecutorial discretion - the power to decide which cases to pursue - before placing people into removal proceedings or moving ahead with their deportation cases. But ICE offices across the country have interpreted and applied the June memo unevenly, leading to what critics have called widespread confusion when it comes to deciding which cases are eligible for dismissal." In response, "DHS officials said Thursday that they have launched a nationwide training program for all ICE agents and attorneys to ensure that they understand how to prioritize cases based on the new memos."

The AP (11/18) reports the reviews will focus "on illegal immigrants who have committed crimes or are considered a public safety or national security threats." But "Republicans say the steps amount to 'backdoor amnesty' for illegal immigrants." CNN (11/18), the Arizona Republic (11/18, Gonzalez), AFP (11/18), Reuters (1/18), National Journal Daily (11/18, Belogolova), the Huffington Post (11/18) and Talking Points Memo (11/18, Taintor) also cover the story.

Fox News Channel's America Live (11/17, 1:09 p.m. ET) reported "the Obama administration says the goal here is to unclog the immigration courts, but Republican lawmakers say this is an end run around Congress, it is back door amnesty, it is blatantly unfair." Fox News (11/18) also covers the story on its website under the headline, "DHS Launches Review of Deportation Cases Amid 'Amnesty' Concerns."

Writing in the New York Times' (11/18, Rosenthal) "Loyal Opposition" blog, Andrew Rosenthal questions DHS Secretary Janet Napolitano's claim that the Administration will continue deporting around 400,000 illegal immigrants a year even after the new guidance is incorporated. Says Rosenthal, "As the American Prospect noted in April, 60 percent of deportations between October 2008 and February 2011 were of non-criminals or low-priority criminals (such as those arrested in the distant past for a misdemeanor). ... See the problem? I'm not terrific in math, but how is Homeland Security going to remove an extra 240,000 immigrants (60 percent of 400,000) with criminal backgrounds every year? How will they find these people?"

Nathan Pippenger writes at the New Republic (11/18, Pippenger, 53K) that despite the training program for ICE agents, the principles of the new policy, outlined in a memo earlier this year by ICE Director John Morton, are unlikely to be heeded, as an enforcement-first culture pervades the agency. Says Pippenger, "It is welcome news that the administration finally intends to fulfill the promise of its memo, but its plan hardly addresses the fundamental problem, which is not a lack of education or training. The problem is contempt. A substantial portion of America's immigration officers in this country scorn their superiors, bash their headquarters, and are defying the president's prerogative to set executive branch policy."

OPERATIONAL NEWS

Reporting On San Diego Drug Tunnel Bust Continues. The New York Times (11/18, Mackey) "Lede" blog reports that "authorities in San Diego and Tijuana, Mexico, trumpeted" their Wednesday announcement "that they had seized more than 17 tons of marijuana and closed down a tunnel used to smuggle drugs under the border between the two countries." Bales of marijuana seized during the raid "were marked with labels for Captain America, Bud Light and Sprite, apparently a coded system to identify their owners." But while officials touted the bust as a major victory, ICE agent Tim Durst "sounded a less optimistic note." He is quoted as saying, "As long as there's a demand for the supply of drugs in the United States, then the drug smuggling organizations are going to continue to move."

Occupy Oakland Activist Released From Jail. The Oakland Tribune (11/18, O'Brien) reports that on Thursday ICE agents detained Francisco "Pancho" Ramos Stierle in Oakland, CA, "but then released him a few hours later." According to ICE spokeswoman Virginia Kice, "it will be up to the immigration courts to determine whether he has a legal basis to remain in the United States." Stierle's attorney, Yolanda Huang, "was frustrated that Alameda County officials said they had no authority to stop Ramos Stierle from being handed over to ICE, believing they 'passed the buck.'"

Illegal Aliens Found In Maine House. The Bangor Daily News (11/18, Ricker) reports that on Thursday "several individuals" were processed by ICE in connection with Wednesday raids of two homes and the Twin Super Buffet in Brewer, ME. One of the homes was allegedly a "safe house" filled with "illegal aliens who worked at the local restaurant" and who "lived crammed together, according to an 18-page complaint filed late Wednesday afternoon in US District Court in Portland."

According to WABI-TV Bangor, ME (11/18, Roberts), documents show that Zi Qian Zhang and his wife Ai Hui Lu had been investigated "for five years," and were the owners of a four buffet restaurants searched Wednesday as well as the homes in Brewer. They're accused of crimes including "hiring, harboring and transporting illegal aliens and money laundering."

Massachusetts Man Pleads Guilty In Child Pornography Case. The Worcester (MA) Telegram & Gazette (11/18, Hammel) reports that a Milford, MA man pled guilty Thursday "to production, distribution and possession of child pornography," and faces between 15 and 20 years in jail during February 9's sentencing. The man was arrested after it was discovered that he "directed a man in Arizona to sexually abuse children and send him photographs," and investigators found "more than 27,000 images of child pornography" in his possession.

According to the Daily Item (11/18), the man also engaged in online chats, providing a camera and suggesting "how the child should be posed" during abuse.

Maryland Man Pleads Guilty In Federal Child Porn Case. The Cumberland (MD) Times-News (11/18) reports that a Cumberland, MD man pled guilty Wednesday "to conspiracy to transport child pornography in connection with his role as a lead administrator of an online child pornography bulletin board." The agreement says that between December 2006 and August 2008 the man and others operated "Country Lounge," a secure web-based site dedicated to trading images of child pornography" that was invitation-only and required group administrator approval to join. In August 2008 142 members were part of the site, hosted in Virginia and Texas. As part of the plea the two parties have agreed to a 10 year prison sentence.

Three Arrested In California For Allegedly Selling Fake Makeup. The Los Angeles Daily Breeze (11/18, Altman) reports that Thursday three women were arrested at the Roadium swap meet in Torrance, CA "on suspicion of attempting to sell \$100,000 worth of counterfeit makeup" that was labeled as "MAC Cosmetics." ICE and "private detectives with Investigative Consultants of Torrance assisted in the case."

Nine Arrested In Texas ICE Sweep. The Mineral Wells (TX) Index (11/18) reports that "nine illegal immigrants" were arrested in a Mineral Wells, TX home Tuesday night after ICE and local police searched it. According to a police spokesperson ICE agents took "the individuals arrested" into custody.

POLICY AND ISSUES NEWS

DOJ Intensifies Dispute With Alabama Over Immigration Law. The Washington Post (11/18, Markon, 553K) reports, "The Obama administration's legal campaign against restrictive state immigration laws has led to a bitter standoff in Alabama, where Justice Department attorneys are investigating possible civil rights violations." The Justice Department "already has sued Alabama over its new law, one of three such lawsuits against states that have cracked down on illegal immigration," and now the department has opened a civil rights probe to examine possible discrimination as the law begins to take effect. "The standoff has been over Justice's request for detailed enrollment data from Alabama schools, part of the probe into complaints that the law has prompted Hispanic families to pull their children from school."

Alabama Immigration Law Protesters Released. The AP (11/18) reports, "All 13 people arrested during a protest of Alabama's tough immigration law have been released from jail. ... Those arrested are mostly college students who say they came to the US as children and do not have proof they are here legally." An ICE spokesman "said the agency hasn't lodged a detainer against any of the protesters."

Senate Judiciary Committee Chair To Put Cybercrime Measure In Defense Bill. The National Journal Daily (11/18, Smith, Subscription Publication) reports that Senate Judiciary Committee Chairman Patrick Leahy (D-VT) is searching for "any way possible to gain approval for increased cybercrime penalties, including hitching the measure to a contentious defense authorization bill that could be dead in the water." On Thursday Leahy said he will attempt "to amend the defense" bill to include increased "penalties for certain kinds of cybercrimes," an amendment that will feature provisions from his Personal Data Privacy and Security Act, opposed by the GOP. Although the White House has also "called for the increased penalties," if they are put in the defense bill, they "may have an uncertain future."

Analysts Say Piracy Bills Would Harm Cybersecurity. In an op-ed in the Atlantic (11/18) IT analysts David Sohn and Andrew McDiarmid write that the Protect IP and Stop Online Piracy acts being considered in Congress "would do more harm than good to cybersecurity, the Internet economy, and online free expression." The House's SOPA, they say, "casts a net so wide that it would imperil the viability of Internet innovation," putting sites like Craigslist, Wordpress, Dropbox, and YouTube at risk. They

add that "domain-name filtering," found in both bills, "is an ineffective tool for combating" copyright infringement, and would "cause significant problems for cybersecurity." They include that the bills "threaten extensive and unnecessary lateral damage."

Group To Hold Vigil Outside Georgia Detention Center.

The AP (11/18) reports, "A coalition of civil liberties and immigrant rights groups plans to hold a vigil outside a federal immigration detention center in southwest Georgia. The vigil Friday morning will be the fifth annual gathering organized by Georgia Detention Watch outside the Stewart Detention Center in Lumpkin." The group "say the focus of this year's vigil will be the impact of detention on the families of detainees, especially the children." Among those scheduled to speak at the event, which is to focus on the impact of immigration detentions of families and children, is "a former employee of Corrections Corporation of America, the private company that runs the detention center on behalf of US Immigration and Customs Enforcement."

ICE Reaffirms Position On Denice Witness Case.

The Walpole (MA) Times (11/18, Benson) reports that in response to comments from Milford Police Chief Thomas O'Loughlin, who said earlier this week that an ICE official had accepted "responsibility" for not alerting local police that Luis Acosta, a witness to the death of Matthew Denice, had removed his monitoring bracelet, ICE on Thursday "issued a statement reaffirming its position" on the matter. "Contrary to public reports, ICE attaching a monitoring device (to Luis Acosta, a passenger in the pickup truck that struck and killed Matthew Denice) had nothing to do with him being a possible material witness in a criminal investigation," said ICE spokesman Ross Feinstein. "While Acosta came to our attention after the tragic death of Matthew Denice, local jurisdictions have the responsibility for keeping track of possible witnesses in their criminal investigations."

Undocumented Ohio Woman Freed After Arrest In Alabama Protest.

The Cincinnati Enquirer (11/18, Cumutte) reports that Alma Diaz, a Northside, OH resident arrested in Montgomery, AL Tuesday as part of a protest against the state's immigration law "was released" from jail Thursday and will go home Friday. The 13 protestors arrested Tuesday were all released Thursday. According to Marco Saavedra of AMOS Project, "Alma will ride back to Indianapolis with that group and then catch a bus back here." He added that the lack of ICE detainers issued to protestors shows "ICE is hesitant to get involved in low-priority cases when the public is watching."

Queens Votes To End Some ICE Cooperation.

The Queens Chronicle (11/18, Costella) reports that on Thursday Queens, NY City Council "overwhelmingly passed" a measure to "mostly end the city's cooperation" with ICE, a measure Mayor Bloomberg will "sign into law." Previously, the Department of Correction was voluntarily giving ICE "access to information regarding the citizenship status of its inmates as part of the Criminal Alien Program." However, this won't be honored now if inmates "have had their charges dismissed." City Councilman Danny Dromm, chair of the Immigration Committee, called the measure "fair and just," adding that New York City police "should not be enforcing federal immigration laws."

Baltimore To Test New Policy To Freeze Select Deportations.

The Baltimore Sun (11/18, Bennett) reports that on Thursday DHS officials announced that Baltimore, MD will be "one of two cities selected to test an immigration policy adopted by the Obama Administration that could freeze deportations of illegal immigrants who have no criminal records." As part of the program, which starts December 4, "elderly, children who have been in the country more than five years, students who came to the US under the age of 16 and are enrolled in a college degree program, and victims of domestic violence" are among those who might have their deportations halted. Casa de Maryland policy director Kim Propeack said the agency is "relieved that there is potentially a new future for families that we see divided all the time."

Minnesota Man Arrested For Suspicion Of False Job Promises To Immigrants.

The Minneapolis Star Tribune (11/18, Norfleet) reports that Mario Alberto Martinez-Alanis is being detained in Hennepin County, MN jail following a Monday arrest. According to Minneapolis immigration lawyer David Wilson, Alanis "possibly made off with tens of thousands of dollars by misleading Hispanic immigrants that he could help them find jobs for a fee." Said Wilson, "Nobody deserves to be threatened despite their status." Wilson approached ICE about the alleged misconduct, and also served him with a suit Monday "on behalf of three former customers, who said they had paid him more than \$1,300 but received no immigration papers or jobs."

Human Rights Commission Alleges Former Tijuana Police Chief Abused Suspects.

The AP (11/18, Subscription Publication) reports that according to Baja California's Human Rights Commission, former Tijuana, Mexico police chief Julian Leyzaola "violated the human rights of suspects and broke the law by torturing people in custody." Leyzaola, who resigned last November, contended in a

written statement that "the four men cited" in a March 2010 incident "were corrupt police officers who had assaulted and robbed a Korean man and they had to be subdued" for resisting arrest. He added they face trial after "the Korean they assaulted identified them, and a taxi driver identified them for what they are: criminals." However, the Commission also says that in an August 2009 incident Leyzaola and others "tortured five people" who were suspects in police murders.

IN BRIEF

Lawyer For Obama's Uncle Says Police Didn't Have Right To Stop Car. The AP (11/18, Lavoie) reports that on Thursday a lawyer for President Obama's uncle said in court that "police did not have the right to stop" the car Onyango Obama was driving, because "he wasn't committing any motor vehicle violations at the time." Obama "has pleaded not guilty" to drunk driving charges as well as "negligent operation of a motor vehicle and failure to yield the right of way." Obama was in court but didn't speak during the brief hearing.

TOP DHS NEWS

Suspect In White House Shooting Charged With Attempting To Assassinate Obama.

Reports that Oscar Ramiro Ortega-Hernandez, a homeless man from Idaho, was charged with attempting to assassinate President Barack Obama after he fired an assault rifle at the White House, received considerable press in the wires and dailies, but only 2:25 minutes of coverage on broadcast news. Almost all sources noted that, according to an FBI affidavit prepared by Special Agent Chris Ormerod, Ortega-Hernandez had a history of mental illness. Most outlets, like the AP (11/18, Gresko, Bonner), added that he was detained and photographed by police in Arlington, VA, last Friday for "suspicious behavior," but was subsequently released. USA Today (11/18, Jackson, Leger, 1.78M) was the only source to note that "Ortega refused to allow the police to search [his] car." Politico (11/18, Gerstein, 25K) revealed that authorities did not initially suspect the shooting was an actual assassination attempt. Referring to an anonymous official, the Washington Post (11/18, Duggan, 553K) reported that Ortega-Hernandez appeared to be acting alone and was not linked to any radical organization.

NBC Nightly News (11/17, story 2, 2:25, Williams, 37M) reported, "Tonight for the first time in close to two decades, a man has been charged with attempting to assassinate the President of the United States. It's a case

that underscores the risk we face every day in a democratic society. He's a homeless man from Idaho now formally charged with the attempted assassination for firing rifle shots from a car at the White House. At least two rounds actually struck the building. And while the President was not in residence at the time, the full force of the law has now come down on this suspect."

The AP (11/18, Gresko, Bonner) reports that Ortega-Hernandez acted because "he believed he was Jesus and thought President Barack Obama was the Antichrist, according to court documents and those who knew him." The AP adds that "Ortega's mother has said he has no history of mental illness, though when authorities were looking for him, they reported he had 'mental health issues.'"

The Salt Lake (UT) Tribune (11/18, Alberty, 108K) adds, "Oscar Ramiro Ortega-Hernandez, who has a criminal history in Utah and Idaho, had not been seen at his Idaho Falls home for 8 or 9 days when his family filed a missing person report Oct. 31, said Idaho Falls police spokeswoman Joelyn Hansen. In the missing-person report, his family said Ortega-Hernandez, 21, had told them he was thinking about going to Salt Lake City, Hansen said. The reason for the proposed trip is not clear, Hansen said."

The New York Times (11/18, Savage, Subscription Publication, 1.23M) reports, "He has a history of aberrant behavior and has had legal problems in Idaho, Texas and Utah, including drug charges, drinking, resisting arrest and assault on a police officer, officials have said. The Secret Service did not have Mr. Ortega-Hernandez on record as someone who had made any threats to the president, an agency official said."

The Washington Post (11/18, Duggan, 553K) reports, "An official, speaking on the condition of anonymity because the attack is under investigation, said authorities have found no evidence of anyone else being involved in the shooting. Ortega-Hernandez has not been linked to any radical organizations or co-conspirators, the official said. It's unclear whether any of Ortega-Hernandez's acquaintances warned authorities about him before last Friday — whether they told police about the alleged threats toward Obama, about Ortega-Hernandez's sudden departure from Idaho or about the rifle."

Bloomberg News (11/18, Schoenberg, Stern) reports, "Ortega-Hernandez, 21, appeared in federal court in Pittsburgh today after his arrest yesterday by Pennsylvania State Police at a hotel near Indiana, Pennsylvania. ... A task force of federal and local law enforcement agencies had been searching for the gunman who fired shots that hit the White House just after 9 p.m. local time on Nov. 11." According to Secret Service spokesman Edwin M. Donovan, "the shots were fired from a street less than 800 yards south of the executive mansion."

On its "Blog Briefing Room" blog, The Hill (11/18, Yager, Strauss) reports, "According to court documents, a witness told the US Park Police last Friday that a man in a dark-colored sedan in front of her shot a gun through his passenger-side window in the direction of the White House and then sped off. Another witness reported hearing approximately eight sounds of a 'popping noise' and saw 'puffs of air' coming from the man's car, according to documents. ... A witness described the vehicle's driver as attempting to restart the car, then fleeing on foot when that failed, according to the criminal complaint."

AFP (11/18, Valery) reports, "Within five minutes of the shooting, authorities located an abandoned vehicle on Constitution Avenue, which runs along the northern border of the Washington Mall. That car was found to be registered to Ortega-Hernandez. According to the criminal complaint, investigators recovered a semi-automatic assault rifle 'with a large scope mounted on the top portion of the weapon' along with ammunition and nine spent shell casings."

The Washington Times (11/18, Noble, 77K) reports, "The evidence in the vehicle helped a task force that included FBI authorities find Mr. Ortega-Hernandez at a Hampton Inn on Wednesday in Western Pennsylvania, about 60 miles east of Pittsburgh. ... Though the US Park Police immediately responded to the reports of shooting, several bullets and damage from their impact were not found on the south side of the White House until Tuesday."

The Christian Science Monitor (11/18, Cook, 48K) reports, "The AK-47 knockoff allegedly used in Friday's shooting has an effective range that is largely exhausted by the 750-yard distance between the White House and the intersection of 16th Street and Constitution Avenue. Of greater concern for the Secret Service is what would have happened if a more powerful rifle had been used and if the president had been home."

USA Today (11/18, Jackson, Leger, 1.78M) reports, "FBI investigators found several bullet impact points on the south side of the White House on the second and third stories — the residence of the president and his family. The bullet and bullet fragments are the same type found in Ortega's car, Ormerod said." According to FBI Washington spokeswoman Lindsay Godwin, "the FBI took custody of Ortega's car Thursday afternoon to continue the process of reviewing evidence."

On its "Crime Scene" blog, the Washington Post (11/18, Duggan, 553K) adds that "the slug had pierced the 'historic exterior glass' but was stopped by ballistic glass installed behind the normal glass, the Secret Service said."

Politico (11/18, Gerstein, 25K) reports, "Police initially said they saw no connection between the shots fired and the White House or Obama, but the gravity of the incident became clearer on Tuesday when a bullet was discovered

between the outer glass and the bulletproof layer of a window on the White House's second floor, which is part of the first family's residential quarters." Politico adds, however, that "the complaint does not claim a direct ballistics match between the recovered rounds and the AK-47 found abandoned on Friday night."

On its website, CNN (11/18, Cratty) adds, "A law enforcement official told CNN on Thursday that a trace of the weapon did not show Ortega-Hernandez as the purchaser. The official, who was not authorized to speak about the ongoing investigation, provided no further information on the weapon's purchase."

The Wall Street Journal (11/18, Barrett, Subscription Publication, 2.08M) reports that Ortega-Hernandez remains in custody in Pennsylvania while authorities prepare to extradite him to Washington, DC, to face the attempted assassination charge.

The Los Angeles Times (11/18, Memoli, 630K) notes that the charge levied against Ortega-Hernandez "carries a maximum sentence of life in prison." The Times adds that the Secret Service, ATF, FBI, US Park Police and the Washington Metropolitan Police Department all assisted in the investigation.

House Republicans Press Administration On Border Agent, Gun Walking Probe.

Thirty-seven House Republicans yesterday challenged the prosecution of border agent Jesus Diaz Jr., who was sentenced last month to two years in prison for violating the constitutional rights of a suspected drug smuggler, the Washington Times (11/18, Seper, 77K) reports. The lawmakers, led by California Rep. Duncan Hunter, said Diaz' sentence was "unfair and excessively disproportionate," arguing that "the facts in this case do not indicate the drug smuggler was harmed during the arrest or that excessive force was used." Meanwhile, the Times notes that earlier this week, a dozen House Republicans demanded "accountability and transparency" in Attorney General Eric Holder's investigation of the ATF's "Fast and Furious" program, with "several saying he should resign because of 'evasive answers' he has given Congress about the failed operation."

Charges Highlight New Strategy For Human Smugglers.

The AP (11/18, Spagat) reports eight men in California "have been charged in an unusual sting that investigators say highlights a new tactic in which immigrant smugglers never cross the border from Mexico — and instead use cell phones from nearby mountaintops to bark out real-time instructions to their customers as they navigate each step of the desert trek into the US." The accused "were part of one of the first immigrant smuggling rings dismantled on the US-Mexico border that exclusively uses cell phones,

employing none of the foot guides commonly employed to lead groups across the border, said Derek Benner, US Immigration and Customs Enforcement's special agent in charge of investigations in San Diego." Border Patrol Chief Mike Fisher said in an interview with the AP, "Technology is now the guide, as opposed to an individual that's going to have to try to make it back to Mexico when the Border Patrol stops them."

Free Press: Bersin Should Meet With Immigration Advocates. The Detroit Free Press (11/18) editorializes, "Despite some encouraging signals on immigration reform from the White House, widespread human rights abuses continue on both the northern and southern borders. Immigration reform advocates across the country want to meet with Alan Bersin, national commander of the Bureau of Customs and Border Protection. That meeting should happen soon if the Obama administration is serious about adopting more practical and humane policies."

Pilot Trapped In Lavatory Triggers False Security Alert. Delta Flight 6132 from North Carolina to New York alerted air traffic control in New York on Thursday that a person with a "thick foreign accent" was attempting to access the cockpit with the secret password, which was given by the captain who was locked inside the lavatory. Upon freeing himself, the captain notified air traffic control and alerted an emergency landing. The incident received widespread coverage, with all three national networks, as well as more than 50 local TV stations, running reports, many of which characterized the incident as a false security alert and "an embarrassing misunderstanding," as was the case with NBC Nightly News (11/17, story 7, 2:10, Williams).

ABC World News (11/17, story 3, 2:00, Muir) says the "white-knuckle moment" came after a round of "musical chairs," referring to the airline's security policy that requires two people in the cockpit at all times, resulting in the flight attendant having to take the captain's chair. "Eventually [the trapped captain] roused one of the 14 passengers and gave him the secret cockpit password so he could get help," adds NBC, citing aviation expert John Nance, who was "astounded" that the pilot gave away the cockpit pass code. The plane's first officer told air traffic control, "What I'm being told is [the captain's] stuck in the lav and someone with a thick foreign accent is giving me a password to access the cockpit and I'm not about to let him in." The report concludes by noting that the incident may prompt changes in procedures regarding bathroom breaks.

For its part, the CBS Evening News (11/17, story 8, 8:55, Pelley) notes fighter pilots were alerted of the "cockpit scare," but they never took off. The report continues, "A flight

attendant finally opened the lavatory door and the captain landed the plane in New York."

Swarm Of Tornadoes Kills Six In Southeast. All three network newscasts reported on the swarm of deadly and destructive tornadoes unleashed on the Southeast earlier this week. The story accounted for four minutes of total air time and was the lead on CBS. Reports say storms such as this one, which killed a reported six people, are rare for this time of year.

The CBS Evening News (11/17, lead story, 2:30, Pelley, 6.1M) reported, "A lot of people in the Southeast are adding up the damage and counting their blessings, lucky to be alive after a series of deadly tornadoes. As more as 18 twisters tore across Alabama, Georgia, Virginia and the Carolinas last night. There were at least six deaths and dozens of injuries."

ABC World News (11/17, story 5, 1:05, Muir, 8.2M) reported the "rare and deadly" storm saw 24 tornadoes spawn in a 24 hour period. "One tornado, reportedly 50 miles wide."

NBC Nightly News (11/17, story 4, 0:35, Williams, 8.37M) reported, "A violent weather system that swept across the South has left six people dead including a three-year-old girl... . Dozens of people were injured. Property damage is severe from this." NBC notes tornadoes have killed 553 people this year, the most since 1925.

The AP (11/18) reports from Lexington, Kentucky, where "a day after deadly tornadoes struck the Southeast, survivors looked for what they could salvage, huddled in loved ones' hospital rooms and shared stories of how they made it through the furious storms. Some were also mourning. People in a hard-hit North Carolina neighborhood marked the spot where a 3-year-old girl's body was found with an American flag."

The New York Times (11/18, A19, Severson, Subscription Publication, 1.23M) reports the twisters "marked the beginning a fall storm season that is likely to bring more trouble to a region that has barely recovered from an unusually deadly string of spring tornadoes." According to the Times, "the storms particularly shook residents in Alabama, a state that lost 248 people during a historic bout of 67 tornadoes in April. A tornado with winds as high as 120 miles per hour touched down in the western part of the state."

Boat Runs Aground In Cayman Islands Carrying 17 Cubans. The Miami Herald (11/18, Tamayo) reports that 17 Cubans have been "detained in the Cayman Islands after their wooden sailboat ran aground" there. This was the fifth-such interception in the Cayman Islands this year, compared to zero last year, appearing "to affirm reports indicating an increase in the number of Cubans trying to leave their island illegally in recent months." The

Cayman Islands is "125 miles south of Cuba," so it's near the route Cubans typically use to get to Mexico or Central America and then cross into the US by land. Since 2005, Pelley has stated officials in the Islands have to detain Cubans and take their vessels if they aren't "seaworthy."

Cain Requests, Receives Secret Service Protection. The AP (11/18) reports that Herman Cain "on Thursday became the first Republican presidential candidate to receive Secret Service protection. Cain asked for the security and Homeland Security Secretary Janet Napolitano and congressional leaders approved his request Thursday, Secret Service spokesman Ed Donovan confirmed. ... Death threats against Cain, who had been experiencing a bounce in the polls, triggered the request, according to an official with knowledge of the situation who asked not to be identified because of the sensitive nature of the situation."

In a brief report, the CBS Evening News (11/17, story 6, 0:30, Pelley, 6.1M) noted that "it is not unprecedented for a candidate to have agents assigned to him early in the campaign. Then-Senator Barack Obama got Secret Service protection in May of the year before he was elected President."

The Hill (11/18, Sink) reports, "Some campaigns have been eager to be assigned the protection in the past, figuring that the presence of the Secret Service gave their campaigns a sense of legitimacy - and shifted the cost of security from the campaign to the federal government. But the last GOP nominee -- Arizona Sen. John McCain -- refused protection early in the 2008 contest, saying that the Secret Service detail was intrusive and a waste of taxpayer dollars."

The Los Angeles Times (11/18, Memoli, 630K) reports, "As the sitting Texas governor, Rick Perry travels with a security detail of Texas Rangers. Mitt Romney, the GOP front-runner, often travels with one private security officer." The New York Daily News (11/18, Straw, 602K) also has a brief report.

Cain Camp's Security Staff Has Had Dustups With Media. Politico (11/18, Gibson, 25K), noting that Cain was granted Secret Service protection, says that "even before this latest move, the former Godfather's Pizza CEO -- like Michele Bachmann before him -- was finding his security becoming part of the story of his campaign. Cain's team has had a number of run-ins with reporters in recent weeks." Politico adds, "With private security now a fixture on the trail, the crowds are often kept at bay -- and with them, the media too. That, combined with the hostility this year's batch of GOP hopefuls has toward the press, has led to an uptick in combative encounters that often turn physical as reporters still fight to get access."

In a similar report, the Washington Post (11/18, Gardner, 553K) says that a "common element has emerged

from the fever-pitch of the Cain road show: physical skirmishes involving the press. ... In at least two instances, Cain's own private security guard physically blocked reporters, including one from The Washington Post. There were two confrontational incidents on Wednesday, prompting Cain spokesman J.D. Gordon to touch base with the reporters involved and also to acknowledge in an interview that the campaign needs to address the issue."

Reid: Senate To Take Up Cybersecurity Early Next Year. Senate Majority Leader Harry Reid said yesterday that he intends to introduce cybersecurity legislation in early 2012, Bloomberg News (11/18, Engleman) reports. "Cyber attacks and espionage are 'causing billions of dollars of damage to our economy and are severely compromising critical national security capabilities,' Reid, a Nevada Democrat, wrote in a letter yesterday to Senate Minority Leader Mitch McConnell, a Kentucky Republican. ... 'Given the magnitude of the threat and the gaps in the government's ability to respond, we cannot afford to delay action on this critical legislation,' Reid wrote." The Hill (11/17, Nagesh) and Reuters (11/18, Bartz, Subscription Publication) also cover the story.

Rockefeller, Chertoff: Companies Should Disclose Cyber Risks. In an op-ed for the Washington Post (11/18, 553K), Sen. Jay Rockefeller (D-WV) and former Homeland Security Secretary Michael Chertoff encourage private corporations in the US to heed recent SEC guidance and disclose its "material cybersecurity risks and events." They argue that adherence to the SEC guidance, which would allow investors to consider the implications of cyber threats, will produce "market-driven changes...in the way that the private sector considers risks," which they say "is a critical step toward improving US cybersecurity."

Report: Hackers Attack US Water Utility, Destroy Pump. On its "Theat Level" blog, Wired (11/18, Zetter) reports, "Hackers gained remote access into the control system of the city water utility in Springfield, Illinois, last week and destroyed a pump, according to a report released by a state fusion center and obtained by a security expert. The hackers were discovered on Nov. 8 when a water district employee noticed problems in the city's Supervisory Control and Data Acquisition System (SCADA). The system kept turning on and off, resulting in the burnout of a water pump." According to officials the attack originated in Russia.

CNET News (11/18, Mills) reports, "The report did not identify the water utility attacked or the SCADA software vendor compromised." Officials "declined to say where the utility is based because the report, released by a state terrorism information center, is marked 'For Official Use

Only." However, in a statement, DHS spokesman Peter Boogaard reveals that "DHS and the FBI are gathering facts surrounding the report of a water pump failure in Springfield. At this time there is no credible corroborated data that indicates a risk to critical infrastructure entities or a threat to public safety."

DHS Official Urges Congress To Pass Spectrum Legislation. The National Journal (11/18, Jerome, Subscription Publication) reports that during a Thursday House Homeland Security subpanel meeting, director of DHS' emergency communications office Chris Essid said airwaves should be used for "public safety." He added that Administration officials want to work with Congress "to ensure the passage of legislation that meets the critical national need of establishing a public safety broadband network." The Administration has requested the "D Block" of spectrum be given "to public safety agencies," but some House Republicans want "to auction those airwaves" instead. Current "spectrum legislation remains held up over this dispute."

Abdo Pleads Not Guilty To Fort Hood Bomb Plot Charges. The AP (11/18, Brown) reports that Naser Jason Abdo pleaded not guilty on Thursday to "six new charges alleging that he intended to blow up a restaurant full of Fort Hood troops." Abdo "was arrested in July at a Killeen hotel a few miles from the Texas Army post. Abdo, who was AWOL from Kentucky's Fort Campbell, planned to detonate two bombs in a restaurant full of Fort Hood soldiers and then shoot anyone who survived, authorities allege."

Obama Threatens To Veto Defense Bill Over Detainee Provision. The AP (11/18) reports, "The White House is threatening to veto a massive defense bill over its requirement that terrorist suspects be held in military custody, setting up a showdown with Congress over the Obama administration's prosecution of the war on terror. Shortly after the Senate started work Thursday on the long-awaited bill, the administration delivered a harsh assessment of provisions concerning US handling of captured terror suspects, language that has divided senior Senate Democrats and drawn criticism from Defense Secretary Leon Panetta. The White House directed its toughest comments at the military custody requirement."

The Los Angeles Times (11/18, Hennessey, 630K) reports Senate Democrats offered "sharp criticism" for the Senate bill and cites the White House statement, which argues, "In their current form, some of these provisions disrupt the executive branch's ability to enforce the law and impose unwise and unwarranted restrictions on the US government's ability to aggressively combat international

terrorism... Any bill that challenges or constrains the president's critical authorities to collect intelligence, incapacitate dangerous terrorists and protect the nation would prompt the president's senior advisors to recommend a veto."

Accused Terrorist In Norway Denies Links To Al Qaeda. The AP (11/18, Amland) reports, "The accused ringleader of a terror plot in Norway has rejected charges that he conspired with al-Qaida to attack a Danish newspaper, saying he was planning a solo raid against the Chinese Embassy in Oslo." Mikael Davud, who is "a Chinese Muslim," told the Oslo district court Thursday that his two alleged accomplices helped him acquire bomb-making ingredients but didn't know he was planning an attack."

DHS Secretary Discusses Cybersecurity Risks. The Huffington Post (11/18, Levin) reports that last month during an event on cybersecurity put on by the Washington Post, DHS Secretary Janet Napolitano "made some startling statements." She said on more than one occasion, "hackers have 'come close'" to being able to compromise "critical elements" of US infrastructure, including "big banks and transportation systems." She was asked "how many cyber attacks might have occurred during her 45 minute conversation" at the meeting, and she said "thousands." And, she also stated that "we all have to be concerned about a network intrusion that shuts down part of the nation's infrastructure in such a fashion that it results in a loss of life."

DHS Official Questions Use Of Muslim Labels In Counterterrorism. The Huffington Post (11/18, Stone) reports that head of DHS' "program on countering violent extremism" John Cohne said during an interview that the agency isn't "using 'radicalization,'" but instead is trying "to prevent violence." He said their "ultimate goal is to understand behaviors so we can better train law enforcement to understand the indicators and behaviors that forewarn of violence." He's also used briefings on Capitol Hill "to raise questions about the right approach," asking "should we be using terms" including "Islamist" or "jihadist."

Copyright 2011 by Bulletin News, LLC. Reproduction without permission prohibited. Editorial content is drawn from thousands of newspapers, national magazines, national and local television programs, and radio broadcasts. The ICE News Briefing is published five days a week by BulletinNews, which creates custom news briefings for government and corporate leaders. We can be found on the Web at BulletinNews.com, or called at (703) 483-6100.