

GOP lobbyist had no work permit

SFGate.com

Lance Williams, Carla Marinucci, Chronicle Staff Writers

Thursday, February 21, 2008

A former California Republican Party official who resigned last year in a controversy over his immigration status had no valid visa or work permit during his high-profile career as a Washington lobbyist for conservative icon Grover Norquist, newly filed court records show.

Michael Kamburowski, an Australian citizen who served briefly as chief operating officer of the state GOP, worked from 1995 to 2000 as a vice president of Americans for Tax Reform in Washington, D.C., an organization headed by Norquist - an architect of modern conservatism who has advised President Bush and top GOP political leaders.

For Norquist, Kamburowski lobbied Congress on dozens of issues, including immigration reform, according to his resume. He also directed the Norquist organization's Ronald Reagan Legacy Project, an effort to rename public buildings to honor the former president.

But when he went to work for Norquist, Kamburowski had no legal right to live or work in the U.S., according to documents filed recently in federal court in Brooklyn, N.Y., in connection with a wrongful-arrest lawsuit he filed against U.S. immigration officials.

Adam Radman, a communications director at Americans for Tax Reform, responded to requests for comment Wednesday with an e-mail referring all questions to Kamburowski.

Kamburowski's lawyer, Michael DiRaimondo, didn't return a reporter's phone call. Kamburowski quit his post with the state GOP in June after The Chronicle disclosed that he had sued the federal officials who jailed him in 2004 in an attempt to deport him.

At the time, he said he had a valid work permit when he was hired by state party Chairman Ron Nehring, who has done consulting work with Norquist. Kamburowski refused to discuss his immigration status when he first came to the United States in 1995 and was hired by the Norquist organization.

But documents filed late last year in the lawsuit - including portions of Kamburowski's pre-trial testimony - show that he remained in the United States illegally to work for Norquist after he came to this country on a tourist visa.

"I was out of status" when he was hired by Norquist, he testified.

Immigration experts said that when it hired Kamburowski, the Norquist organization either failed to comply with federal laws requiring it to verify his work status or was badly hoodwinked.

"The guy was working here illegally and living here illegally," said San Francisco immigration attorney Martin Lawler, who reviewed the case for The Chronicle. "... Either they were really sloppy in checking, or he conned them, or they knew."

Said immigration lawyer Sheila Quinlan: "No way was he legally employed by these people."

With control of illegal immigration a hot-button topic for Republicans in the 2008 election, the apparent violation by one of the nation's leading conservative voices underscores the challenges of the issue, political insiders say.

The Kamburowski case "shows that the illegal immigration debate is far more complicated than just a bunch of people coming across the Mexican border," said Bill Whalen, Hoover Institution research fellow and Republican strategist. "It's an onion with so many layers to it, and it's not simple as saying 'Build a fence and deal with the Mexican problem.' "

Norquist is a longtime anti-tax activist and a confidante of both Bush and Karl Rove, Bush's former political strategist. His Americans for Tax Reform organization has a staff of 15 people, according to its web site, and lobbies Congress on issues related to federal tax policies.

Kamburowski was born in Poland and became an Australian citizen after his parents emigrated there when he was a teen. In January, 1995, he came to the U.S. on a three-month tourist visa, bound for an internship at the conservative Leadership Institute policy center in Arlington, Va., according to immigration records. In May, 1995, records show he was hired as a policy analyst at Americans for Tax Reform.

By law, after it hired Kamburowski Americans for Tax Reform was required to file an Employment Eligibility Verification Form, also known as an I-9, with the government.

On the form, Norquist's group was required to verify that Kamburowski possessed documents proving both his identity and his right to work in the United States - a passport, a permanent residence or "green" card and a Social Security card.

Because Kamburowski had no green card, the I-9 submitted by Americans for Tax Reform must have contained false information, said the experts who reviewed the case. Under federal law, employers who hire undocumented workers can be fined, and if they knowingly make false statements about an employee on an I-9 form they can be prosecuted, immigration experts said.

Lawler, the immigration lawyer, said I-9 fraud is fairly common. Counterfeit green cards and identity papers are readily available in most cities and out-of-status immigrants who want to work can use them to fill out the forms.

In the same way, some employers will simply ignore the I-9 requirements and verify an employee's right to work without reviewing proper documents, he said.

Kamburowski also had no Social Security number, records show. Experts said that should have tipped off the Norquist organization that he was ineligible to work, but "maybe he just made up a Social Security number like the Mexican migrants do," Lawler said. In any event, "the company broke the law by failing to comply with I-9 requirements," said Quinn, the other expert who reviewed the case.

A former employee of Americans for Tax Reform recalled that Kamburowski came to the organization as an intern and soon got a full-time job as a policy analyst.

"As I recall, there wasn't anything out of order" with his work papers, said the former employee, who declined to be quoted by name. "Please don't ask me what visa he had at the time."

Kamburowski later was promoted to vice president for legislative affairs. In 1998 and 1999, Kamburowski lobbied on many bills involving tax issues. In his resume, he said he also lobbied Congress in support of a measure to make it easier for foreigners to get employment visas in the United States.

In 1997, Kamburowski married a U.S. citizen and filed papers to get a green card, which would have given him the legal right to work in the United States. But the marriage broke up before his application was acted on, court records show.

Court records show that Kamburowski resigned from Americans for Tax Reform and moved to New York in December 2000, at about the time immigration officials said they mailed him the first of a series of deportation notices.

Kamburowski says he never got the letters. In 2001, he married a U.S. citizen and became a legal U.S. resident, court records show.

In 2004, he was arrested and jailed for a month on the old deportation warrant. He later sued the government, claiming he was illegally imprisoned and saying he was fired from his job as a result of his arrest. The immigration officers denied wrongdoing. The case, which is still unresolved, was pending when he obtained his \$130,000-per-year post with the state party in March 2007.

The lesson in Kamburowski's case, said Whalen, remains one that Republican political leaders and candidates should remember - that "if I were running a presidential campaign, I'd want to check everyone's visa and citizenship - just to make sure."