Early in 1994, Michigan Law Professor T. Alexander Aleinikoff took a leave of absence to serve as General Counsel of the Immigration and Naturalization Service at the United States Department of Justice. Third-year student Rebecca Storey also took a break from the Law School and spent the fall semester working at INS on an externship, handling potential appeals of adverse court decisions in refugee and asylum cases. She also spent a day following Aleinikoff to observe him in action, and shared with LQN this account of a typical day in the life of the INS General Counsel.

Dec. 2, 1994, 8:00 a.m.
In the quintessential Washington power meeting place, the Willard Hotel on Pennsylvania Avenue, just one block from the White House, Alex Aleinikoff is in the middle of an immigration debate. His meeting with a conservative, reform minded immigration group has turned into a challenge of current United States policy. Aleinikoff is increasingly the Clinton administration’s front man on immigration policies, which were major news stories for months as waves of refugees from Cuba and Haiti headed for the United States.

The meeting typifies the way many mornings begin in Washington, especially for political appointees — continental breakfasts and constituent relations, meeting and greeting. It is the inside-the-Beltway tango, a dance Aleinikoff is learning in his new role.

It has been nearly a year since Aleinikoff got the call from U.S. Attorney General Janet Reno to head the INS’s legal division. But the transformation from University of Michigan law professor to Washington insider seems to suit him well.
Aleinikoff says. “The change being in the thick of things policy, I finally of writing about government breaking information. has not come without sacrifices, some of which strike close to Aleinikoff’s heart. “One of the biggest things this job has done is take me away from my family,” he muses. He missed his daughter’s eighth birthday when the Department of Justice sent him to Cuba in October to negotiate with Cuban refugees in the camps at Guantanamo Bay.

9:30 a.m. Aleinikoff wraps up his meeting in time to catch a ride back to headquarters so he can join high-level INS and Department of Justice officials for a congressional briefing. The INS, responding to increasing political pressures, is announcing new streamlined political asylum procedures designed to deter fraud. On the short ride to Capitol Hill — in the obligatory dark blue, government-issue Lincoln — Aleinikoff and the other Department of Justice officials engage in some last-minute preparation. Spirits are high as they review documents and share late-breaking information.

Aleinikoff’s job today is to serve as an educator as well as legal advisor, helping to explain the new policies to Senate and House staff members. After more than a decade of teaching constitutional law, immigration and refugee law, and race discrimination at the Law School, the educator’s role comes naturally. His role as Department of Justice attorney is also familiar, however. Before joining the faculty, Aleinikoff spent three years in the Office of Legal Counsel of the Department of Justice and as counselor to the associate attorney general.

Wielding press releases, informational packets, and good humor, Aleinikoff’s group takes the podium. The growing national controversy over illegal immigration and related issues has drawn a standing-room only crowd.

After the briefing Aleinikoff is ecstatic. “This was double the normal turnout,” he remarks as he wades through a crowd of Hill staff. With the INS frequently under fire from questions from congressional representatives of non-governmental organizations, the educator in him once again takes center stage as he and Meissner explain the new asylum regulations to the group. Traditionally watchdogs of the agency, the NGOs are surprisingly docile today and express only mild dismay about the restrictive new policies. Their cooperation is a testimony to the effectiveness of Aleinikoff and Meissner’s consensus-building philosophy and approach.

“When the agency began to consider proposals for asylum reform, we brought NGOs in on the process,” Aleinikoff explains. “We also seriously considered all of the comments that were submitted in response to the proposed regulations. Where it was feasible and appropriate, we incorporated the suggestions into the final rule.”

12:00 p.m. Amidst glaring lights and camera crews jockeying for position, Aleinikoff confers with Commissioner Meissner as she prepares to give a press conference. All the major networks are represented. Aleinikoff stations himself off to the side, just outside the range of the numerous assembled cameras and microphones.

“This is just how I like to keep things,” he remarks. “I like to be keeping an eye on things from the sidelines. I’m there if they need me, but I’m not in the spotlight.” However, anonymity is not in the cards for Aleinikoff today. As the press conference draws to a close, reporters descend upon him.

After handling a few questions, Aleinikoff invites reporters to call him in his office that afternoon. In the solitude of the empty corridor Aleinikoff explains, “It is important to develop a good relationship with the reporters. If you have a relationship, they are more likely to contact you and listen to what you have to say before they run a critical story.”

1:00 p.m. Armed with a tuna sandwich and a thick stack of message slips, Aleinikoff settles in at his desk to fire off a few calls. He speaks with a New York Times reporter and confirms a speaking engagement. Next, he calls a call to a senate staffer. “The senator was too busy to take the Attorney General’s call, so I’ve been asked to call his staffer,” Aleinikoff explains. “Can you imagine being too busy to take Reno’s call?”
1:45 p.m. Aleinikoff is on the move again, this time to a highly confidential meeting at the White House. A core group of top administration officials are discussing pressing immigration-related issues. "I wish I could take you with me," he tells an aide, "but it is very top-secret. I'm surprised I'm even invited," he jokes.

4:00 p.m. Top secrets aside, Aleinikoff is attending to the less glamorous side of his job — supervising a staff of more than 400 attorneys. He is interviewing a candidate for a position in the General Counsel's office. "The INS is an agency in transition," he explains to the candidate. "It is moving away from its Cowboy Agency image and becoming more of a policy agency." That's precisely the reason that the administration has recruited academics like himself.

The interview is interrupted by a puzzling call on Aleinikoff's secured phone line, a line which cannot be tapped. It is the first call he has received on this special line in almost a year on the job. "When I answered the phone," Aleinikoff recounts, "the person on the other end said, 'Hi there, Prairie Dog.' It is a wrong number, but he laughs and jokes that somebody must have forgotten to tell him his code name.

4:45 p.m. Aleinikoff is rushing down the hall in typical fashion (his secretary says she needs running shoes just to keep up with him) to check in on the status of pending litigation. Halfway down the hall he stops to help a secretary who is struggling to load heavy computer boxes onto a dolly. He commonly takes time for such courtesies, and it makes him popular with his staff.

6:15 p.m. As evening descends on Washington, Aleinikoff is still immersed in legal briefs and memos. After stopping to spend a few minutes in shared camaraderie with some of his attorneys, Aleinikoff turns out his lights and heads for home to spend a few precious hours with his family. But tomorrow he will be back, with his dancing shoes laced, performing the inside-the-Beltway tango once more.

— by Rebecca Story, 3L and Jay Reiff, freelance writer

"After more than ten years of writing about government policy, I finally have the opportunity to shape it. The change has been very rewarding."

— ALEX ALENIKOFF