

Rothman Leading Fight To Reunite Irish Political Asylum Seeker With Family

November 26, 2003

Rothman Leading Fight To Reunite Irish
Political Asylum Seeker With Family
Calls On Homeland Security Secretary Ridge, Attorney General Ashcroft To Allow
Malachy McAllister To Be Free To Live In His Wallington Home Until Court Date

Hackensack, NJ - Congressman Steve Rothman (D-NJ9) is leading the fight to reunite an Irish political asylum seeker with his family in Wallington, New Jersey. Currently, the U.S. Bureau of Immigration and Customs Enforcement (BICE) is seeking to capture and eventually deport Malachy McAllister, who fled Northern Ireland with his family to avoid violent attacks from armed loyalists. Rothman authored a letter, which he got ten of his colleagues in Congress to also sign, and sent it today to Department of Homeland Security Secretary Tom Ridge, who has jurisdiction over the BICE, and to U.S. Attorney General John Ashcroft asking that they intervene and allow McAllister to remain free until all his proceedings before the U.S. Court of Appeals for the Third Circuit have been completed.

"Malachy McAllister and his family have suffered enough at the hands of violent loyalists in Northern Ireland who have threatened and attacked them in the past and who would almost certainly seek them out again if the U.S. government forces them to return," Rothman said. "Unfortunately, new immigration laws designed to keep terrorists out of the United States are being inappropriately applied to Malachy McAllister, which is why he is being sought by federal officials and on the verge of being deported. Because of this injustice, I was able to get ten of my colleagues in Congress to join me in calling on Secretary Ridge and Attorney General Ashcroft to let Malachy McAllister be with his family while he continues to fight for the political asylum in the United States that will keep him and his family members safe."

McAllister and his family fled Northern Ireland following an armed loyalist attack on their home in October 1988, in which 25 shots were fired into their living room. These shots barely missed McAllister's children and mother-in-law. Fearing for their lives, McAllister and his family fled Northern Ireland and have been seeking asylum in the United States. Many believe that if forced to return to Northern Ireland they will once again be the targets of violence.

McAllister has gone through several appeals to receive political asylum for himself and his family. Mrs. McAllister and her attorney told Rothman that on November 17, 2003 the Board of Immigration Appeals denied Mr. McAllister's appeal for asylum. This final decision ordered Mr. McAllister to be removed from the United States. According to BICE officials, this order also required that Mr. McAllister be taken into custody. The McAllister's attorney immediately filed with the U.S. Court of Appeals for the Third Circuit, a Petition for Review, a Motion for a Stay of Detention and Removal, and a Motion for Temporary Restraining Order to Stay Detention and Removal. The Third Circuit Court granted a temporary stay of removal, but left open the issue of whether McAllister must be taken into custody pending the three judge panel's review of the entire matter. Rothman and Mr. McAllister's lawyers are arguing that Mr. McAllister should be able to stay at his home in Wallington and be with his wife and children until the Third Circuit has issued its final rulings in this matter.

"This whole case is a great injustice," Rothman said. "The McAllisters fled violent, political persecution and found refuge here in America. They should not be forced to return to Northern Ireland, under any circumstances, where they might well face further attempts on their lives. Also, while this whole matter is being resolved, Mr. McAllister should not be taken into custody by the BICE, but should instead be permitted to remain in his home with his wife and children without further suffering to this man and his family."

Also signing the Rothman letter to Ridge and Ashcroft were: U.S. Senator Frank Lautenberg (D-NJ), Congressman Gary Ackerman (D-NY5), Congressman Joseph Crowley (D-NY7), Congressman Tim Holden (D-PA17), Congresswoman Sheila Jackson-Lee (D-TX18), Congressman Bob Menendez (D-NJ13), Congressman Frank Pallone (D-NJ6), Congressman Bill Pascrell (D-NJ8), Congressman Donald Payne (D-NJ10), and Congressman Anthony Weiner (D-NY9).

###

[Go back](#)

