

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KUSUMA NIO, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, et al.,

Defendants.

Civil Action No. 1:17-cv-998-PLF

NOTICE OF ERRATA

Counsel for Plaintiffs respectfully submit this notice regarding their Motion for Attorney's Fees, Costs, and Expenses Pursuant to the Equal Access to Justice Act (ECF No. 319) to correct two inadvertent errors.

First, ECF No. 319-4 ("Declaration of Margaret D. Stock") was erroneously filed without its attachment, Ms. Stock's *Curriculum vitae*. Attached hereto is the document corrected to include that attachment, which should replace the document currently on file as ECF No. 319-4.

Second, ECF No. 319-55, Plaintiffs' Exhibit 50, was erroneously described in the docket entry as "Exhibit 40". Plaintiffs kindly request that the ECF Clerk correct this on the docket to reflect that ECF No. 319-55 is in fact "Exhibit 50."

Dated: April 20, 2021

Respectfully submitted,

By: /s/ Jennifer M. Wollenberg

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**DECLARATION OF MARGARET D. STOCK
IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

I, Margaret D. Stock, declare as follows:

1. I am over 18 years of age and a member in good standing of the bar of the State of Alaska. I have personal knowledge of the facts stated herein, except those stated on information and belief, and, if called upon, I could and would testify competently to them. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and Expenses Pursuant to the Equal Access to Justice Act (the "Motion") in the above-captioned case.

A. Background and Qualifications

2. I am an attorney and a member of the Alaska Bar Association, and I am admitted to practice before the United States District Court for the District of Alaska and the United States Court of Appeals for the Ninth Circuit. I have litigated numerous cases in federal court over the course of my career and frequently have been awarded attorneys' fees, expenses, and costs under the Equal Access to Justice Act ("EAJA").

3. I have a bachelor's degree from Harvard & Radcliffe Colleges, a Master's degree in Public Administration from the Harvard Kennedy School of Government, a Master of Strategic Studies degree from U.S. Army War College, and a Juris Doctorate from the Harvard Law School.

4. I also served in the U.S. Army Reserve for twenty-eight years, transferring to the Retired Reserve of the U.S. Army Reserve as a Lieutenant Colonel in the Military Police in 2010. I am currently a "gray area" military retiree (*i.e.*, a military retiree who has not yet reached 60 years of age).

5. During college, I served in an infantry brigade in the Army Reserve. After graduating from college, I volunteered for a three-year active duty tour during which my duties ranged from law enforcement activities to combat training. After active duty, I entered Harvard Law School. There, I took a course on immigration law, which included clinical practice at Cambridge & Somerville Legal Services. After graduating with honors from Harvard Law School in 1992, I returned to my home in Alaska, and, in June 1993, was admitted to the Alaska Bar. As a result of my positive experience with immigration law at Harvard Law School, I developed a robust immigration practice in Alaska.

6. I also continued my reserve military service with a variety of duty assignments in the Military Police Corps, including assignments as a Security Officer and Deputy Provost Marshal at United States Forces Japan. From 2001 to 2010, I served as an Assistant and then Associate Professor of Law at the United States Military Academy in West Point, New York ("West Point"). At West Point, my academic research focused significantly on immigration and citizenship law. I also was appointed as the Director of the National Security Law course.

7. During my time at West Point, I started to develop three programs relating to immigration law and its impact on military personnel, their families, and military readiness. In

2007, I initiated, in collaboration with the Department of Defense (“DoD”) and the Department of Homeland Security (“DHS”) and other Federal agencies, the Military Accessions Vital to the National Interest (“MAVNI”) program, which allowed the U.S. Armed Forces to attract and retain foreign nationals who have language, medical, and other skills critical to military readiness and national security by expediting their path to citizenship. That same year, I also created, in collaboration with the American Immigration Lawyers Association, the Military Assistance Program, which pairs volunteer immigration attorneys from across the United States with low-income military personnel and their families for *pro bono* legal representation.

8. To further facilitate the citizenship process for military personnel, I was instrumental in the creation of the Naturalization at Basic Training Initiative, an intergovernmental program designed to promote and expedite the naturalization of military personnel by reducing processing times and providing naturalization ceremonies at basic training locations.

9. In recognition of my years of work developing innovative programs to help military personnel and their families navigate the U.S. immigration and naturalization system, I was awarded in 2013 the MacArthur Foundation Fellowship by the John D. & Catherine T. MacArthur Foundation.

10. I am the author of “Immigration Law and the Military” (now in its second edition) and have testified before Congress as a recognized national expert on immigration and citizenship law, particularly as it pertains to military members, their families, and national security matters. I have written numerous articles regarding immigration law issues, particularly those involving the military, and have taught numerous Continuing Legal Education sessions to lawyers and judges regarding immigration law issues pertaining to the military.

11. Further, in federal court litigation, I have been qualified as an expert on the subject of immigration and citizenship law, including with regard to military-related immigration and citizenship issues, and have testified at trial regarding the same.

12. As stated above, I transferred to the Retired Reserve of the U.S. Army Reserve in 2010. From 2010 to 2012, I was an Instructor in the Political Science Department at the University of Alaska Anchorage. In 2011, I returned to my immigration and citizenship law practice. In 2013, I founded the Alaska office of Cascadia Cross Border Law Group, LLC where I am currently the managing attorney. In 2016, I ran for U.S. Senator for Alaska as an Independent candidate.

13. Since transferring to the Retired Reserve, I have remained very active with speaking engagements related to immigration and citizenship and their relationship to military personnel and their families. I regularly teach seminars to and provide legal advice on immigration and citizenship law to attorneys who are employed by the U.S. Armed Forces. I also have served as a member of the board of the Federal Bar Association's Immigration Law Section and a member of the American Bar Association's Commission on Immigration.

14. Through my years of practicing immigration law, my teaching of and involvement in the military's immigration programs, and my representation of hundreds of military personnel and their families with regard to citizenship and immigration matters, I have become very familiar with United States Citizenship and Immigration Services ("USCIS") and the naturalization application process, including the involvement of DoD and the military services with respect to naturalization applications filed by members of the military.

15. A true and correct copy of my professional biography is attached as **Exhibit A**.

B. Background of the MAVNI Litigations

16. Starting in late 2016, I began getting reports from MAVNI soldiers in the U.S.

Army that their applications for naturalization were not being processed timely by USCIS. Because I had served as the Project Officer¹ for the MAVNI program, I knew that USCIS typically processed MAVNI naturalization applications to completion within just a few months, and I had witnessed that processing pace as the general norm in the years leading up to these new reports of delayed processing.

17. By early 2017, it was clear to me that USCIS had effectively halted the processing of naturalization applications by MAVNI soldiers. Under the MAVNI program, issues regarding citizenship were closely coordinated by and between the DoD and USCIS. As I started investigating, I learned that the DoD and USCIS had coordinated and agreed to stop all MAVNI processing—both with respect to the military and with respect to immigration—for a period of time. I recognized at the time that this processing cessation would impact more than a thousand MAVNIs who had enlisted in the Army but had not yet been naturalized. It later became apparent to me that the DoD and USCIS were actively working together to prevent MAVNI soldiers from receiving certain certifications (Form N-426) that are necessary for MAVNI soldiers to file their applications for naturalization.

18. I am personally aware of hundreds of MAVNI soldiers who were affected by apparently internal, nonpublic policy changes at DoD, DHS, and/or USCIS. The policy changes were intentionally designed to impede the naturalization of MAVNI soldiers. As a result, the immigration status of many soldiers, as well as their family members, was put into jeopardy.

19. The policy changes were not public and clearly violated the military wartime

¹ As Project Officer, I had been responsible for coordinating naturalizations of MAVNI soldiers with USCIS, and had worked extensively on setting up the Basic Training Naturalization Initiative for language MAVNIs, and the rapid naturalization processing of MAVNI medical professionals, who do not attend enlisted basic training and were often naturalized within a month or two of filing their applications.

naturalization statute, 8 U.S.C. §1440. The individual MAVNI soldiers lacked the money to fund litigation, and many of them were unable to obtain work because the DoD and DHS/USCIS were generally refusing to issue work authorization while the MAVNIs awaited the processing of their naturalization applications. Based on the behaviors exhibited by the DoD and DHS,² it was clear to me that senior bureaucrats in those departments were hostile to the MAVNI service members and that litigation was inevitable. It was also clear to me that successfully litigating against DoD and DHS/USCIS was going to require a deep bench of resources and a large firm that had not only the intellectual wherewithal necessary to address these issues but also the financial wherewithal and litigating attorney bandwidth to litigate the case on a *pro bono* basis, taking into consideration that the MAVNI soldiers generally lacked the means of paying attorneys' fees, costs, and expenses.

C. Limited Availability of Qualified Attorneys

20. During my pre-suit investigation of the MAVNI situation, I reached out to a number of other immigration lawyers because I realized that the scope of the problems at the MAVNI program and the complexities involved (including particularly the intersection of military, immigration, and class action litigation) were beyond my capacity to handle through my small Alaska-based immigration law firm.

21. I recognized that not only would the legal team for the case need to have the capacity to handle a large class of affected military members, but also would need expertise in immigration law, military practice, class action litigation, complex civil litigation, constitutional

² During the course of my investigation, I also learned that DoD and DHS were working together to have the servicemembers discharged, without due process, so as to have an excuse to deny their naturalization applications. See Alex Horton, *The Pentagon promised citizenship to immigrants who served. Now it might help deport them*, Wash. Post (June 26, 2017), <https://www.washingtonpost.com/news/checkpoint/wp/2017/06/26/the-pentagon-promised-citizenship-to-immigrants-who-served-now-it-might-help-deport-them/>.

law, statutory interpretation, and the Administrative Procedure Act. Understanding the MAVNI program required knowledge of the U.S. military, USCIS, DHS, and how these departments function and communicate with each other. Successful prosecution of these cases required deep knowledge of each of these areas in order to create and then execute an effective strategy.

22. It was also clear to me that each class member likely would need particularized assistance in addition to work that benefited the class as a whole. This is because each class member faced a vacuum of information from the military and USCIS about their status and circumstances. Class members held a variety of different immigration statuses and the rules that applied to the different statuses were complex and bewildering. And, because of the precarious nature of their situation (non-citizens in immigration limbo, many from countries that would persecute them and their families because they had joined the U.S. Army and sworn allegiance to the United States), class counsel needed to respond and provide counsel on an individualized basis, rather than through general guidance disseminated to all class members. This required frequent communication with class counsel regarding their own status and rights given that status. Some of these class members were individually represented by their own immigration lawyer, who would also need to contact class counsel for updates on the status of the litigation. A firm with a small number of attorneys, or one that was only willing or able to devote limited time to the matter, would not be capable of handling these essential case tasks.

23. Over the course of several weeks, I had ongoing discussions with dozens of attorneys around the United States, generally via attorney listserves but sometimes at conferences or via telephone, trying to find a law firm, a non-profit organization, or an academic institution to handle potential litigation.

24. I reached out to the American Civil Liberties Union (“ACLU”), well-known law

school clinics (including the Worker and Immigrant Rights Advocacy Clinic at Yale Law School and the Immigration Justice Clinic at the Benjamin N. Cardozo School of Law), and several non-profit organizations that appeared potentially to have either some or all of the necessary expertise or ties to large law firms that might be able to litigate the case. It was my belief that it would be difficult for a law school clinic to take on the case by itself due to the need for long-term continuity, which the schools would not have. In 2017, it was also difficult for non-profit organizations like the ACLU to take on the case because of the rapidly changing landscape in immigration policies including regarding the travel bans, family separation, and asylum, which took up much of their capacity to take on a case as complex as this. While I and others believed that the MAVNI's legal rights were clear cut and the government's violations of those rights blatant, it also is true that the *Nio* case was first-of-its-kind litigation in that there had been no previous large-scale litigation involving the MAVNI program and the intersection of military service and immigration law built into it.

25. I also contacted a number of attorneys at various large law firms, including Latham & Watkins, LLP and Perkins Coie LLP, and immigration specialists such as Ira Kurzban at Kurzban Tetzeli & Pratt P.A., and Robert Gibbs at Gibbs Houston Pauw. Although sympathetic to the plight of the MAVNIs and supportive of the need for litigation, none of them had the capacity to be able to commit to so large and complex a case on a *pro bono* basis.

26. Eventually, Karen Grisez of Fried, Frank, Harris, Shriver & Jacobson LLP ("Fried Frank") advised me that some lawyers at her firm were potentially interested in handling the matter. Ms. Grisez and I had served together on the American Bar Association's Commission on Immigration, and we knew each other professionally. Ms. Grisez introduced me to Jennifer Wollenberg, Joseph LoBue, and Douglas Baruch.

27. Ms. Wollenberg, Mr. Baruch, Mr. LoBue, and their colleagues were uniquely equipped with the capacity and capabilities to assist in the litigation. This is because, among other things, Ms. Wollenberg and Mr. Baruch were deeply experienced in complex civil litigation (including against the federal government) and Mr. LoBue was experienced in dealing with the military as a former Navy officer and aviator and a Commander in the Naval Reserve. Their team also had excellent immigration and class action experience that was essential to the success of the litigation. Indeed, Ms. Grisez, who consulted with the Fried Frank team as necessary, was and remains a nationally-recognized immigration law expert.

28. Having a large firm like Fried Frank, and later Morgan Lewis & Bockius, LLP (“Morgan Lewis”), represent the MAVNI soldiers also made the DoD and DHS take the complaints seriously. It was foreseeable that the DoD and DHS would not take any action unless it was presented with a credible threat of litigation, which only a large law firm could do.

29. I believe that Ms. Wollenberg, Mr. Baruch, and their colleagues were uniquely qualified to represent the MAVNI soldiers in the litigation, and that there were few if any alternatives that could have undertaken the representation based on the number of class members, complexity of immigration, military, class action, and complex litigation issues and the *pro bono* nature of it.

D. Class Counsel’s Reasonable and Necessary Time in *Nio*

30. I have reviewed the class counsel’s time records, copies of which are attached to the Motion as Exhibits 6 and 7. I have also reviewed the summary of counsel’s time records attached to the Motion as Exhibit 8.

31. Those records reflect time worked in the cases through October 31, 2020 (although I am informed that Plaintiffs have not included hundreds of hours for which they do not seek fees).

As reflected in those records, through October 2020, Plaintiffs' counsel devoted more than 15,500 hours to the successful prosecution of the *Nio* case over the course of more than 3½ years.

32. Apart from my review of the time records, I am personally very familiar with the work of class counsel in this case. Besides my pre-litigation involvement in spotting the systemic problems MAVNI soldiers were experiencing and my work to identify appropriate counsel who could successfully litigate those issues, I have reviewed numerous briefs filed by the parties throughout the *Nio* litigation and the related cases *Kirwa v. U.S. Dept. of Defense*, No. 17-cv-1793 (D.D.C.), *Calixto v. U.S. Dept. of the Army*, No. 18-cv-1551 (D.D.C.), and *Miriyeva v. U.S. Citizenship and Immigration Services*, No. 19-cv-3351 (D.D.C.), reviewed transcripts from various hearings in the cases, interacted with class counsel on behalf of MAVNI soldier class members who retained me as their immigration attorney, and generally kept abreast of events in the cases.

33. In my opinion, the amount of time Plaintiffs' counsel devoted to the *Nio* matter was both reasonable and necessary. As explained above, it was clear to me from the time I began to learn of the problems MAVNI soldiers were facing that litigating these issues would be a very significant and time-intensive undertaking. The amount of time Plaintiffs' counsel have in fact devoted to the cases is consistent with that early understanding and my own observations and interactions with them throughout the course of the litigation. And it is my opinion that the work of Plaintiffs' counsel was both effective and efficient.

34. Indeed, viewing this matter from another perspective, it is safe to say that class action was the most effective and efficient means for litigating this matter, both for the lawyers, the Court, and even the government. If each one of these soldiers had been forced to litigate these claims individually against Defendants, as Defendants strenuously advocated through their

challenge to class certification, I believe that Defendants would be subject to substantially higher fees and costs under the EAJA.³ I regularly advise potential clients that the expense of *typical* federal court litigation against *just* USCIS—such as mandamus actions or actions pursuant to 8 U.S.C. § 1447(b)—will result in a minimum of \$10,000 in fees and expenses. My firm just recently was awarded EAJA fees exceeding \$10,000 for an individual’s simple and quickly resolved delayed naturalization federal court lawsuit against USCIS.

35. Through class litigation, *Nio* class counsel was able to remove novel and insidious *military and USCIS* roadblocks, allowing *more than 2,000* soldiers to become naturalized U.S. citizens.

36. Without *Nio* class counsel’s diligence and follow-up, these 2,000 soldiers would not be naturalized citizens today, and most would be facing deportation. The Court’s orders alone were not enough to accomplish this remarkable achievement; it took class counsel’s on-going communications with class members and their individual counsel and oversight of the Defendants’ behavior to enable these soldiers to actually become naturalized. I describe below some of the concerning behavior by Defendants with which I am familiar.

37. Finally, I can say without reservation that the legal work by Ms. Wollenberg, Mr. Baruch, and their colleagues at Morgan Lewis and Fried Frank has been of the highest possible quality and of immense and life-changing importance to the many MAVNI soldiers who have directly benefited from their work.

³ I offer this as a hypothetical only because I do not believe that the vast majority of the class members would have been able to engage qualified counsel, much less *pro bono* counsel. Without the litigation efforts by Plaintiffs’ counsel, these soldiers would have been unlawfully discharged from the Army and unfairly denied naturalization, with many facing deportation to a country where they would be persecuted for having joined the U.S. military.

E. Concerning Conduct by the Defendants

38. Given my experience with the MAVNI program and the intersection between military service and immigration law, I found Defendants' actions before, during, and even after litigation very disturbing.

39. Before the *Nio* litigation was commenced, DoD and USCIS worked in concert to prevent the processing of MAVNI soldier naturalization applications. At least one DoD motivation for that was revealed in an internal memo that described DoD's plan to discharge *en masse* all non-citizen MAVNI soldiers. DoD explained its understanding that it would not be able to subject *naturalized* citizen MAVNIs to the same mass discharge because, DoD believed, non-citizen soldiers were not entitled to the same constitutional rights as citizen soldiers. In an effort to subject non-citizen MAVNI soldiers to discharge without due process, it was important for Defendants to prevent more MAVNIs from becoming citizens and, as DoD recognized, obtaining additional legal rights by virtue of that citizenship. DoD and USCIS therefore put a "hold" on all MAVNI naturalization applications, although USCIS knew that it had a legal duty to process naturalization applications. Although I directly raised concerns about this treatment of MAVNIs to military and immigration personnel, the agencies took no corrective action.

40. After the *Nio* lawsuit was initiated in late May 2017, USCIS essentially conceded the unlawful nature of its prior "hold" policy for MAVNI naturalization applications when it quickly put a new, replacement policy in place on July 7, 2017. However, my understanding from the records in the litigation is that Defendants tried to divert the Court's attention from the policy that had been in place, including by purposefully not disclosing the details of the policy that had been in place when litigation was initiated and for months prior. Ultimately, in order to provide complete relief to the class, the Court did not have to determine the legality of the pre-litigation

“hold” policy, but the fact that Defendants changed it quickly after litigation was initiated and tried to hide it from the Court leaves little doubt about its illegality.

41. DoD not only worked in concert with USCIS to develop the pre-litigation “hold” policy and the post-litigation July 7, 2017 policy (which the Court ultimately determined to be unlawful as well), but DoD also had its own version of a MAVNI “hold” policy as the military was (1) refusing to certify new N-426 forms that were required for MAVNI naturalization applications and (2) invalidating previously-certified N-426 forms. Once again, DoD’s awareness of the impropriety of that policy is evidenced by the fact that the policy was changed shortly before being subject to a summary judgment challenge. But the military’s revised policy was no better, and the Court found it unlawful and enjoined it.

42. Thus, both agencies had disturbing pre-litigation policies, where they simply refused to perform their clear duties of processing naturalization applications and completing N-426 forms. They did nothing to correct those policies until after litigation was initiated, and then the action they took was to create replacement policies that only facially were less problematic, which were then determined by the Court, after vigorous litigation, to be unlawful as well.

43. The agencies also repeatedly misstated their actions, facts about the MAVNI program, and other important details. In *Nio* and the related cases, I read the transcripts of many of the hearings and declarations of agency officials, including Stephanie Miller (DoD), Daniel Renaud (USCIS), and Lin St. Clair (Army). These officials regularly misinformed the Court.

44. As an example, Stephanie Miller’s declarations concerning national security concerns were riddled with misleading information. Ms. Miller had submitted substantially identical testimony in *Tiwari v. Mattis*, No. 17-cv-242-TSZ (W.D. Wash.), a case in which DoD’s policy of subjecting naturalized MAVNI soldiers to continuous heightened monitoring was found

to be unconstitutional discrimination on the basis of national origin. *See generally Tiwari v. Mattis*, 363 F. Supp. 3d 1154 (W.D. Wash. 2019). I know about the case because I was a testifying expert in *Tiwari*. When Ms. Miller's testimony was tested by cross-examination, not only did the *Tiwari* court find it unpersuasive, but the court questioned her credibility. *See Tiwari*, 363 F. Supp. 3d at 1166 n.21 ("The Court finds [Ms. Miller's] testimony less than forthcoming[.]").

45. In the related *Calixto* action before this Court, Army witness Lin St. Clair repeatedly declared under penalty of perjury that certain *Nio* class members had been issued a discharge order from the Reserve Command when in fact they had not. The *Nio* Defendants then repeated that falsehood in reporting and representations to the Court. Those repeated false statements caused those soldiers great hardship, including harm to their reputations as the Army suggested that they had engaged in misconduct requiring the discharge (when they had not), and harm with respect to their ability to naturalize. More than one of my immigration clients were initially denied naturalization based on that false information alone and many others had enormous difficulty correcting that information with USCIS prior to a naturalization decision, including because the military refuses (to this day) to correct its records and continues to treat these soldiers as if they are discharged.

46. On one occasion, I recall personally contacting counsel for the *Nio* Defendants after Defendants had misrepresented to the Court a number of facts about one of my clients who was a *Nio* class member. Defendants then were forced to correct their misrepresentations. But other misrepresentations were never corrected and must have been known to Defendants, given that the misrepresentations were obvious to me. It seemed as if only when they were presented with indisputable evidence by class counsel of their misrepresentations (or in the one or two instances when I contacted them with evidence of their misrepresentations) did they then begrudgingly

provide corrected information to the Court.

47. With respect to another immigration client of mine, USCIS seemed to purposefully give differing information to a California federal court than what it was providing to the Court in the *Nio* case and in response to an inquiry from the *Nio* class member's Congressional representative. USCIS was trying to justify its on-going delay in scheduling the soldier's naturalization interview to the California court by pointing to outdated reporting from the *Nio* case and asserting that the soldier's military service suitability determination ("MSSD") was still pending. (This occurred before this Court granted summary judgment in *Nio*, setting aside USCIS's policy of waiting for the military adjudications that resulted in MSSRs, MSSDs, and discharges). However, USCIS knew that the MSSD had in fact been completed because it had reported that fact to class counsel in *Nio* and to a Congressional representative. My understanding is that rather than "fall on their sword" for trying to mislead the California court, the agencies accused *Nio* class counsel of wrongdoing for giving each class member who asked the details of his/her situation. Of course, there was nothing improper with class counsel informing class members of their own information, and the Court expressly said so. The only misbehavior in that situation was the agencies' efforts to mislead the courts and to purposefully keep servicemembers in the dark.

48. Such agency callousness is evidenced elsewhere. Defendants knew that MAVNIs would need lawful immigration status and work authorization assistance because of the delays caused by DoD's changes to the MAVNI program. The agency even issued a memo purporting to allow the MAVNIs to have a quasi-legal status called Deferred Action while they awaited shipment to training, yet USCIS then interpreted Deferred Action to apply to only one group of the MAVNIs and exercised "discretion" to deny the protections of Deferred Action to most of the

MAVNIs within that group as well.

49. After DoD was forced to abandon its mass discharge plan, to adjust its “time-out” discharge policy, and actually begin conducting the Counter Intelligence interview portion of the background checks in order to not have USCIS’s July 7, 2017 policy revealed as a charade, a number of MAVNIs “passed” the background checks. The MAVNIs knew that not because they were so informed by Defendants or because USCIS began processing their naturalization applications, but because they were getting “ship dates” for basic combat training. Even when these ship dates were brought to the attention of USCIS, the agency refused to schedule the soldiers for naturalization interviews and oath ceremonies, telling the soldiers to contact USCIS again after they had completed basic combat training and the follow-on advanced individualized training. Around this same time, and I suspect not coincidentally, the agencies discontinued the Naturalization at Basic Training Initiative, making it impossible for the soldiers to naturalize while at training.

50. Thus, although DoD’s N-426 policy already had been enjoined and the naturalization statute requires only one day of qualifying service, the agencies took a number of steps to try to get the same result of the enjoined policy by forcing the soldiers to complete at least six months or so of “initial training” before naturalizing them. Class counsel had to bring these issues to the Court’s attention and the defendants had to be instructed by the Court to get class members naturalized before they shipped to training. However, USCIS only did so reluctantly, and in some circumstances, did not do so. For example, my firm now represents a *Nio* class member who was approved for naturalization a month before she shipped to training, but USCIS’s failure to schedule her oath ceremony (in the face of reminders of her upcoming shipment date) now leaves this medically-discharged veteran in immigration peril and, at one point, near

homelessness.

51. Beyond this, I have observed multiple instances of retaliation against these soldiers simply for exercising their legal rights. For example, after MAVNI soldiers, including *Nio* class members, filed the related *Calixto* action pointing out the military's unlawful discharge policies with respect to MAVNIs, the military sought volunteer JAGs who were willing to look again at the MAVNIs' counter-intelligence (CI) review files to try to find "dirt" on the MAVNIs. During the CI interviews, the soldiers had been asked to be honest with the CI interviewer and were told that the interview was being used only for the counter-intelligence assessment. However, the purpose of the new JAG review was to determine whether any of the MAVNIs had confessed to some conduct (e.g., smoking marijuana) that now could be referred for criminal prosecution. The direction to the JAGs explained the "Why" for the exercise by stating that the MAVNI soldiers had sued the Army – "[Immigrant recruits] are currently suing the federal government claiming they were wrongfully discharged from the Army." *See* Ex. 45 (Alex Horton, "The Army is trying to find criminal conduct among immigrant recruits, email shows," Wash. Post (Sept. 19, 2018) <https://www.washingtonpost.com/national-security/2018/09/19/army-is-trying-find-criminal-conduct-among-immigrant-recruits-email-shows/>).

52. I have also observed that the *Nio* Defendants have violated the Court's orders on multiple occasions. Despite the Court's October 27, 2017 preliminary injunction and the Court's May 22, 2019 summary judgment decision, USCIS regularly informed *Nio* class members that their naturalization applications could not be processed to completion because USCIS was waiting for a DoD MSSD decision, the soldier needed a new N-426, and/or the soldier could not be naturalized until after completing basic combat training. These have not been isolated incidents. I have received dozens of reports from MAVNI soldiers about their communications with USCIS

personnel, including in some instances forwarding to me written Requests for Evidence, emails, and other documents revealing USCIS's noncompliant position. I personally am aware of more than one USCIS field office in Texas *repeatedly* taking this position and at least two field offices (including up to the level of Field Office Director at one location in the Midwest) admitting to me that they were completely unaware of the Court's orders (even after the *Nio* Defendants reported to the Court that the field offices had been informed of proper MAVNI treatment). This behavior spanned the litigation, including after the Court's preliminary injunction of the N-426 policy and after the Court's summary judgment decision setting aside the July 7, 2017 MSSR/MSSD policy.

53. In fact, this kind of behavior continues today, even though the preliminary injunction was issued in 2017 and summary judgment was granted in 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 9, 2021



Margaret D. Stock



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HARVARD & RADCLIFFE COLLEGES, Bachelor of Arts with honors in Government, 1985

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U.S. ARMY WAR COLLEGE, Master of Strategic Studies, 2006

JOINT FORCES STAFF COLLEGE, Advanced Joint Professional Military Education Course

U.S. ARMY WAR COLLEGE, Defense Strategy Course

RESERVE COMPONENT NATIONAL SECURITY ISSUES SEMINAR

UNITED STATES ARMY COMMAND & GENERAL STAFF COLLEGE

COMBINED ARMS SERVICES AND STAFF SCHOOL (CAS3)

JUDGE ADVOCATE GENERAL'S SCHOOL, Judge Advocate Officer Basic Course

MILITARY POLICE SCHOOL, Officer Basic and Advanced Courses

DYNAMICS OF INTERNATIONAL TERRORISM COURSE

AIRLOAD PLANNER'S COURSE

BASIC AIRBORNE COURSE

RESERVE OFFICER TRAINING CORPS, Early Commissioning Program

RECENT MILITARY ASSIGNMENTS

U.S. ARMY RESERVE, U.S. ARMY MILITARY POLICE CORPS

Lieutenant Colonel, Ret.

Retired 2010

U.S. ARMY ACCESSIONS COMMAND &

ASSISTANT SECRETARY OF THE ARMY FOR MANPOWER & RESERVE AFFAIRS

Project Officer for Military Accessions Vital to the National Interest (MAVNI) Program

2007 – 2010

UNDERSECRETARY OF DEFENSE

Detailed to Personnel & Readiness Task Force on Reorganization

March – April 2010

U.S. SPECIAL OPERATIONS COMMAND

Special Advisor to Commander

2008 – 2009

EXPERIENCE

CASCADIA CROSS BORDER LAW, LLC, Anchorage, AK **2013 – Present****Owner/Primary Attorney:**

Practice primarily in immigration and citizenship law and litigation, with focus on immigrants in the military. Includes family- and business-based immigration; removal defense; representation of asylee and refugee applicants; and bond, custody, and criminal issues. Provision of expert testimony on immigration issues before Congress, various state legislatures, in court, and to the press. Speaker on immigration, citizenship, and national security issues for public and Continuing Legal Education (CLE) events.

LANE POWELL, LLC, Anchorage, AK **2011 – 2013****Counsel to the Firm:**

Engaged primarily in immigration and citizenship law and litigation. Quoted as expert by print, radio, and television media on immigration-related issues, in addition to speaking on immigration, citizenship, and national security law issues at public and CLE events.

UNIVERSITY OF ALASKA ANCHORAGE, DEPARTMENT OF POLITICAL SCIENCE, Anchorage, AK **2010 – 2012****Adjunct Instructor:**

Taught “Introduction to American Government,” “National Security Law & Policy,” “Constitutional Law,” “Comparative Politics,” and “International Relations.” Guest Lecturer in the Senior Seminar and 49th State Fellows Programs.

WESTERN WASHINGTON UNIVERSITY, BORDER POLICY RESEARCH INSTITUTE, Bellingham, WA **2009****Visiting Fellow:**

Researched Integrated Border Enforcement Teams (IBETs). Guest Lecturer at public events and in WWU College of Business & Economics and undergraduate classes.

UNITED STATES MILITARY ACADEMY, West Point, NY **2001 – 2010**DEPARTMENT OF SOCIAL SCIENCES: **Associate Professor, 2006 – 2010**

Drilling Individual Mobilization Augmentee (DIMA)

DEPARTMENT OF LAW: **Assistant Professor, 2001 – 2004; Associate Professor, 2004 – 2006**

Course Director and Professor for the National Security Law Seminar. Professor of Constitutional & Military Law. Additional teaching responsibilities in International Law (Immigration, Asylum, Citizenship Law, Death Penalty); Comparative Law (Asian and Japanese Law); Human Rights Law (Asylum and Refugee Law); Cyberlaw (High Tech Worker Issues); Criminology; and Law of War (International Humanitarian Law). Chair and member of Academic Excellence Committee, Faculty Council.

STOCK & MOELLER, LLC, Anchorage, AK **1998 – 2001****Owner/Partner/Attorney:**

Managing and senior partner at small (3-5 attorney) law firm. Engaged primarily in immigration law and litigation practice. Successfully handled large constitutional rights class action against the State of Alaska, as well as numerous federal court cases in U.S. District Court & the Ninth Circuit Court of Appeals.

ATKINSON, CONWAY & GAGNON, Anchorage, AK **1992 – 1998****Associate Attorney:**

Associate attorney at 13-attorney trial practice and litigation firm. Engaged primarily in immigration law and litigation practice, but also handled or participated in admiralty, products liability, professional malpractice defense, commercial, civil rights, and personal injury matters.

HARVARD UNIVERSITY, Cambridge, MA **1988 – 1992****Teaching Fellow** (*International Conflicts in the Modern World, The Administrative State*)**Teaching Assistant** (*Microeconomics*)**Proctor & Academic Advisor** (*Harvard-Radcliffe Colleges*)

PROFESSIONAL AFFILIATIONS

BAR ADMISSIONS:

- **Alaska Bar Association** **1998 – Present**
 - *Immigration Law Section, Founder* *1998 – Present*
 - *Alaska Rules of Professional Conduct Committee, Member* *1998 – 2001*
- **U.S. Ninth Circuit Court of Appeals** **1996 – Present**
- **U.S. District Court for the District of Alaska** **1993 – Present**

CIVILIAN MEMBERSHIPS:

- **Federal Bar Association, Immigration Law Section, Member** **2014 – Present**
- **IMMLAW – The Immigration Law Consortium, Member** **2009 – Present**
- **American Bar Association** **2006 – Present**
 - *Commission on Immigration* *2008 – 2012*
 - *Litigation Section, Immigration Litigation Committee, Co-Chair* *2005 – 2008*
 - *International Law Section* *2004 – 2008*
 - *Joint Subcommittee on International Refugee Law of the Immigration & Naturalization Committee & the International Human Rights Committee, Co-Chair* *2006 – 2007*
 - *Immigration & Naturalization Committee, Co-Chair and Vice-Chair* *2004 – 2008*
- **Association of the Bar of the City of New York,** **2006 – Present**
 - *International Security Affairs Committee, Chair* *2006 – 2010*
- **American Immigration Lawyers Association** **2005 – Present**
 - *Military Assistance Program (AILAMAP), Founder and Volunteer Attorney* *2009 – Present*
 - *Border Security Advocacy Committee, Chair* *2005 – 2006*
- **Federalist Society for Law & Public Policy** **1993 – 2016**
 - *International Law & Security Section, Member* *1999 – 2016*
 - *Alaska Chapter, President* *1993 – 2001*
- **Republican National Lawyers Association** **1993 – 2016**

MILITARY MEMBERSHIPS:

- **Association of the United States Army**
- **Reserve Officers Association**

ADDITIONAL PROFESSIONAL & ACADEMIC ACTIVITIES

PROFESSIONAL ACTIVITIES:

- **U.S. Civil Rights Commission, Alaska Advisory Committee** **2017 – 2021**
- **Prince William Sound Science Center, Board Member** **2014 – Present**
 - *Treasurer* *2016 - 2018*
- **Bender's Immigration Bulletin, Editorial Board** **2007 – Present**
- **American Bar Foundation, Fellow** **2005 – Present**
 - *Alaska Fellows of the American Bar Foundation, Co-Chair* *2011 – 2019*
- **Council on Foreign Relations Immigration Policy Task Force** **2008 – 2011**
- **Anchorage Bar Association, Young Lawyers Section, President** **1994 – 1995**

ACADEMIC ACTIVITIES:

- **Harvard Club of Alaska, President** **2009 – 2012**
- **Phi Kappa Phi**
- **United States Military Academy Master Teacher Program, Master Teacher**

SIGNIFICANT CASES

Gonzalez v. Immigration & Customs Enft, 416 F. Supp. 3d 995 (C.D. Cal. 2019) (expert witness for plaintiff)

Tiwari v. Mattis, C17-242 TSZ (W.D. Wash. Dec. 19, 2017) (expert witness for plaintiff)

Fahy et al. v. Commissioner, New Hampshire Department of Safety, Civil No. 05-cv-97-SM, Opinion No. 2006 DNH 074 (D.N.H. Jun. 26, 2006) (expert witness for plaintiff)

Dep't of Revenue v. Andrade, 23 P.3d 58 (Alaska 2001) (class action, equal protection; awarded more than \$100k in attorneys' fees).

Gallo-Alvarez v. Ashcroft, 266 F.3d 1123 (9th Cir. 2001) (habeas corpus, reinstatement of removal).

Meng Li v. Eddy, 259 F.3d 1132 (9th Cir. 2001) (habeas corpus, expedited removal).

Matter of U— I— S—, Immigration Court, Anchorage, AK (December 19, 1996) (female genital mutilation asylum case), available at: <https://web.archive.org/web/20040619173708/http://www.uchastings.edu/cgrs/law/ij/54.html>

SELECTED PUBLICATIONS

A Beginner's Guide to Earning Your Citizenship Through Military Service, Task & Purpose, April 13, 2021.

"Military Naturalization Under INA §§328, 329, and 329A," *AILA U.S. Citizenship and Naturalization Law Toolbox*, February 2021.

The Non-Controversy Over Birthright Citizenship: Defending the Original Understanding of Jus Soli Citizenship, Chapman Law Review, November 2, 2020.

Immigration Law is a Mystery and a Mastery of Obfuscation, The Alaska Landmine, January 25, 2020.

Broken Promises Hurt Immigrants in Uniform, Military, San Antonio Express-News, October 30, 2020.

Passing a Solution for Dreamers will Strengthen our Military, The Hill, January 30, 2018.

Refugees and National Security, Immigration and Nationality Law Review Keynote Address, Immigration and Nationality Law Review, Vol. XXXVII, March 16, 2017.

American Birthright Citizenship Rules and the Exclusion of "Outsiders" from the Political Community, Citizenship in Question- Evidentiary Birthright and Statelessness, Duke University Press, January 2017.

Parole in Place and Other Immigration Benefits for Military Family Members: An Update, Immigration Briefings, Issue 16-02, February 2016.

Is Birthright Citizenship Good for America?, New York Times, August 24, 2015.

MAVNI Connects Immigrants to Military Service— and Citizenship, Perspectives, Volume 24, No. 1, August 2015, American Bar Association.

Immigration Law & the Military, Second Edition, American Immigration Lawyers Association, 2015.

Immigration Law & National Security, National Security Law & Policy, Carolina Academic Press, 2015, pages 1265-1314.

Immigration & the Separation of Powers, Washington Times, July 7, 2015.

The Impact & Potential of America's Foreign-Born Population on Army Recruiting and Force 2025, U.S. Army Recruiting Forum at Fort Knox, June 2015, co-authored with Naomi Verdugo.

What Every Lawyer Needs to Know about Non-Citizens & the United States Military, What Every Lawyer Needs to Know About Immigration Law, American Bar Association, Section of Administrative Law & Regulatory Practice, 2014.

Left Behind: Iraqis and Afghans Caught in a Sea of SIV Red Tape, Inside Immigration, Volume 5, Issue 6, American Immigration Lawyers Association, June 2014, co-authored with Dan Berger, Mollie McGurk, Rose Olson, & Hannah Oldenburg.

MAVNI (Military Accessions Vital to the National Interest), Immigration Practice Pointers Tips for Handling Complex Cases, American Immigration Lawyers Association, June 2014.

Military Naturalization Under INA §§328, 329, and 329A, AILA's Guide to U.S. Citizenship & Naturalization Law, American Immigration Lawyers Association, 2014, pages 153-182.

Congress Must Act and Stop Deporting Our Veterans, Roll Call, May 15, 2014.

Saying 'No Thanks' to 87,500 High-Skill Workers, Wall Street Journal, May 7, 2014.

Recent Developments in Military Enlistment and Naturalization Law, Immigration Briefings, Issue 14-03, January 2014.

Parole in Place: What It Is and What It Isn't, The Hill, December 19, 2013.

DHS Clarifies Immigration Benefits for Family Members of Active-Duty Military, Selected Reservists, and Veterans, 18 Bender's Immigration Bulletin, December 15, 2013.

DHS Clarifies Immigration Benefits for Family Members of Selected Reserve and Veterans, Reserve Officers Association Law Review 13161, December 2013.

Military Immigration Issues, American Bar Association GPSOLO Magazine Vol. 30, No. 5, September/October 2013.

Use of False Documents: How they Can Complicate a Case, 2013 AILA Immigration Practice Pointers, pages 751-763 American Immigration Lawyers Association, 2013.

Sessions Amendment Harms Military Families, The Hill's Congress Blog, May 20, 2013.
Path to Citizenship, Los Angeles Lawyer, November 2012, co-authored.

Immigration Law and the Military, American Immigration Lawyers Association 2012.

A Path to Citizenship for Undocumented Military Family Members, Immigration Briefings, No. 12-07, July 2012.

Subregulatory Guidance in Immigration Matters: How to Use It Wisely, 2012 AILA Practice Pointers, pages 697-701, American Immigration Lawyers Association, 2012.

Practical Problems with Attempts to Change the Fourteenth Amendment Through an Interstate Birth Certificate Compact, Bender's Immigration Bulletin, Vol. 17, No. 9, May 1, 2012.

The Cost to Americans of Ending Birthright Citizenship, National Foundation for American Policy, March 2012.
Is Birthright Citizenship Good for America?, Cato Journal, Vol. 32, No. 1, Winter 2012.

Book Review: The Canadian Forces & Arctic Sovereignty: Debating Roles, Interests and Requirements, 1968-1974, American Review of Canadian Studies, Vol. 42, No. 1, pages 120-122, 2012.

S.B. 1070: The Unconstitutional and Inefficient Law that May Just Fix Immigration, Regent University Law Review, Vol. 23, No. 2, pages 363-373, 2010-2011.

Military Service as an Option for Foreign Health Care Professionals, The Physician Immigration Book, pages 519-527, 2011-2012.

Parole in Place for Military Families, Immigration Practice Pointers: Tips for Handling Complex Cases, American Immigration Lawyers Association, pages 603-611, 2011-2012.

Recent Developments in Military Enlistment & Naturalization Law, Immigration Briefings No. 11-03, March 2011.

Arizona's Attempt to Enforce Federal Immigration Law: "Force Multiplier," or "Ball and Chain"? 11 Engage: The Journal of the Federalist Society's Practice Groups 3, pages 75-79, November 2010.

Citizenship & Computers, 15 Bender's Immigration Bulletin, pages 1143-1144, Aug. 15, 2010.

Essential to the Fight: Immigrants in the Military, Eight Years After 9/11, Special Report, Immigration Policy Center, American Immigration Council, November 2009.

Policy Arguments in Favor of Retaining America's Birthright Citizenship Law, Made in America: Myths & Facts About Birthright Citizenship, Immigration Policy Center Perspectives, September 2009.

Professionals: A Matter of Degree (5th Ed.), American Immigration Lawyers Association, 2009, co-authored by Martin J. Lawler.

Advanced Issues in Naturalization: Practical Problems & Solutions, Immigration & Nationality Law Handbook, pages 607-617, 2008-2009.

Birthright Citizenship: The Policy Arguments, Administrative & Regulatory Law News, Vol. 33, No. 1, Fall 2007.

National Security & Immigration Policy: Reclaiming Terms, Measuring Success, & Setting Priorities, The Homeland Security Review, Vol. 1, No. 3, Fall 2007, co-authored with Donald Kerwin.

Book Review: The Founders on Citizenship & Immigration: Principles & Challenges for America, 8 Engage: The Journal of the Federalist Society's Practice Groups 4, pages 155-57, October 2007.

Immigration & Naturalization Law (Year in Review), The International Lawyer, Vol. 41, No. 2, 2007.

The Role of Immigration in A Coordinated National Security Policy, Georgetown Immigration Law Journal, Vol. 21, No. 3, Spring 2007, co-authored with Donald Kerwin.

Book Review: Richard A. Posner's Not A Suicide Pact, 8 Engage: The Journal of the Federalist Society's Practice Groups 1, February 2007.

Essential to the Fight: Immigrants in the Military, Five Years After 9/11, Immigration Policy in Focus, Vol. 5, Issue 9, Immigration Policy Center, American Immigration Law Foundation, November 2006.

Providing Material Support to a Foreign Terrorist Organization: The Pentagon, the Department of State, the People's Mujahedin of Iran, & the Global War on Terrorism, Bender's Immigration Bulletin, Jun. 1, 2006.
Five Questions Debate: Immigration Reform, Federalist Society for Law & Public Policy, May 2006, <http://www.fedsoc.org/pdf/immigrationreform4.pdf>.

He Intended Well But General's Order Is Bad For Military, Voice of the Times, Anchorage Daily News, April 20, 2006, co-authored with John Winn.

Immigration & National Security: Post-9/11 Challenges for the United States, in Homeland Security: Protecting America's Targets, Vol, 1, Borders & Points of Entry, pages 117-143, 2006.

Eskimo Scouts, in Women & War: A Historical Encyclopedia from Antiquity to the Present, Volume 1, pages 170-171, 2006.

The DREAM Act: Tapping an Overlooked Pool of Home-Grown Talent to Meet Military Enlistment Needs, 6 Engage: The Journal of the Federalist Society's Practice Groups 2 at 99-103, October 2005; reprinted in 11 Bender's Immigration Bulletin 63, Jan. 15, 2006.

International Legal Developments in Review, 2004: Immigration & Naturalization Law, 39 Int'l Lawyer 2, pages 429-447, 2005.

Unintelligent Intelligence Reform: Federal Control of Driver's Licensing, American Immigration Lawyers Association, Immigration & Nationality Law Handbook, 2005-2006, co-authored with Denise Hammond.

The "Real ID" Act—A Real Nightmare for DoD, The Officer, April 2005, pages 12-13; reprinted in 151 Cong. Rec. S3978-79, daily ed. April 20, 2005; reprinted in Immigration Daily at <http://www.ilw.com/lawyers/articles/2005,0502-stock.shtm>.

Driver Licenses & National Security: Myths and Reality, 10 Bender's Immigration Bulletin 422, March. 1, 2005; reprinted in Stephen H. Legomsky, Immigration & Refugee Law & Policy, pages 1261-1264 Foundation Press, 2005.

Guide to Criminal Law in New York (2d. ed.), Wadsworth, 2004, co-authored with Timothy Bakken & Mark Welton.

Considera Riesgo Suspensión Licencias/Driver's License Debate Sharpens, The Immigrant Times, September 2004, page 9.

Social Insecurity: Aliens, Employers, and Social Security Requirements, American Immigration Lawyers Association, Immigration & Nationality Law Handbook, 2004-2005 edition, volume 2, co-authored with Denise Hammond, Andrew Galeziowski, and Joanna Lee Carson.

Crackdown Wrong Approach: Driver's Licenses Aren't Terror Tools, Real Immigration Reforms are Better Means of Identifying Potential Future Attackers, Newsday, page A49, August 27, 2004.

Book Note: Mexican Americans & the Law: El Pueblo Unido Jamas Ser Vencido (The Mexican American Experience), Human Rights & Human Welfare, August 2004, available at <http://www.du.edu/gsis/hrhw/booknotes/index.html>.

The Road Less Traveled: Becoming an Immigration Attorney, Harvard Women's Law Journal, Celebration 50 issue, May 2004.

The Lessons of 9/11: A Failure of Intelligence, Not Immigration Law, Immigration Policy Focus, Vol. 2, Issue 3, Immigration Policy Center, American Immigration Law Foundation, December 2003.

Two Years of Policy Revamping, National Law Journal, Dec. 15, 2003.

When Your Client Fights for Uncle Sam: “No Card” Soldiers and Expedited Citizenship, Bender’s Immigration Bulletin, Vol. 8, No. 24, Dec. 15, 2003.

Foreign War Crimes Lawsuits Against American Soldiers Threaten National Security, Legal Backgrounder, Washington Legal Foundation, Vol. 18, No. 35, Aug. 22, 2003.

Detainees in the Hands of America: New Rules for a New Kind of War, Terrorism & International Law: Challenges and Responses, Int’l Inst. For Humanitarian Law, San Remo, Italy, July 2003.

Essential Workers or Guests? A New Twist on an Old Debate, 3 Engage: The Journal of the Federalist Society’s Practice Groups 1, page 97 April 2002.

Immigration Law in a World of Terror, National Security White Paper, Federalist Society, December 2001.

Reflections: Equal Justice for Non-citizens, Trial Magazine, pages 104-105, July 1999.

Federal Judicial Authority to Increase Local Taxes, 14 Harvard Journal of Law & Public Policy, page 270, 1991.

SELECTED CONFERENCE PRESENTATIONS & SPEAKING EVENTS

Speaker, *Empowering Women*, Starbucks Armed Forces Network & Women’s Impact Network Speakers Series Event, March 26, 2021.

Speaker, *Naturalization Hot Topics, Litigation, and Current Trends*, AILA Midsouth Conference 2020, Web Event, October 9, 2020.

Speaker, *Advising on Naturalization*, 2020 AILA Midwest Regional Conference, Web Event, October 9, 2020.

Speaker, *Navy Immigration Law Virtual Training Symposium*, Navy CLE, Web Event, September 16, 2020.

Speaker, *AILA Author Q & A*, AILA Annual Conference, Web Event, July 23, 2020.

Speaker, *Challenges to Legal Migration and Citizenship in the Enforcement Era*, Law and Society Association Annual Meeting, Web Event, May 29, 2020.

Speaker, *Military Immigration Consequences*, RDSO Training, San Diego, CA, February 6, 2020.

Speaker, *the Impact of Current Immigration Policies on Service Members and Veterans, and their Families National Immigration Forum*, Washington, D.C., October 29, 2019.

Speaker, *Air Force Immigration Law Training*, Air Force CLE, Video Teleconference, August 23, 2019.

Speaker, *Navy Immigration Law Training*, Navy CLE, Whidbey Island, WA, July 17, 2019.

Speaker, *Rescuing Your Waiver When it is in a Procedural Black Hole*, 2019 AILA Annual Conference, Orlando, FL, June 21, 2019.

Speaker, *Military Service-Related Immigration Issues*, 2019 AILA Annual Conference, Orlando, FL, June 20, 2019.

Speaker, *How the Trump Immigration Policies Are Impacting Alaska*, Many Voices, Kenai, AK, May 23, 2019.

Speaker, *Looking Back and Moving Forward!*, 2019 AILA Spring Federal Court Litigation Conference: Removal and Business, Chicago, IL, March 12, 2019.

Speaker, *The Intersection of Immigrant and Veteran Rights*, The 14th Annual Working in the Public Interest Conference, Athens, GA, March 2, 2019.

Speaker, *Fight for Your Right- Immigration and the Military*, 40th Annual AILA South Florida Chapter Immigration Law Update, Miami, FL, March 1, 2019.

Speaker, *Experience with SIV*, Alaska World Affairs Council International Film Festival, Anchorage, AK, December 5, 2018.

Speaker, *Military Naturalization, Veterans, and Derivatives*, Federal Bar Association Second Veterans and Military Law Conference, San Juan, PR, November 2, 2018.

Panelist, *Naturalization Actions*, 2018 AILA Federal Court Conference and Webcast: Removal Litigation, Washington, D.C., September 20, 2018

Panelist, *How to Run for Office (and Win!)*, Harvard Law School Celebrating 65 Years of Alumnae, Cambridge, MA, September 15, 2018.

Speaker, *Ethical Consideration in Worksite Enforcement Practice*, 2018 AILA Employer Compliance and Worksite Enforcement Conference, Boston, MA, August 11, 2018.

Speaker, *The Effects of Corporate Structure*, 2018 AILA Employer Compliance and Worksite Enforcement Conference, Boston, MA, August 11, 2018.

Panelist, *Immigration Issues for Members of the Military, Veterans, and their Families*, AILA San Francisco Annual Conference on Immigration Law, San Francisco, CA, June 15, 2018.

Speaker, *Complex Naturalization Issues*, Immigration Law Conference, Memphis, TN, May 18, 2018.

Speaker, *Immigration 101*, Alaska Export Council May Board Meeting, Anchorage, AK, May 10, 2018.

Speaker, *Immigration- Discharges and Security Issues*, 2018 GI Rights Hotline Annual Conference, Teleconference, May 5, 2018.

Speaker, *Immigrants in the U.S. Military*, 2018 World Issues Forum, Bellingham, WA, February 14, 2018.

Panelist, *Lessons Across Borders: What the U.S. and Canada Can Teach One Another About Establishing a Successful Immigration and Asylum Policy*, 2018 ABA Midyear Meeting, Vancouver, Canada, February 3, 2018.

Speaker, *Lessons Learned from Running for the U.S. Senate*, 49 Moons, Anchorage, AK, January 17, 2018.

Speaker, *Navy Immigration Law Training*, Navy CLE, Silverdale, WA, November 15, 2017.

Panelist, *The Incomplete or Untimely FOIA: How to Get the Information You Need!*, 30th Annual AILA California Chapters Conference, Hollywood, CA, November 10, 2017.

Panelist, *Immigration Law and the Military*, AILA Central Florida Chapter's 31st Annual Immigration Law Conference, Orlando, FL, October 26, 2017.

- Speaker, *Immigration for Defense Lawyers: Asking the Right Questions*, Alaska Association of Criminal Defense Lawyers CLE, Anchorage, AK, September 7, 2017.
- Speaker, *Military Issues and Immigration Law*, Washington Chapter Monthly Meeting, Seattle, WA, August 7, 2017.
- Speaker, *Welcoming Immigrants, Fighting Deportation*, Alaska Unitarian Fellowship Forum, Anchorage, AK, June 25, 2017.
- Speaker, *National Security Implications of Immigration Law and Policy*, 25th National Security Law Institute, Charlottesville, VA, June 15, 2017.
- Panelist, *Naturalization Litigation in Federal Court: Risks and Benefits of Taking the Case to U.S. District Court*, 2017 Immigration Law Conference, Denver, CO, May 12, 2017.
- Panelist, *Visas, Visits, and Vision: The Changing Immigration Landscape & Class of 1992 Reunion Engagement Committee*, Harvard Law School Spring Reunion, Cambridge, MA, April 6, 2017.
- Speaker, *Immigration Enforcement*, Immigration Training Session with Alaska Public Defender Agency, Teleconference, April 28, 2017.
- Speaker, *Citizenship and Immigration*, “Kotatsu Series” Community Discussions #3, Anchorage, AK, April 23, 2017.
- Speaker, *Refugees & National Security*, Immigration & Nationality Law Review Conference, Davis, CA, March 16, 2017.
- Speaker, *Advanced Naturalization*, AILA Midwest Regional Conference, Chicago, IL, March 13, 2017.
- Speaker, *Immigration Law in Today’s World*, Many Voices, Shared Vision, Kenai, AK, March 9, 2017.
- Speaker, *Parole—What is it and How Does it Work?*, Pacific NW Immigration Law Conference, Portland, OR, March 2, 2017.
- Speaker, *Across the Line: Advocacy at U.S. Ports of Entry*, Sound Immigration, Webcast, February 2017.
- Speaker, *DACA and the Military*, Immigration: DACA and Beyond, Houston, TX, November 18, 2016.
- Speaker, *Immigration Law & the Military*, US Navy Legal Training, Whidbey Island, WA, November 16, 2016.
- Speaker, *The Elephant on Deck: Federal Elections and Higher Education*, National Association of Foreign Student Advisors Conference, Anchorage, AK, October 14, 2016.
- Speaker, *Immigration Law and the Military*, National Association of Immigration Judges Annual Meeting, Washington, D.C., August 16, 2016.
- Speaker, *Immigration Issues and the Military*, 2016 AILA Annual Conference on Immigration Law, Las Vegas, NV, June 24, 2016.
- Speaker, *National Security Implications of Immigration Law and Policy*, 24th National Security Law Institute, Charlottesville, VA, June 8, 2016.
- Speaker, *Military Immigration Issues*, Annual Chapter Meeting Minnesota/Dakotas Chapter, Minneapolis, MN, May 25, 2016.
- Speaker, *The Politics of Domestic Violence in Alaska*, Alaska Women for Political Action, Anchorage, AK, May 3, 2016.
- Speaker, *Pitfalls in the Naturalization Process*, 19th Annual Federal Bar Association Immigration Law Conference, New Orleans, LA, May 13, 2016.

Speaker, *Immigration Law Cases: Clearing the Backlog*, Southwest Border Security Week Conference, McAllen, TX, April 1, 2016.

Speaker, *Tax Issues in Adjustment of Status and Naturalization Proceedings*, 2016 Northwest Regional Immigration Law Conference, Seattle, WA, March 17, 2016.

Speaker, *Hot Immigration Topics Where Progress Can be Made Without Immigration Reform*, Immigrants' List Civic Action Spring CLE, Los Angeles, CA, March 18, 2016.

Speaker, *Welcoming Anchorage Initiative*, University of Alaska Anchorage, Anchorage, AK, February 10, 2016.

Speaker, *Top 5 Tax Issues That You Need to Know as a Removal Practitioner*, 2016 AILA Midwinter CLE – Leading Edge Business and Removal Practice Issues, Paradise Island, Nassau, Bahamas, January 22, 2016.

Speaker, *Refugee Issues*, Alaska World Affairs Council Luncheon, Anchorage, AK, December 4, 2015.

Speaker, *Attitudes on Immigrants and Refugees*, Hometown Alaska (Alaska Public Media), Anchorage, AK, December 2, 2015.

Speaker, *The Changing Landscape of Parole*, U.S. Department of Homeland Security, Office of the Citizenship & Immigration Services Ombudsman Fifth Annual Conference, Washington, D.C., November 5, 2015.

Speaker, *Immigration Law*, MacArthur Genius Grant Program, Rapport Center for Law & Public Policy Program at Boston College Law School, Boston, MA, October 8, 2015.

Speaker, *Parole in Place*, University of Texas School of Law 39th Annual Conference on Immigration and Nationality Law, Austin, TX, October 6-7, 2015.

Speaker, *Parole in Place*, Centre for International Law CLE, Webinar, September 30, 2015.

Speaker, *How Immigration Enriches Alaska*, Anchorage Unitarian Universalist Fellowship, Anchorage, AK, September 27, 2015.

Moderator, *Everything You Need to Know About H-2A and H-2B Visas*, American Immigration Lawyers Association, Webinar, September 1, 2015.

Speaker, *Immigration Law and the US Military*, Humanitarian Immigration Law Clinic 5th Annual Immigration Law Seminar, Elon, NC, July 31, 2015.

Speaker, *MAVNI (Military Accessions Vital to the National Interest) Legal Issues*, National Association of Foreign Student Advisors (NAFSA) Information Webinar, July 30, 2015.

Speaker, *Immigration Law & the Military*, US Navy Legal Training, Whidbey Island, WA, July 15, 2015.

Speaker, *The Future of Immigration Reform in the U.S.*, Needham Task Force Area Immigration & Justice Group, Needham, MA, June 8, 2015.

Speaker, *Impact & Potential of Recruiting the Foreign Born: Briefing to Recruiting 2025 Forum*, America's Army: The Strength of the Nation Recruiting 2025 Forum, United States Army, Fort Knox, KY, June 2-3, 2015.

Speaker, *Executive Order — U.S. Citizenship and Immigration Services Hot Topics Panel*, Federal Bar Association Immigration Law Conference, Memphis, TN, May 15-16, 2015.

Speaker, *Counseling Corporate Compliance in a Time of Administrative Transition*, Federal Bar Association Worksite Enforcement Seminar, Chicago, IL, April 29, 2015.

Speaker, *Citizenship in the United States*, District of Alaska Naturalization Oath Ceremony, Anchorage, AK, April 24, 2015.

Panelist, *Humanitarian Parole, Parole in Place, and 204 (I) Cases*, 2015 American Immigration Lawyers Association Northwest Regional Immigration Law Conference, Seattle, WA, March 19, 2015.

Speaker, *Immigration & Diversity*, State of Our City Forum, Anchorage, AK, March 17, 2015.

Speaker, *Immigration Law Update*, Federal Bar Association Alaska Chapter Meeting, Anchorage, AK, February 12, 2015.

Speaker, *Immigration in America*, Wright State University's Multicultural Millennium Event 2015, Dayton, Ohio, January 23, 2015.

Speaker, *Commencement Address*, Nine Star Graduation Ceremony, Anchorage, AK, January 20, 2015.

Speaker, *Criminal Sentencing & Immigration*, Federalist Society Teleforum, December 15, 2014.

Speaker, *Executive Overreach on Immigration*, Federalist Society Teleforum, December 3, 2014.

Speaker, *Advanced Family Immigration Issues*, American Immigration Lawyers Association 27th Annual California Chapter Conference, San Jose, CA, November 13, 2014.

Speaker, *Immigration Reform & the U.S. Military*, Council on Foreign Relations, Washington, D.C., November 11, 2014.

Speaker, *Horror Stories from Both Sides of the Front Line*, Stanford Law School's 4th Annual Worksite Immigration Compliance Symposium, Stanford, CA, October 28, 2014.

Speaker, *Naturalization & Immigration Issues for Military Members*, New York State Veterans Legal Taskforce Training Event, New York, NY, October 14, 2014.

Speaker, *Can A Lawyer Be A Genius?*, University of Pennsylvania Law School Chapter of the Federalist Society, Philadelphia, PA, October 1, 2014.

Speaker, *Bartering for Citizenship: Malta & MAVNI*, Global Citizenship Conference, Federal Bar Association, Rome, Italy, September 22, 2014.

Speaker, *Local Government's Immigration Responsibilities*, 2014 International Municipal Lawyers Association's Annual Conference, Baltimore, MA, September 10, 2014.

Speaker, *Executive Action & Legal Immigration*, Release of New Research on Impact of President Obama's Executive Action on Legal and Illegal Immigration, News Conference for Working Press, Teleconference, September 4, 2014.

Speaker, *Executive Power in Immigration Law*, Homeland Security Institute, American Bar Association, Washington, D.C., August 22, 2014. Rebroadcast on CSPAN.

Speaker, *Navy & Marine Corps Immigration Training*, Navy CLE, Whidbey Island, WA, July 16, 2014.

Speaker, *Parole in Place, Adjustment of Status, & Naturalization Issues for Military Members*, American Immigration Lawyers Association's 2014 Annual Conference on Immigration Law, Boston, MA, June 21, 2014.

Speaker, *30 Years of Social Change Lawyering*, Harvard Immigration & Refugee Clinical Program, Cambridge, MA, June 17, 2014.

Speaker, *Scialabba v. Cuellar de Osorio – Post-Decision SCOTUS Cast*, Podcast, The Federalist Society, Washington, D.C., June 17, 2014.

- Speaker, *Territorial Access to Asylum*, Center for Migration Studies Symposium on US Refugee Protection System, New York, NY, June 3, 2014.
- Speaker, *Immigration Law & the Military*, Immigration Professors Workshop, Irvine, CA, May 22, 2014.
- Speaker, *Patriots or Invaders? — Immigrants in the Military in Modern America*, Princeton Center for Migration and Development Conference, Princeton, NJ, May 20, 2014.
- Speaker, *A Primer on the Top 10 Items a City Council Would Look for to Help with Immigration Issues*, International Municipal Lawyers Association's Mid-Year Seminar, Anchorage, AK, May 19, 2014.
- Speaker, Cutting Edge Asylum TRIG: Terrorism Related Inadmissibility Grounds (Including Persecutor Bar, Material Support, and National Security), Federal Bar Association Immigration Seminar, Memphis, TN, May 17, 2014.
- Speaker, *Worksite Enforcement: Criminal and Civil Litigation*, Federal Bar Association Immigration Seminar, Memphis, TN, May 17, 2014.
- Speaker, *Citizenship in a Global Era: A Report from Rome*, Federal Bar Association Immigration Seminar, Memphis, TN, May 16, 2014.
- Speaker, *Military Immigration Issues*, 2014 Upper Midwest Immigration Law Conference, St. Paul, MN, May 9, 2014.
- Speaker, *Myth, Traps, and Absurdities in Our Immigration Laws*, 2014 Alaska Bar Annual Convention, Anchorage, AK, May 7, 2014.
- Speaker, *Immigration Reform- Dreams, Possibilities, and Promises*, Harvard Club Meeting, Anchorage, AK, May 6, 2014.
- Speaker, *Remarks at the Naturalization Ceremony*, District of Alaska Naturalization Oath Ceremony, Anchorage, AK, April 25, 2014.
- Speaker, *Courting Disaster: The Perils of Ethical Dilemmas in International Law Practice*, 2014 American Bar Association New York Spring Meeting, New York City, NY, April 3, 2014.
- Speaker, *Refugee Protection and Barriers to Territorial Access*, Center for Migration Studies, New York City, NY, April 2, 2014.
- Speaker, *Immigration and National Security*, Columbia Law School, New York City, NY, April 1, 2014.
- Speaker, *Immigration and National Security*, Alaska Center-Right Coalition, Anchorage, AK, March 31, 2014.
- Speaker, *Immigration Issues Related to the Military*, Orange County Bar Association Immigration Law Section, Newport Beach, CA, March 4, 2014.
- Speaker, *FOIA Litigation*, 2014 AILA Federal Court Immigration Litigation CLE Practicum, Las Vegas, NV, February 28, 2014.
- Speaker, *Exploring the Myths, Traps, and Absurdities of Immigration Law*, 2014 Pacific NW Immigration Law Conference, Portland, OR, February 20, 2014.
- Speaker, *Immigration Issues Faced by American Military Members and their Families*, Texas Bar Association Advanced Immigration Law Course, Houston, TX, February 3, 2014.
- Speaker, *Business Immigration Ethics*, Texas Bar Association Advanced Immigration Law Course, Houston, TX, February 4, 2014.
- Speaker, *Top 10 Best Practices*, Texas Bar Association Advanced Immigration Law Course, Houston, TX, February 3, 2014.

Speaker, *Immigration in America's Future*, Alaska Women for Political Action, Anchorage, AK, February 1, 2014.

Speaker, *Immigration and National Security*, Bartlett Democratic Club, Anchorage, AK, January 2, 2014.

Discussion Leader, *Need to Know Taxation Issues for Noncitizens*, American Immigration Lawyers Association, Webinar, December 19, 2013.

Discussion Leader, *Parole in Place*, American Immigration Lawyers Association, Podcast, December 11, 2013.

Speaker, *Immigration Issues involving Military Service*, Anchorage, AK, Webinar, December 3, 2013.

Speaker, *The Business Case for Immigration Reform*, Make it Monday Forum – Anchorage Chamber of Commerce, Anchorage, AK, December 2, 2013.

Speaker, *Immigration and National Security*, Alaska Association for Justice Annual Dinner, Anchorage, AK, November 13, 2013.

Speaker, *Immigration and National Security*, Retired Public Employees of Alaska, Anchorage, AK, November 12, 2013.

Speaker, *Immigration and National Security*, Ave Maria Law School, Naples, FL, November 6, 2013.

Speaker, *Immigration and National Security*, Florida State University School of Law, Tallahassee, FL, November 5, 2013.

Speaker, *Immigration and National Security*, University of Kansas School of Law, Lawrence, KS, October 24, 2013.

Speaker, *Immigration and National Security*, Washburn School of Law, Topeka, KS, October 23, 2013.

Speaker, *Counseling Corporate Compliance in a Time of Legislative Change*, Federal Bar Association Workplace Enforcement and Immigration Symposium, Chicago, IL, October 22, 2013.

Speaker, *Immigration and Workforce Development in Alaska*, Fairbanks Industry Update Forum, Fairbanks, AK, October 18, 2013.

Speaker, *Exclusive Citizenship Doctrines*, Federal Bar Association Immigration Law Section, Rome, Italy, October 7, 2013.

Speaker, *The Republican Case for Immigration Reform*, Military Officers Association of America Dinner Social, Anchorage, AK, September 26, 2013.

Speaker, *Military Immigration Issues*, American Immigration Lawyers Association Monthly Business Meeting and CLE, Denver, CO, August 13, 2013.

Speaker, *The Republican Case for Immigration Reform*, Midnight Sun Republican Woman's Club Program, Anchorage, AK, July 30, 2013.

Speaker, *The Freedom of Information Act: Update*, Federalist Society for Law & Public Policy, Webinar & Podcast, July 15, 2013.

Discussion Leader, *Use of False Documents: How they Complicate a Case*, American Immigration Lawyers Association Annual Conference, San Francisco, CA, June 29, 2013.

Speaker, *FOIA Requests—The Search for Transparency*, American Immigration Lawyers Association, Webinar, May 23, 2013.

Speaker, *Worksite Enforcement: Employer Verification Obligations*, 10th Annual Federal Bar Association Immigration Law Seminar, Memphis, TN, May 18, 2013.

Speaker, *The Republican Case for Immigration Reform*, Republican National Lawyers Association, Washington, D.C., April 26, 2013.

Speaker, Compliance Strategies for General Counsels and Other Corporate Officers: Avoiding Fines, Headlines, Litigation, and Jail Time, Worksite Enforcement Symposium, Stanford Law School, Palo Alto, CA, April 19, 2013.

Speaker, *Restoring Discretion to the Immigration System*, Capitol Hill Briefing, Washington, D.C., March 26, 2013.

Speaker, *Tax Issues Relating to Immigrants and Citizens*, 2013 American Immigration Lawyers Association Washington Chapter Continuing Legal Education Annual Conference, Seattle, WA, March 22, 2013.

Speaker, *The Republican Case for Immigration Reform*, Anchorage Republican Women's Club, Anchorage, AK, March 14, 2013.

Speaker, First Steps on Immigration Reform? The Military Enlistment Opportunity Act of 2013, Federalist Society, Washington, D.C., Teleforum, February 8, 2013.

Speaker, *Parole in Place for Military Families*, Fort Carson, CO, Webinar, January 25, 2013.

Speaker, *Arizona v. United States: Immigration Policy & the Economy*, 2012 Federalist Society National Lawyers Convention, Washington, D.C., November 15, 2012.

Speaker, *Special Populations Within the Military*, Veterans Justice Symposium, New York Law School, New York, NY, November 14, 2012.

Speaker, *The Path to Citizenship for Military Family Members*, American Immigration Lawyers Association California Chapter Conference, San Diego, CA, November 10, 2012.

Speaker, *Be All That You Can Be: Military Issues for the Immigration Lawyer*, American Immigration Lawyers Association Fall Joint Texas and Mid-South Chapter Conference, New Orleans, LA, November 3, 2012.

Speaker, *Supporting Our Troops – How Interagency Coordination Helps Members of the Military and Their Families*, Office of the Citizenship and Immigration Services Ombudsman Second Annual Conference, Washington, D.C., October 18, 2012.

Speaker, *Expedited Citizenship & Preserving Continuity of Residence*, American Immigration Lawyers Association Rome Chapter Fall Conference, London, England, United Kingdom, October 5, 2012.

Speaker, How Employers Can Use U.S. Immigration Laws to their Advantage, 74th Annual Northwest Human Resource Management Association Conference and Tradeshow, Anchorage, AK, October 2, 2012.

Moderator, *Immigration, Race, & Incarceration in the United States*, American Bar Association Annual Meeting, Chicago, IL, August 5, 2012.

Discussion Leader, *Subregulatory Guidance: How to Use It Wisely*, American Immigration Lawyers Association Annual Conference, Nashville, TN, June 14, 2012.

Speaker, *Citizenship in a Global Era*, Global Citizenship Conference, Federal Bar Association, Rome, Italy, May 25, 2012.

Speaker, *Arizona versus the United States of America*, Federalist Society, Teleforum, April 27, 2012.

Speaker, American Birthright Citizenship Rules and the Exclusion of Outsiders from the Political Community, Boston College Citizenship Symposium, Dover, MA, April 20, 2012.

Speaker, *Immigration 101 for Alaska Human Resource Managers*, Anchorage Society for Human Resource Managers, Anchorage, AK, March 27, 2012.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, March 21, 2012.

Speaker, *Parole in Place for Military Families*, American Immigration Lawyers Association, Webinar, March 20, 2012.

Discussion Leader, *Tax and Expatriation Issues*, American Immigration Lawyers Association Northwest Continuing Legal Education Conference, Seattle, WA, March 16, 2012.

Speaker, *E-Verify: Friend or Foe?*, Skagit Community College, Skagit, WA, March 15, 2012.

Speaker, *Is Military Justice to Justice as Military Music is to Music?*, Saint Thomas University School of Law, Minneapolis, MN, Mar. 12, 2012.

Speaker, *Immigration Challenges Facing the Western States*, Federalist Society Western States Conference, Simi Valley, CA, January 28, 2012.

Speaker, *Birthright Citizenship & the 14th Amendment: Facts, Consequences & Policy Considerations*, National Asian Pacific American Bar Association Convention, Atlanta, GA, November 18, 2011.

Speaker, *Breaching Borders Symposium*, Washburn University School of Law, Topeka, KS, October 21, 2011.

Speaker, *Immigration Issues Related to Military Service*, American Immigration Lawyers Association Washington Chapter Meeting, Seattle, WA, October 3, 2011.

Speaker, *The 9/11 Effect and Its Legacy on U.S. Immigration Laws*, Pennsylvania State University Law Campus, University Park, PA, September 16, 2011.

Speaker, Showcase Program: The Battle over Birthright Citizenship: History, International Perspectives, and the Path Ahead, American Bar Association 2011 Annual Meeting, Toronto, Ontario, Canada, August 4, 2011.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, April 6, 2011.

Speaker, *The Efficacy of Integrated Border Enforcement Teams (IBETs)*, Perimeter Security Conference, Seattle, WA, June 20, 2011.

Speaker, *Military Issues for the Immigration Practitioner*, 2011 American Immigration Lawyers Association Annual Conference, San Diego, CA, June 15, 2011.

Speaker, *Was It Legal to Kill Osama Bin Laden?*, Public Interest Law Network Summer School, Wuhan University School of Law, Wuhan, China, June 7, 2011.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, April 6, 2011.

Speaker, *True Claims to US Citizenship*, American Immigration Lawyers Association, Washington, D.C., Webinar, March 29, 2011.

Speaker, *Immigration Issues for Human Resources Professionals*, Anchorage Society of Human Resources Managers, Anchorage, AK, March 22, 2011.

Keynote Speaker, *The Constitution, the Fourteenth Amendment, and Birthright Citizenship: Modern Challenges to a Longstanding Rule*, Symposium on Immigration & Homeland Security Law, Northern Illinois University College of Law, DeKalb, IL, March 3, 2011.

Speaker, *Birthright Citizenship: Origins, Constitutional Status, and the Current Debate*, 27th Annual Fordham Debate, S.J. Quinney College of Law, The University of Utah, Salt Lake City, UT, January 31, 2011.

Speaker, *The US Supreme Court, Congress, and the Guantánamo Detainees*, Guantánamo and the Response: A Film Screening and Panel Discussion, Alaska Bar Association, Anchorage, AK, December 14, 2010.

Panelist, *Immigration, the Arizona Statute, and E Pluribus Unum*, Federalist Society 2010 National Lawyers Convention, Washington, D.C., November 18, 2010.

Speaker, *National Security, Immigration, & the Rule of Law*, American Bar Association Section of International Law 2010 Fall Meeting, Paris, France, November 4, 2010.

Speaker, *Birthright Citizenship & the Battle Over Illegal Immigration*, Cato Institute Capitol Hill Briefing, Washington, D.C., October 25, 2010.

Speaker, *Immigration, Citizenship, & Security: The Current Debate*, Hamilton College, Hamilton, NY, October 21, 2010.

Speaker, *The Constitution & Citizenship: Modern Day Challenges to the Founders' Ideals*, Constitution Day Polaris Lecture, University of Alaska Anchorage, Anchorage, AK, September 17, 2010.

Speaker, *Military-Related Immigration Issues*, 2010 Joint Services Immigration & Naturalization Symposium, Naval Legal Service Office Mid-Atlantic, Norfolk, VA, August 27, 2010.

Discussion Leader & Speaker, *Advanced Issues in Citizenship & Naturalization*, American Immigration Lawyers Association Annual Conference, National Harbor, MD, July 3, 2010.

Speaker, *Military Spouses, Widows, and Substitute Sponsors*, American Immigration Lawyers Association Midwest Regional Conference, Chicago, IL, April 9, 2010.

Speaker, *Military Accessions Vital to the National Interest*, USCIS District 23 Military Summit, Los Angeles, CA, March 23, 2010.

Speaker, *The American Immigration Lawyers Association Military Assistance Program*, American Immigration Lawyers Association San Diego Chapter, San Diego, CA, January 19, 2010.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, December 3, 2009.

Speaker, *From F-1 or J-1 Directly to U.S. Citizenship: The U.S. Army's MAVNI Pilot Program*, 2009 NAFSA Region VIII Conference, Washington, D.C., November 14, 2009.

Speaker, *Immigration Reform: What's at Stake for the Northern Border*, Border Policy Research Institute, Western Washington University, Bellingham, WA, November 12, 2009.

Speaker, *Immigration Issues in the Workplace*, Fundamentals of Employment Law in Alaska Continuing Legal Education Conference, Anchorage, AK, October 29, 2009.

Speaker, *Advanced Issues in Naturalization & Citizenship*, University of Texas 33rd Annual Conference on Immigration & Nationality Law, San Antonio, TX, October 22, 2009.

Speaker, *Immigrants and the Military*, National Immigration Project of the National Lawyers Guild, August 2009.

Presenter, *Military-Related Immigration Issues*, Naval Legal Services Office Northwest, Whidbey Island, WA, June 16, 2009.

Discussion Leader & Speaker, *Non-Citizens and the US Military*, American Immigration Lawyers Association Annual Conference on Immigration Law, Las Vegas, NV, June 5, 2009.

Speaker, *National Security Aspects of Immigration Law*, 17th National Security Law Institute, Center for National Security Law, University of Virginia, Charlottesville, VA, June 3, 2009.

Panelist, Policies & Attitudes Towards Immigrant Civic & Political Participation, & Dual Citizenship, In the European Union & North America, Migration Policy Institute, Washington, D.C., May 15, 2009.

Panelist, Citizenship & Naturalization: Proving Citizenship, Medical Waivers for Naturalization & the U.S. Army's New MAVNI Program, AILA Upper Midwest Conference, Minneapolis, MN, April 30, 2009.

Speaker, *Actions That Affect Applications for U.S. Citizenship*, American Bar Association, Teleconference, March 25, 2009.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, January 28, 2009.

Panelist, Burdens of Proof, Production, & Persuasion in Immigration Court: Getting the Differences Down & Creating The Record to Win for Judicial Review & Mock Cross-Examination: Taking it to the Mat, AILA Fall Topics CLE Conference: Moving Beyond the Basics, New Orleans, LA, December 11, 2008.

Speaker, *Immigration Issues Related to Military Service*, New York Immigration Coalition, New York, NY, December 1, 2008.

Speaker, *Toward a More Perfect Union: The Second Founding and Reconstruction Amendments*, American Constitution Society for Law and Policy, Washington, D.C., November 21, 2008.

Discussion Leader, *Freedom of Information Act Update*, American Immigration Lawyers Association, Teleconference, September 4, 2008.

Discussion Leader, *Advanced Issues in Naturalization*, American Immigration Lawyers Association Annual Conference, Vancouver, B.C., Canada, June 27, 2008.

Panelist, *Liberty v. Security: A Critical Balance*, Columbia College, New York, NY, May 31, 2008.

Panelist, *Nationality, Political Membership, Citizenship, and Immigration Policy*, 5th Annual Immigration Law & Policy Conference, Georgetown University Law Center, Washington, D.C., May 20, 2008.

Speaker, *The Intersection of Immigration and National Security*, McCormick Tribune Conference Series, Wheaton, IL, April 28, 2008.

Speaker, *US Immigration Policy in a Climate of Fear*, University of Cincinnati, Cincinnati, OH, April 15, 2008.

Moderator, *The Other Detainees: Immigration Detainees in the United States*, American Bar Association Section of International Law, Spring Meeting, New York, NY, April 4, 2008.

Speaker, *Immigration, Border Security, & the Rule of Law*, University of Kansas Law School, Lawrence, KS, March 27, 2008.

Panelist, *Emerging Issues: The National Security Constitution: New Threats, New Rules?* St. John's University School of Law, Queens, NY, February 29, 2008.

Speaker, *Human Rights & the "War on Terror"—Does TV Persuade Us That Torture's Okay?*, World Affairs Council of Northern California, University of California at Berkeley, Berkeley, CA, February 28, 2008.

Speaker, *Immigration & National Security*, Industrial College of the Armed Forces, Washington, D.C., February 6, 2008.

Panelist, *Boumediene, the Military Commissions Act, & Habeas Corpus*, New York State Bar Association Annual Meeting, New York, NY, January 31, 2008.

Speaker, *Beyond Guantanamo: Administering Justice and Protecting National Security*, New York City Bar Association Symposium, New York City, NY, December 13, 2007.

Speaker, *Removal Defense Crash Course*, American Immigration Lawyers Association 2007 Worksite Enforcement Conference, Scottsdale, AZ, December 1, 2007.

Speaker, *Defining "American:" Birthright Citizenship & the Fourteenth Amendment*, 19th Annual National Asian Pacific American Bar Association Convention, Las Vegas, NV, November 17, 2007.

Speaker, *Immigrants & The Military*, American Immigration Lawyers Association Mid-South Fall Chapter Conference, Louisville, KY, November 2, 2007.

Speaker, *When the Administrative Winds Go Against You: Litigating the Business Immigration Case*, American Immigration Lawyers Association Alaskan Cruise Conference, August 11, 2007.

Speaker, *Immigration Program: Should They Stay or Should They Go?* Women's Bar Association of the State of New York Convention, Rio Grande, PR, June 2, 2007.

Speaker, *Birthright Citizenship & the Fourteenth Amendment*, American Bar Association Section of Administrative Law & Regulatory Practice Spring Meeting, Austin, TX, May 18, 2007.

Moderator, *Trusted Travelers or Terrorists? A Comparative Perspective on Global Travel Security Programs*, American Bar Association Section of International Law Spring Meeting, Washington, D.C., May 2, 2007.

Panelist and Keynote Speaker, *Immigration and National Security*, Immigration Advocacy Training, Stanford Law School, Palo Alto, CA, February 24, 2007.

Panelist, *Immigration & National Security*, Denver University Law Review Symposium, University of Denver Sturm College of Law, Denver, CO, February 16, 2007.

Speaker, *Birthright Citizenship: International Trends & Policies*, American Bar Association Midyear Meeting, Los Angeles, CA, February 7, 2007.

Speaker, *Cross-Border Legislation: Consequences for Trade & Travel*, Bellingham Chamber of Commerce, Bellingham, WA, October 26, 2006.

Panelist, *Should They Stay Or Should They Go?*, Pace Law School Center for Continuing Legal Education, White Plains, NY, October 24, 2006.

Speaker, *Immigration Reform Debate*, Hartford Chapter of the Federalist Society for Law & Public Policy, Hartford, CT, October 18, 2006.

Speaker, *Fortress America—Is It Possible, & At What Price?*, American Immigration Lawyers Association Fall Conference, New York, NY, September 14, 2006.

Speaker, *Birthright Citizenship: A Debate*, Federalist Society Houston Lawyers Chapter, Houston, TX, August 30, 2006.

Speaker, *Beyond the Politics of Fear: The Real Effects of Immigration on Wages, Employment, & National Security*, American Immigration Lawyers Association Annual Conference, San Antonio, TX, June 24, 2006.

Speaker, *U.S. Immigration Policy & Reform*, Keynote Address, 2006 Faculty Workshop, Shenandoah University, Winchester, VA, May 17, 2006.

Speaker, *Turning Our Backs?: Rethinking Our Treatment of Illegal Immigrants*, Americans for Informed Democracy, Bowdoin College, Brunswick, ME, May 8, 2006.

Speaker, *Employment Issues & the Military: Returning Veterans, Reserve Duty, Private Employment Abroad, and More...*, National Employment Lawyers Association Spring Conference 2006, Yale Club of New York City, N.Y.C., NY, May 5, 2006.

Speaker, *In the War Zone: Does Gender Matter?*, Harvard Club of New York City, New York, NY, April 26, 2006.

Moderator, *Comprehensive Immigration Reform: Evaluating the Options*, American Bar Association Teleconference, March 30, 2006.

Speaker, *Migrants, Minorities, and the National Security State: Crimefighting or War on Terror?* Citizenship & Security Program, Berlin, Germany, March 23, 2006.

Speaker, *Border Security: Immigration, Smuggling, & Trafficking*, NSA Homeland Security Course, US Foreign Policy Institute, Linthicum, MD, January 23, 2006.

Speaker, *Does President Bush's Guest Worker Proposal Threaten National Security? A View From The Capitol Hill Trenches*, Harvard Club of Alaska, Anchorage, AK, January 3, 2006.

Speaker, Senate Briefing, *National Security & Comprehensive Immigration Reform*, Capitol Building, Washington, D.C., December 7, 2005.

Speaker, *Detainees in the War on Terrorism & the Abu Ghraib Incident*, Fordham Law School, New York, NY, November 29, 2005.

Speaker, *Immigration Law Issues for Military Members & Their Families*, New York Immigration Coalition, New York, NY, November 17, 2005.

Speaker, *Debate on the USA PATRIOT Act*, Pace Law School, White Plains, NY, September 28, 2005.

Speaker, *Judicial Review & the Border Fence*, New York Law School, New York, NY, September 26, 2005.

Speaker, *Debate: Janis Karpinski—Victim or Violator of the Rule of Law?*, Thomas Jefferson Law School, San Diego, CA, September 7, 2005.

Commentator, *Secure Borders, Open Doors: Visa Procedures in the Post-September 11 Era*, Migration Policy Institute, Washington, D.C., August 18, 2005.

Speaker, *Immigration: The Media, Message, & Messenger*, American Immigration Lawyers Association, Salt Lake City, UT, June 25, 2005.

Speaker, *Teaching About Law and Terrorism at the United States Military Academy: Program and Curriculum Design and Workers, Aliens, or Immigrants? The History and Future of Global Temporary Workers*, Law & Society Annual Meeting, Las Vegas, NV, June 2-5, 2005.

Speaker, *National Security & Immigrant Rights*, Catholic Legal Immigration Network, Inc. ("CLINIC") Annual Convening, Portland, OR, May 14, 2005.

Speaker, *The Role of Borders in Enhancing Security*, Border Policy Research Institute, Western Washington University, Bellingham, WA, April 26, 2005.

- Moderator, *Law of War & the Global War on Terrorism*, Second Annual Law & Terrorism Conference, West Point, NY, April 15, 2005.
- Speaker, *National Security vs. Individual Liberties: The USA PATRIOT Act*, Albany Law School, Albany, NY, April 7, 2005.
- Speaker, *National Security & President Bush's Guestworker Proposal*, Thomas Jefferson School of Law, San Diego, CA, April 1, 2005.
- Speaker, *When Your Client Fights for Uncle Sam: Foreign Citizen Soldiers & Expedited Citizenship*, United States Army Regional Defense Counsel Continuing Legal Education Conference, Cambridge, NY, March 4, 2005.
- Speaker, *National Security & Drivers' Licenses*, Congressional Briefing, Capitol Building, Washington, D.C., January 27, 2005.
- Moderator, *Immigration Law for Matrimonial & Family Law Attorneys*, Association of the Bar of the City of New York, New York, NY, January 25, 2005.
- Speaker, *Guestworker Programs: Proposals and Perspectives*, Association of American Law Schools Annual Meeting, San Francisco, CA, January 5, 2005.
- Discussion Leader, *Consular Processing—Overcoming Obstacles at the Consulates*, 7th Annual New York Chapter Symposium, American Immigration Lawyers Association, New York, NY, December 3, 2004.
- Speaker, *The Emergence of a New Civil Rights Agenda*, Federalist Society National Lawyers Convention, Washington, D.C., November 13, 2004.
- Speaker, *Security & Liberty*, 9/11 Security and Liberty Fellowships Conference, USC Annenberg Institute for Justice & Journalism, Los Angeles, CA, November 9, 2004.
- Speaker, *Immigration & National Security: Post 9/11 Challenges for the United States*, International Security and Strategic Studies Conference, Washington, D.C., October 29, 2004.
- Speaker, *Noncitizens & the U.S. Military*, Harvard Immigration & Refugee Clinic 20th Anniversary Roundtable, Harvard Law School, October 17, 2004, Cambridge, MA.
- Speaker, *Getting Smart About Information: Checks Used by Consular Posts and Ports of Entry*, American Immigration Lawyers Association, 2004 Fall Conference, Chicago, IL, October 15, 2004.
- Speaker, *"The Hot Seat:" Immigration & Security, From the Consulates to Our Ports-of-Entry and Beyond*, American Immigration Lawyers Association Annual Conference, Philadelphia, PA, June 12, 2004.
- Speaker, *Immigration & National Security*, Law & Terrorism Conference, Department of Law, U.S. Military Academy, West Point, NY, April 2004.
- Speaker, *Just War Theory & Preemption Doctrine*, LLM Conference, Cornell Law School, Ithaca, NY, April 2004.
- Speaker, *Security Databases & Clearance Issues*, American Immigration Lawyers Association Conference on Travel for Work and Business: Visa Application, Admission, Reentry with Post-9/11 Security Clearances, Park City, Utah, February 10, 2004.
- Speaker, *Smart Borders: Developing Secure & Sensible Immigration Policies*, Capitol Building, Washington, D.C., December 15, 2003.

Speaker, *Immigration & National Security*, New York Appellate Judges Conference, West Point, NY, October 24, 2003.

Speaker, *Universal Jurisdiction as a Threat to US National Security*, Northwestern University School of Law, Chicago, IL, October 13, 2003.

Speaker, *Becoming an Immigration Lawyer*, Celebration 50, Harvard Law School, Cambridge, MA, May 2003.

Speaker, *Structural Security*, Harvard Club of Alaska, Anchorage, AK, January 2003.

Speaker, *Legal Approaches to State-Sponsored Terrorism*, Institute for Humanitarian Law, San Remo, Italy, October 2002.

Moderator, *Evaluating the Rights of Non-Citizens Post 9/11: A View from the Trenches*, New York City Bar Association, New York, NY, September 18, 2002.

Speaker, *Federal Courts & Torts for the Immigration Lawyer*, Association of the Bar of the City of New York, February 18, 2002.

Moderator, *Homeland Security 101*, American Immigration Lawyers Association Conference on Entry Issues, Detroit, MI, April 2002.

Speaker, *Military Tribunals & Military Justice*, Harvard Club, Anchorage, AK, January 2002.

Speaker, *Asylum Law: Mock Trial*, American Immigration Lawyers Association Annual Conference, Boston, MA, June 2001.

Speaker, *Immigration Issues for Criminal Defense Attorneys*, Alaska Association of Trial Lawyers, Girdwood, AK, April 2001.

Moderator, *Immigration in a High-Tech Age*, Federalist Society National Lawyers Convention, Washington, D.C., November 2000.

Moderator & Speaker, *Habeas Corpus & Coram Nobis*, American Immigration Lawyers Association Annual Conference, Chicago, IL, June 2000.

Speaker, *Immigrant & Non-immigrant Waivers*, Northwest Regional Immigration Seminar, Seattle, WA, February 2000.

Speaker, *Habeas Corpus & Mandamus Remedies*, American Immigration Lawyers Litigation Conference, Miami, FL, October 1999.

Speaker, *Getting Attorney's Fees from the Government*, American Immigration Lawyers Association Annual Conference, Seattle, WA, June 1999.

Moderator & Speaker, *Representing Immigrants Affected By the Nicaraguan & Central American Relief Act*, Alaska Bar Association, March 1999.

Speaker, *Citizenship: N600s & Passport Applications*, Northwest Regional Immigration Seminar, Portland, OR, February 1999.

Speaker, *Citizenship/Naturalization/Maintaining Permanent Residence*, Northwest Regional Immigration Seminar, Seattle, WA, February 1998.

Speaker, *Immigrant Visa Issues*, Northwest Regional Immigration Seminar, Seattle, WA, February 1997.

Speaker, *Recent & Radical Immigration Law Changes: What Every Criminal and Family Law Lawyer Needs To Know*, Alaska Bar Association, October 1996.

Speaker, *Great Decisions 1995: Immigration, An End to Open Doors?* Alaska World Affairs Council, Anchorage, AK, Mar. 3, 1995.

SELECTED TESTIMONY

House Judiciary Committee, Subcommittee on Immigration & Citizenship, *The Impact of Current Immigration Policies on Service Members and Veterans, and their Families*, October 29, 2019, Washington, D.C.

House Judiciary Committee, Subcommittee on Immigration Policy & Enforcement, *Hinder the Administration's Legislation Temptation Act ("HALT Act")*, July 26, 2011, Washington, D.C.

Senate Judiciary Committee, Subcommittee on Immigration, Refugees, and Border Security, *The Development, Relief, and Education for Alien Minors (DREAM) Act*, Jun. 28, 2011, Washington, D.C.

House Judiciary Committee, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, *Immigration Needs of America's Fighting Men and Women*, May 20, 2008, Washington, D.C.

Senate Armed Services Committee, *The Contributions of Immigrants to the Military*, July 10, 2006, Miami, FL.

House Committee on International Relations, Subcommittee on Oversight & Investigations; *Visa Overstays: Can We Bar the Terrorist Door?*, May 11, 2006, Washington, D.C.

Alaska State Legislature, House State Affairs Committee Hearing on SB189, An Act Relating to the Issuance of Identification Cards and Driver's Licenses, April 27, 2006, Juneau, AK (by telephone).

Senate Judiciary Committee, Subcommittees on Immigration, Border Security & Citizenship and Terrorism, Technology & Homeland Security; *The Need for Comprehensive Immigration Reform: Strengthening Our National Security*, May 17, 2005, Washington, D.C.

New York State Legislature, Hearings on Driver's License Issues, August 19, 2004, New York, NY.

Senate Judiciary Committee, Subcommittee on Immigration, Border Security, and Citizenship; *Securing Our Borders Under A Temporary Guest Worker Program*, April 1, 2004, Washington, D.C.

Maryland Governor's Task Force on Drivers' License Issues, March 29, 2004, Annapolis, MD.

AWARDS & RECOGNITION

CIVILIAN AWARDS:

- Avvo rating of 10.0
- "AV" rated by Martindale-Hubbell
- Alaska Super Lawyer (2007 – Present)
- Best Lawyers in America (2015 – Present)
- Top Ten of Who's Who International Corporate Immigration Lawyers (2014, 2020)
- International Law Section's Human Rights Award - Alaska Bar Association (2014)
- John D. & Catherine T. MacArthur Foundation Fellow (2013) ("Genius Grant" Recipient, immigration & national security issues)

- Immigration Law Professor of the Year (2013)
- Michael Maggio Pro Bono Award – American Immigration Lawyers Association (2008)
- Advocacy Award – American Immigration Lawyers Association (2005)
- Harvard University Certificate of Distinction in Teaching (three years)

MILITARY AWARDS:

- Legion of Merit
- Joint Service Commendation Medal
- Meritorious Service Medal
- Army Commendation Medal
- Military Outstanding Volunteer Service Medal