



U. S. Department of Justice

Executive Office for Immigration Review

Office of the Director

Director

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May 3, 2005

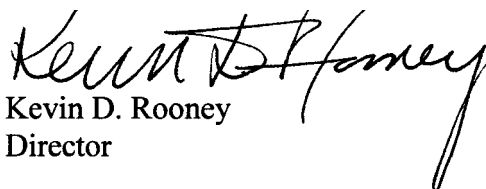
John S. Carroll
Editor
Los Angeles Times
202 W. 1st Street
Los Angeles, California 90012

Dear Editor:

Your article "Immigrant Pleas Crushing Federal Appellate Courts," May 2, unfairly places the blame for this increase at the doorstep of the Board of Immigration Appeals (BIA) and leaves the wrong impression that the BIA has abandoned its role in reviewing the decisions of this nation's Immigration Judges for the sake of efficiency. Nothing could be further from the truth. As we pointed out to your reporter, every case before the BIA is reviewed thoroughly. Where the decision of an Immigration Judge is correct and needs no further comment, the BIA issues a decision stating so. Where a decision requires more analysis, the BIA provides it. By affirming, rather than repeating, an otherwise accurate Immigration Judge's decision, the BIA is able to focus on complicated cases where a longer written decision is necessary. Given that the BIA and the Immigration Judges together handle over 340,000 matters annually, this focus is critical.

Additionally, you took out of context part of our answer to your reporter and left the impression that we believe the increase in appeals is caused solely by dissatisfaction with short decisions. Our answer pointed out that these decisions always include the Immigration Judge order which provides the alien, the government, and the appellate court a fully reasoned decision. Our response also stated that the increase in appeals may be an indication of how well the BIA's streamlined approach is working: because their decisions are resolved quickly at the BIA level, some aliens may be filing appeals in federal court to delay their removal from the country. In short, despite our provision of an extraordinary amount of information to your reporter, your article failed to present an accurate portrait of the excellent and hard work of the BIA and our Immigration Judges.

Sincerely,


Kevin D. Rooney
Director