

The Northern Light

January 16 - 22, 2020

Community Newspaper of Blaine and Birch Bay

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Federal investigation underway into CBP's detentions of Iranian-Americans

BY JAMI MAKAN

A federal investigation into recent detentions of Iranian-American travelers in Blaine is underway, after members of Congress and civil rights groups expressed concern about the "extreme vetting" that took place at the Peace Arch border crossing in the wake of a U.S. airstrike on an Iranian military figure.

On January 4 and 5, more than 60 travelers with Iranian backgrounds were held for hours at the Peace Arch border crossing and received extra questioning, following a U.S. airstrike that killed Qasem Soleimani on January 3 in Baghdad, Iraq. Systematic enhanced screenings appear to have been limited to the Peace Arch border crossing, suggesting that the decision was made locally by CBP's Seattle Field Office, which is based in Blaine, rather than at the national level.

At the time, a local immigration lawyer who visited the Peace Arch border crossing on an unrelated client matter asked a CBP officer what was going on. "Extreme vetting," the officer replied, according to attorney Len Saunders' account of the conversation. The CBP officer continued: "All of those Iranians, they are all being vetted and the only person making the final decision to let them in is the port director. Every single person is going to the port director. It's taking us hours to process."

Following widespread reports that more than 60 people of Iranian backgrounds, including NEXUS pass holders, were held in secondary inspection for up to 10 hours and asked questions about their political views, allegiances and ties to the Iranian military, the National Iranian American Council (NIAC) requested that the Department of Homeland Security's (DHS) Office for Civil Rights and Civil

(See CBP, page 2)

Sidhu sworn in as Whatcom County executive



▲ Whatcom County executive Satpal Sidhu took the oath of office given by Whatcom County auditor Debbie Adelstein during a January 11 ceremony at Meridian High School in Bellingham. With him is his wife Mundir, family members, friends and officials including former Lummi Nation chairman Jay Julius, Washington attorney general Bob Ferguson and Hardev Jui, Sidhu's former classmate and retired vice president of Bonneville Power Administration.

Photo by Tara Nelson

Potential IED discovered in trunk of Blaine vehicle

BY JAMI MAKAN

The Blaine Police Department was evacuated, a bomb squad was called in and the FBI was contacted after a potential IED – improvised explosive device – was discovered in the trunk of a vehicle being searched by Blaine officers in their evidence bay.

On December 24 at about 9:30 a.m., two Blaine police officers executed a search warrant on a vehicle for the purpose of recovering marijuana and related paraphernalia. The vehicle, a black 1990 Honda Accord owned by 19-year-old Charles Daniel Padilla, was being stored in the Blaine Police Department's secure vehicle evidence

bay on H Street, and the points of access to the vehicle had been sealed with evidence tape prior to executing the warrant.

During the course of the search, one of the officers discovered what appeared to be an IED in the trunk of the vehicle. The partially covered device consisted of a large rectangular black and silver case with red wiring traveling from the top of the case to the inside. The case had a key placed in a keyhole located on the top with a red button next to it. A wire junction attached to the backside of the keyhole had an additional wire coming from it, which was hooked to a D battery and traveled downward into the bottom of the case. This wire traveled toward a dark, unknown liquid

substance in a water bottle.

After taking digital photographs of the device, the police department was evacuated immediately, and all staff members were advised to clear out of the building. One of the officers contacted Washington State Patrol (WSP) which deployed its bomb squad. While waiting for WSP to arrive, Blaine officers cleared the sidewalk and roadway outside the evidence bay and blocked the area off with cones and police tape.

WSP's bomb squad arrived and inspected the device. "Upon arrival, the WSP bomb squad scanned the device and made sure it was inoperable," said the police report. "The fluid in the canister was not an accelerant or explosive. They

(See IED, page 2)

BHS alumnus pleads guilty to rape and burglary

BY JAMI MAKAN

A Blaine High School alumnus pled guilty to rape and burglary and was booked into the Whatcom County Jail pending a sentencing hearing.

On January 6, Shaquille Tyrique Woods, 21, appeared in Whatcom County Superior Court and pled guilty to third-degree rape and first-degree burglary in two separate court cases. According to court records, the guilty plea was part of an agreement with deputy prosecuting attorney Evan

Jones, who will be recommending that Woods serve 14 months for the rape count and 24 months for the burglary count.

The sentences would run concurrently. Woods will later be subject to supervision and community custody. For the rape count in particular, Woods will also be subject to DNA testing and will be required to register as a sex offender.

For the rape count, Woods made a so-called "Alford" plea, which means that he is pleading guilty but is not admitting to committing the criminal acts. As part of

the plea deal, other charges were dropped, including charges for taking indecent liberties and possession of a stolen firearm.

Prior to making the guilty pleas, Woods was advised of the charges, his constitutional rights and the maximum penalties. He was also advised that the court is not bound by the recommendation of counsel as to sentencing, and that he would have no right to appeal his sentence if he pled guilty.

Following his pleas, Woods was

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Clockwise from left: Phami Akha headdress, Thailand; Thunderbolt Crown, Tibet; Naga helmet, India. ©2012, Courtesy of Hat Horizons. Photographs by Matthew Hillman.

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CBP ...

From page 1

Liberties open an investigation into the detentions.

On January 8, the DHS civil rights office verbally confirmed opening an investigation and said it would be sending investigators to Washington state, said Subhan Cheema, a spokesperson for U.S. representative Pramila Jayapal (D-WA). While DHS wouldn't elaborate on the scope of the investigation, "we believe the fact that they are investigating is a big deal, and the fact that they opened an investigation so quickly is also significant," said Cheema.

Following the opening of the investigation, Jayapal said on Twitter that it was a "critical step toward getting to the truth – and getting real answers about what happened." She also praised "the courage of those who spoke up to tell their story." Her office said that individuals who were impacted by the extreme vetting can email crc1compliance@hq.dhs.gov.

A day earlier, Jayapal, who is vice chair of the House Judiciary

Subcommittee on Immigration and Citizenship, wrote a letter with five Democratic colleagues requesting further information and documents about the detentions of the Iranian-American travelers in Blaine.

"We write to express our alarm about U.S. Customs and Border Protection (CBP) reportedly holding large numbers of people of Iranian heritage in secondary inspection for up to 12 hours over the weekend of January 4-5, 2020, at the Peace Arch border crossing in Blaine, Washington," said Jayapal's January 7 letter, which was addressed to acting DHS secretary Chad Wolf, acting CBP commissioner Mark Morgan and Kenneth Williams, port director of the Blaine sector.

In a separate letter to acting CBP commissioner Morgan, congresswoman Suzan DelBene and 69 of her colleagues in the U.S. House of Representatives also requested more information about the Blaine detentions.

"We are deeply concerned about the experiences of those impacted this past weekend and the potential that this may be the start

of a new policy at our borders and airports illegally targeting those of Iranian descent based solely on their religion, ethnicity or national origin," said DelBene's letter.

DelBene's letter continued: "Men, women and children legally entering or returning to the United States at a designated port of entry deserve better than to be arbitrarily held and questioned solely based on their religion, ethnicity or national origin."

The NIAC reacted positively to the news of a federal investigation. "We are pleased that the Office for Civil Rights and Civil Liberties has opened an investigation into CBP's potential discriminatory targeting of Iranian-Americans at the border following our formal complaint," said NIAC president Jamal Abdi in a statement. "We will be working to ensure that the investigation is thorough, timely and results in the halt of this discriminatory treatment targeting our community."

A CBP spokesperson declined to comment on the investigation. "We will provide comment once any investigation is complete," said CBP press officer Jason Givens.

IED ...

From page 1

advised that the device was wired in such a way that it was only missing a small component and an actual combustible."

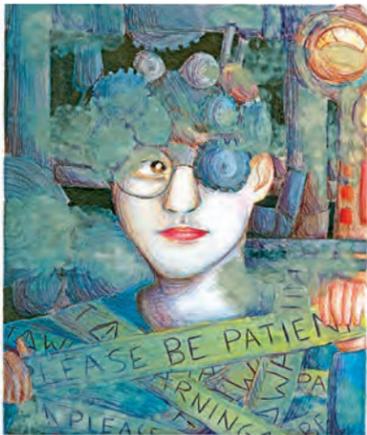
However, WSP personnel could not positively identify the unknown fluid. Neither could U.S. Customs agents who also analyzed the fluid, which did not register as a specific chemical on their scanning machine. Over

the course of several hours, WSP bomb technicians dismantled the device. The unknown liquid was seized for destruction by WSP, and the FBI was contacted since the incident "relates to the construction of potential explosive devices."

Besides the potential IED, the search of the vehicle turned up "numerous" bags of suspected marijuana, bong stems and drug paraphernalia, as well as concentrated THC, brass knuckles, knives, a realistic-looking airsoft

BB gun with CO2 cartridges and multiple empty bottles of alcohol.

At this point, it is unclear what charges Padilla could face as a result of possessing the device. "Everything was forwarded to the FBI for review," said a Blaine Police Department spokesperson. Additional charges for the brass knuckles were forwarded to the Blaine prosecutor for review, since section 9.32.010 of the Blaine Municipal Code prohibits the possession of "metal knuckles" and certain other weapons.



2020 Artist of Note, Megan Tran

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▲ The old Wolten and Montfort grocery store at 648 Peace Portal Drive in Blaine was in the process of receiving a facelift last week. The structure is being renovated by Nimbus Properties, which hopes to bring a grocery tenant to the historic building. "It'll be glass and brick consistent with the flavor of downtown, and with lots of light," said Nimbus representative Phill Esau. He said that the building has been sitting empty for years, and was previously being used to store furniture donated to the Nimbus-affiliated Wildbird Treasure Nest boutique.

Photo by Louise Mugar

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Field director disavows knowledge of detention directive, says Jayapal

BY PATRICK GRUBB

U.S. Customs and Border Protection (CBP) Seattle Field Office director Adele Fasano told lawmakers that she only learned of the detention of Americans with Iranian backgrounds after hearing of it through news reports, said U.S. house representative Pramila Jayapal on February 3. Jayapal, along with representative Suzan DelBene and representatives from the offices of Senator Maria Cantwell and representative Kim Schrier met with Fasano and an assistant in Seattle following the leak of a CBP directive authorizing the enhanced screening of travelers with Iranian and other Middle Eastern backgrounds.

More than 60 travelers were detained for hours as they entered the U.S. through Blaine-sector ports of entry on January 4 and 5. CBP continued to deny that such a directive had been issued until it was leaked to Blaine immigration attorney Len Saunders and subsequently to news outlets. *The Northern Light* newspaper was the first to publish the directive and story on January 29.

In a tweet following the meeting with Fasano, Jayapal also wrote, "I would like to see a formal statement from CBP admitting these facts and I await the results of two investigations underway. I'm also deeply concerned that it took a leaked memo to get to this point. CBP headquarters has not been honest about what happened - and that must change."

The Seattle Times reported on February 4 that according to Jayapal, Fasano had only learned of the directive and detention through news reports and had "deep concerns" about the matter. Jayapal continued, "To me, if you're detaining U.S. citizens and legal permanent residents for significant amounts of time and there

(See CBP, page 3)

Arts & Jazz fundraiser was a success



▲ For the 23rd year, the annual Arts & Jazz fundraiser featured musical performances and an auction on February 1 in the Blaine Middle School cafeteria. Over \$13,000 was raised at the event, which will be used to offer arts scholarships and to assist the theater, band, choir and visual art programs at Blaine High School.

Photo by Molly Ernst

Blaine Police Department receives \$20,000 donation

BY JAMI MAKAN

The city of Blaine recently accepted a \$20,000 gift from the Stroum Family Foundation which will be used toward additional training of Blaine Police Department (BPD) officers and staff.

At the January 27 city council meeting, Blaine city councilmembers voted 5-0 in favor of Ordinance 20-2942 amending the 2020 general fund police department budget with a donor-advised grant. The vote was essentially a vote to accept the \$20,000 gift, which was made to the city

of Blaine for unrestricted support for BPD.

The gift was made by the Stroum Family Foundation, which was started by the Seattle businessman and philanthropist Samuel J. Stroum, who passed away on March 9, 2001 at the age of 79 according to a Seattle Times obituary. After becoming a titan of industry in electronics and auto parts, Stroum gave away millions of dollars to hundreds of organizations, and helped raise millions more for causes ranging from the arts and education to healthcare and faith.

Stroum's daughter, Cynthia, who once

served as U.S. ambassador to Luxembourg, is now helping to run the family foundation, and has been donating to police foundations among other organizations. Since there is no police foundation in the Blaine area, the donation to BPD was channeled through the Whatcom Community Foundation. "We're very appreciative," Blaine police chief Donnell Tanksley said at the city council meeting.

"This amendment formally recognizes the acceptance of the gift and supplements the 2020 general fund police department budget with the \$20,000 donor grant," city

(See Stroum, page 3)

Whatcom County sees flooding due to heavy rainfall

BY JAMI MAKAN

Heavy rainfall last weekend caused parts of Whatcom County to experience flooding, leading to local road closures and emergency response initiatives.

On January 31, the city of Blaine's public works department issued a press release stating that the department had created an emergency operation center to coordinate storm response in light of the high wind and heavy rainfall.

"All crews have been dispatched in

teams to identify, prioritize and address areas of localized flooding around the city," said the release. "Public works is coordinating efforts with the Whatcom County Sheriff's Office [Division] of Emergency Management who is predicting additional heavy rain and wind overnight and potentially county-wide flooding through the weekend."

Blaine public works director Ravyn Whitewolf said that public safety was her department's top priority during the weather event. "Residents are strongly en-

couraged to slow down, watch for downed power lines and respect all water over roadway signs," said Whitewolf, whose department made sand bags available to residents outside of the public works yard at 1200 Yew Avenue.

According to assistant public works director Sam Castro, the sand bags were filled by public works staff for Blaine residents, who were alerted through notifications sent out by the city. "By Saturday, the

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Strom ...

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finance director Jeffrey Lazenby told councilmembers prior to the vote. "Thank you to the Strom Family Foundation and the Whatcom Community Foundation."

Flooding ...

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sand bags were completely gone," said Castro. "Everybody took what we had. But on Sunday, a lot of people returned them so that other people could use them. We appreciate the community taking what they needed and bringing them back."

Castro said that a section of Pipeline Road was closed between Yew Avenue and Odell Street until Saturday morning. Water over roadway signs were also posted in various other locations, including on F Street near Starbucks, on H Street at the truck route and on Semiahmoo Parkway.

There were also some road closures and restrictions in Birch Bay, including Birch Bay Drive at Beach Way Drive, with water and debris over the roadway. Notices were also posted at both ends of

City manager Michael Jones said that the funds will help alleviate some reductions in the city's annual budget. "You may recall that in our budget conversations earlier this year as we went through draft budgets, we reduced some of our budget in the area of training

and to simply make the budget work," Jones told councilmembers. "The police chief and I have had conversations that although this is an unrestricted donation, it would likely go toward additional police department training, so it's really a bonus to kind of backfill some

of what we didn't have available when we were adopting the 2020 budget."

Councilmember Alicia Rule also expressed her gratitude to the Strom Family Foundation and the Whatcom Community Foundation. "What a wonderful gift," she said at the meeting.

"Due to the fact that the funds are unrestricted, they will be used for training for both law enforcement and office personnel," said a BPD spokesperson. "It will be used in an equitable fashion to enhance and ultimately assist us in continuing our positive community engagement."

Birch Point Loop warning of water and debris over the roadway.

"There was water over the road in a number of areas," said John Gargett, deputy director of the Whatcom County Sheriff's Office (WCSO) Division of Emergency Management, during a briefing with public safety officials on February 1. "Whatcom County Public Works was in the Blaine and Birch Bay area somewhat to their surprise last night having to put signs up."

Gargett continued: "On Birch Bay Drive, for a number of the homes that were against the bluff, water backed up and flowed into the roads. In Blaine, there were a number of roads that had very high water, and the city of Blaine put out some water over roadway signs. Those have not been an issue today."

In response to the weather, the WCSO Division of Emergency Management had issued an emer-

gency proclamation. As of February 3, WCSO said minor flooding was continuing in Whatcom County, principally from Ferndale to the mouth of the Nooksack, including the Lummi Nation.

Blaine, which started preparing for the storm on Thursday, January 30, put together a coordinated effort that also involved regular communication with the Blaine Police Department.

Public works staff acted as emergency responders, and Wastewater Treatment Plant operators worked late into the night to monitor the unfolding situation.

"We fared better than most of our brother and sister agencies," said Castro. He said that because the city council allowed the department to hire a full-time employee for storm management a few months ago, many culverts and ditches had already been cleared ahead of time. "We've had an aggressive maintenance program," he said.



▲ One of several water over roadway signs that were placed on Drayton Harbor Road in Semiahmoo during last weekend's heavy rainfall.

Photo by Jami Makan

CBP ...

From page 1

are significant people there, you should not be finding out about that, as the director, through news reports."

DelBene released a statement in general agreement with Jayapal, saying, "It is disappointing that CBP officials were not honest about the incidents in Blaine when we first reached out to them with questions. I am deeply alarmed that CBP was dishonest regarding the detainment of Americans of Iranian, Lebanese and Palestinian descent. This memo shows the CBP's initial story, that the detainments were caused by staffing issues, to be a falsehood. The memo clearly outlines directions which were given to CBP authorities about whom to target."

The two investigations referenced by Jayapal include one by DHS's Office for Civil Rights and Civil Liberties and a previously unannounced investigation by CBP's Office of Professional Responsibility (OPR). A spokesperson from DelBene's Washington, D.C. office said, "The full scope of the investigations is unclear, including whether [CBP is] specifically looking into the whistleblower/memo. They did say the second investigation is being conducted by the OPR."

The OPR, among its other responsibilities, investigates allegations of employee corruption and serious misconduct and is able to conduct employee interviews, administer polygraph tests, collect telephonic and computer information and more. The OPR is headquartered in Washington, D.C. but has regional offices, including one in Bellingham.

According to one source who wished to remain anonymous, agents wear plain clothes and have typically come from another

government agency such as ICE or the FBI. Investigations can be as short as weeks or can stretch to years. The source expressed hope that the investigators would take a hard look at the officers at the top of the pyramid and not just frontline officers. Referring to the ongoing denial that a directive existed, he said, "They lied about the lie," and added that frontline officers have it drilled into their heads from day one the importance of being completely honest. GS14 and GS15-level officers should be held to the same standard, he said.

Employee morale at the Department of Homeland Security consistently shows up at the bottom or near the bottom of rankings of the best places to work in the federal government, with CBP being a major driver of the low rankings. In 2019, CBP was ranked 380th out of 420 sub-agencies of the department, with an engagement score of 49.5 out of 100. According to testimo-

ny before the U.S. House's Homeland Security committee on January 14, the most consequential factors causing low morale were the work itself and the quality of leaders. Saunders said he had been approached by a number of Blaine-sector frontline officers who disagreed with recent policies, especially in regard to the January 4-5 detentions as well as the surge in expedited removals of Canadian citizens.

"Something doesn't add up," said Saunders, referring to Fasano's admission that she did not know about the directive. "The director flat-out denied that she knew about it? If it's true that she actually didn't know about the operation, it's shocking. For the head of the Seattle Field Office to not know what directives were coming out of her office, that's incompetence. But if she did know, then she's lying to elected officials and throwing her officers under the bus. It took a month for her to say anything, and only after

the directive was leaked to the public. I'll be surprised if this is the end of the story."

The leak of the directive received international exposure. Following the story's publication by *The Northern Light* newspaper, it was covered by *The New York Times*, *Washington Post*, *CBC*, *Associated Press*, *Seattle Times*, *NBC*, *CNN* and many more. On February 3, the *Vancouver Sun* published

an article by Edward Alden, the Ross Distinguished Professor of U.S.-Canada Economic Relations at Western Washington University. Alden wrote that the increase in expedited removals and the recent crackdown on U.S. citizens with Iranian backgrounds by CBP officials were "likely to further chill cross-border travel and commerce and drive a deeper wedge between the two countries."

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Order to detain Iranian-American travelers likely originated in Blaine, say lawyers

BY JAMI MAKAN

More than 60 travelers with Iranian backgrounds were held for hours at the Peace Arch border crossing on January 4 and 5 and received extra questioning, following a U.S. airstrike that killed an Iranian military figure on January 3 in Baghdad, Iraq. Systematic enhanced screenings appear to have been limited to the Peace Arch border crossing, suggesting that the decision was made locally by CBP's Seattle Field Office, which is based in Blaine, rather than at the national level.

On January 5, a press release issued by the Washington state chapter of the Council on American-Islamic Relations (CAIR), a civil rights and advocacy group, stated that more than 60 Iranians and Iranian-Americans of all ages were detained at length and questioned at the Peace Arch border crossing on January 4. The press release said that many more were turned around at the border and refused entry into the U.S. due to CBP's lack of capacity to handle them.

"Those detained reported that their passports were confiscated as they were questioned about their political views, allegiances, what courses were studied in college and other invasive and interrogative questions," said the press release, which quoted Masih Fouladi, executive director of CAIR Washington. Fouladi did not return a phone call from *The Northern Light* by press time.

While CAIR's press release suggested that the Department of Homeland Security (DHS), of which CBP is a component agency, had issued a "national order" for CBP to detain travelers with Iranian heritage deemed potentially suspicious or adversarial, this was quickly denied by a CBP spokesperson.

"Social media posts that CBP is detaining Iranian-Americans and refusing their entry into the U.S. because of their country of origin are false," said CBP spokesperson Michael Friel. "Reports that DHS/CBP has issued a related directive are also false."

An immigration lawyer who personally witnessed the extra screenings said that the screenings appear to have been limited to the Blaine border crossing. "All of my colleagues have said that nobody has had problems at any other ports of entry other than Blaine," said Blaine immigration attorney Len Saunders. "That is bizarre. Why was Blaine doing this? Immigration law is supposed to be consistent throughout the country. Why was the Blaine port of entry specifically profiling Persians born in Iran?"

Saunders attended the Peace Arch border crossing at around 4 p.m. on January 4

(See *Vetting*, page 2)

Plunging into the new year in Brrrr-ch Bay



▲ On New Year's Day, hundreds of people braved the chilly waters of Birch Bay for the 37th annual Polar Bear Plunge.

Photo by Chuck Kinzer/CKImageart.com



A look back at the year that was

(Continued from last week's issue)

July

- A deal for part of Blaine's Gateway parcel closed in early July. IK Truck Repair, owned by Ivan and Marina Kovtun, acquired about four acres on the south end of the city-owned Gateway parcel, in order to expand their business.
- On July 2, it was announced that Blaine-Birch Bay Park and Recreation District 2 received two state grants to allow the district to buy and conserve 11.5 acres of wildlife habitat at California Creek.
- Blaine's Old Fashioned Fourth of July celebration featured a pancake breakfast, car show, arts and crafts street fair, live music and a parade. More people attended the festivities than ever before. Carroll Solomon, a Blaine Chamber of Commerce director, said 98 vendors signed up to sell goods, 200-plus people registered their car for the car show and there was a full house for the pancake breakfast.
- The Canadian government was ordered to fund the legal defense of Bob Boule, the owner of the Smuggler's Inn Bed and Breakfast in Blaine who was alleged to have helped people enter Canada illegally. During a July 5 court appearance, Boule's

application to have his defense funded by the Canadian government was granted.

- The Blaine Harbor Music Festival, a week-long celebration of music, returned for its 17th year. From July 7 to 13, a hand-picked selection of faculty from across the country gathered in Blaine to educate the next generation of young musicians.
- The city of Blaine held a public hearing on July 8 seeking to declare the old city hall building as surplus property, so that it could be sold and redeveloped into a contributing part of the city's downtown.
- The Birch Bay Water and Sewer District held a public hearing on its new water and sewer comprehensive plans. The public hearing took place on July 11.
- The Ragnar Northwest Passage relay race was held at Peace Arch State Park on July 12. In the annual race, relay teams run an approximately 200-mile route from Blaine to Langley, on Whidbey Island.
- The Bay Breeze Restaurant and Bar in Birch Bay reopened, seven months after it was badly damaged in a powerful storm. On July 12, the restaurant reopened with a soft opening and limited menu.
- Advocates of an Amtrak passenger rail stop in Blaine had a meeting, but organizers cautioned that much work remains to be done before it becomes a reality. A meeting hosted by rail advocacy group All

Aboard Washington took place on July 13 at the Semiahmoo Resort.

- On July 15, the city of Blaine hosted a groundbreaking ceremony for phase one of its east Blaine infrastructure project. The full project will extend water, sewer and electrical infrastructure towards new housing developments in east Blaine.
- The Milwaukee man accused of killing Blaine High School alumna Shannon Mani and her unborn child in April 2018 pleaded guilty to two first-degree homicide counts. Quentin Neal, 28, was scheduled to stand trial in Milwaukee County Circuit Court on

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Vetting ...

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on an unrelated client matter, and saw dozens of men, women and children who appeared to have Persian backgrounds sitting on the long bench inside the secondary inspection lobby.

"That bench, it's literally shoulder-to-shoulder with Persian-looking people: older people, younger people and kids," said Saunders. "Normally it's mostly people with Indian and Chinese backgrounds who live in the Lower Mainland and need

visas. This time, it's all Persians. I asked one of the officers what's going on. 'Extreme vetting,' he replied. 'All of those Iranians, they are all being vetted and the only person making the final decision to let them in is the port director. Every single person is going to the port director. It's taking us hours to process.'"

Saunders said that he saw CBP officers distributing juice boxes and crackers to the travelers on the bench. He also said that he observed several boxes of pizza, which had also apparently been distributed to the waiting travelers. "I've never seen them handing out food to people sitting in the lobby," he said. "For them to be handing out food and drinks, obviously those people had been in there for hours."

Matt Adams, the legal director for the Northwest Immigrant Rights Project, said that a staff member of the non-profit legal services group also went to the Peace Arch border crossing over the weekend and witnessed the detention of travelers with Iranian backgrounds. Adams also suggested that the enhanced screenings were limited to the Peace Arch crossing.

"We heard from advocates in different parts of the country reaching out to us, but no one else had experienced anything similar where they were," he said. "That's not to say that some individuals hadn't been stopped. But it didn't seem to be any systemic approach where people were being held for hours, like they were in Blaine."

"I think there was some directive that was provided to them from at least local leadership," Adams added. "I know that CBP put out that there was no directive. I have to believe that that's just them applying a narrow definition of 'directive.' It's semantics. ... To back away from that, to say there was no directive, that's nonsensical. There was some instruction provided."

Adams said that his organization was keeping "its ears to the ground," and that there appeared to be no further reports of the detentions beyond January 5. However, Adams said that his organization could potentially seek a legal remedy if the reports continue. "If it becomes clear that there is a directive to continue to subject all U.S. citizens and lawful permanent residents of Iranian heritage to this further interrogation, we are going to seek some declaratory judgment," he said.

Last September, *The Northern Light* reported that the Seattle Field Office area of operations had a large increase in the number of expedited removals being imposed on Canadians crossing the border. Expedited removals typically mean that individuals are banned from entering the U.S. for a period of time, usually five years. The CBC reported last December that expedited removals on the northern border had increased to 616 from October 2018 to September 2019, compared to 312 in the previous 12-month period. According to Saunders, the Seattle Field Office accounted for 309 and 91, respectively, of those numbers, about 50 percent of the total in 2019. There are four field offices on the northern border.

At the time, Saunders attributed the increase to the "new sheriff in town." He was referring to Seattle Field Office director Adele Fasano, who was appointed to the position in the spring of 2019. She was previously port director for New York and New Jersey and director of field operations in San Diego.

When asked to comment on the reports that extreme vetting of individuals with Iranian backgrounds was limited to the Blaine port, CBP press officer Jason Givens said that he had nothing further to add.

The actions of Blaine CBP officers made international headlines earlier this week, in light of the ongoing military standoff with Iran.

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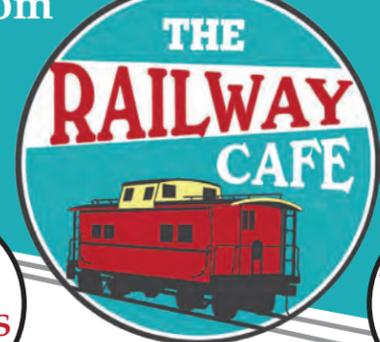
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City of Blaine hires two new planners, page 2

20th annual Bite of Blaine to be formal affair, page 6

Local firm designs airline safety cards, page 15

DHS official says Washington state could lose NEXUS privileges

BY JAMI MAKAN

The U.S. Department of Homeland Security (DHS) is suspending its Trusted Traveler Programs (TTP) for New York residents in response to a new state law preventing DHS from accessing New York Department of Motor Vehicles (DMV) records. Effective immediately, New York residents will no longer be able to enroll or re-enroll in TTP programs like NEXUS, and a DHS official warned that Washington state could face similar consequences if it passes a law similar to New York's.

In a letter sent to the New York DMV's acting commissioner Mark Schroeder and executive deputy commissioner Theresa Egan on February 5, acting DHS secretary Chad Wolf said that DHS component agencies like U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) rely on state DMV records to combat gangs, narcotics smuggling, human trafficking, child exploitation, arms trafficking, fraud, identity theft and the illegal export of sensitive technology.

The letter did not mention illegal immigration specifically, but it was widely reported that the disputed New York law also allows undocumented immigrants to obtain driver's licenses, and that the law's provisions aim to shield such immigrants from DHS enforcement and deportation efforts. Some interpreted the move by DHS as a response to New York state's approach to illegal immigrants, a claim that Wolf denied in a Fox News interview on Sunday.

Like New York, Washington state also allows undocumented immigrants to obtain driver's licenses, and pursuant to an executive order by governor Jay Inslee, the Department of Licensing does not provide personal information for immigration-related investigations to federal immigration authorities without a court order or other legal requirement.

(See NEXUS, page 3)



▲ A new attraction at the Alaska Packers Association (APA) Museum on the Semiahmoo Spit highlights the important role that Chinese laborers played in the West Coast's canneries. A rusty old "Iron Chink" machine, which was used to process salmon, has been refurbished and installed in a new, informative display.

Photo by Jami Makan

APA Museum attraction highlights role of Chinese labor

BY SUNNY BROWN

The Alaska Packers Association (APA) Museum in Semiahmoo Park has a new attraction. A rusty old "Iron Chink" machine has been sandblasted, painted fire-engine red and placed on a concrete pad. Peeled poles support a new roof and allow the machine to occupy its rightful place in the history of the Alaska Packers cannery, which operated from 1880 to 1973 and was miraculously transformed into Semiahmoo Resort in the mid-1980s.

In the late 1800s, Chinese laborers were recruited to work in the West Coast's canneries. A skilled "China hand" could clean

six salmon a minute by chopping off the head, tail and fins and slitting the belly. The fish were then sent on down the conveyor line to be "slimed" – washed, chopped into smaller pieces and then stuffed into cans to be cooked.

To be blunt, the Chinese workers were a cheap source of labor. Canneries had separate houses for Chinese workers that were always referred to as "China House." They worked in the canneries but were segregated by housing, transportation and meals.

Chinese laborers played an important role at the Semiahmoo cannery. Cannery managers valued the skilled labor they provided for the short summer canning

season. Working conditions were often dangerous and dirty, yet determined laborers sent money home to help their families and improve their communities.

The "Iron Chink" machine was invented to replace the Chinese workers in 1901. The now-racially charged name, "Iron Chink," was patented in 1905 by Edmond Smith of Seattle and used into the 1930s. Whereas a Chinese worker could process six salmon a minute, the machine could process 100 salmon a minute. Each of the nine Iron Chinks at Semiahmoo took the place of 15 to 20 people on the fish line, jobs traditionally held by contracted Chinese laborers.

(See APA, page 3)

Seattle Field Office was "overzealous" in detaining Iranian-Americans, says top CBP official

BY PATRICK GRUBB

U.S. Customs and Border Protection (CBP) acting commissioner Mark Morgan suggested that travelers with Iranian backgrounds were wrongly interrogated and detained while crossing the Peace Arch border during the January 4-5 weekend. Speaking at a February 11 news conference held in Washington, D.C. to discuss January enforcement numbers,

Morgan responded to a question about a memo issued by CBP's Seattle Field Office directing officers to employ enhanced interrogation to travelers with Iranian and other Middle Eastern backgrounds.

Morgan said, "I want to make clear – we do not target anyone based on their nationality, race, creed, color. That's just a false narrative. ... In this specific incident, there was no national directive either from me or from anybody at headquarters to single out

individuals that were connected to Iran. ... In that specific office, a decision was made to take those individuals out of primary [inspection]. ... That was not in line with our direction. That was immediately corrected and it was very unique to that one sector."

Morgan then compared the matter with how CBP is currently dealing with the novel coronavirus, saying that there is

(See Morgan, page 3)

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NEXUS ...

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Last week, acting DHS deputy secretary Ken Cuccinelli said that Washington state risks a similar response from DHS. "I know that the state of Washington is looking at a law like New York's green-light law," he said, according to The New York Times. "They should know that their citizens are going to lose the convenience of entering these Trusted Traveler Programs, just as New York's did."

In his February 5 letter, Wolf said that New York state's Driver's License Access and Privacy Act, enacted on June 17 last year, precludes CBP and ICE "from accessing and validating pertinent information contained in New York DMV records that is operationally critical in DHS's efforts to keep our nation secure." Specifically, the new law "prevents DHS from accessing relevant information that only New York DMV maintains, including some aspects of an individual's criminal history," said the letter. "As such, the Act compromises CBP's ability to confirm whether an individual applying for TTP membership meets program eligibility requirements."

Citing a "negative impact" on

DHS operations, the letter said that TTP programs would immediately be suspended for all New York residents. In addition to NEXUS, these programs include Global Entry (for expedited entry into the U.S. from international destinations by air, land and sea), SENTRI (for expedited entry into the U.S. from Canada and Mexico by air and land) and FAST (for commercial truck drivers entering and exiting the U.S. from Canada and Mexico).

The letter did not mention the Transportation Security Administration (TSA) PreCheck program, which allows pre-screened travelers to use separate, often shorter lines through airport security. A TSA spokesperson told The New York Times that New Yorkers currently enrolled in the program will continue to receive TSA PreCheck status.

"These actions are the result of an initial assessment conducted by DHS," said Wolf's letter. "We will continue to review department-wide operations related to New York to assess and mitigate the Act's adverse impact on national security and law enforcement."

In addition to affecting CBP's ability to pre-screen TTP applicants, the new law in New York would also hamper ICE, said Wolf. His letter said that ICE uses DMV records to verify or cor-

roborate an investigatory target's personally identifiable information; identify targets, witnesses, victims and assets; obtain search warrants; identify criminal networks; create new leads for investigation; compile photographic line-ups; and more.

In response to the action by DHS, New York attorney general Letitia James is suing DHS and Wolf in Manhattan federal court, accusing them of engaging in political retribution and jeopardizing public safety. The lawsuit also alleges that it is unconstitutional to single out an individual state "for coercion and retribution as a means to compel conformity with preferred federal policies."

Should DHS decide to suspend Washington state's TTP programs, many current members could lose their privileges due to the length of time it is currently taking for membership renewals. CBP recently announced that NEXUS passes can be used for up to one year after their expiry date, as long as members had submitted a renewal application prior to that date. Unlike Canada, which processes 95 percent of new NEXUS applications within 30 days, current U.S. members have reported waits of over eight months without being notified of the status of their re-applications.

least 30 years. Bellingham-based Advanced Powder Coatings did the blasting and painting, and the rest of the work was done by Whatcom County's parks maintenance crew.

Now that it has had a facelift and received proper shelter, it is the object of much interest. There is a descriptive sign that briefly tells the history. Kids climb on it. Men stand and ponder how it works. Often they come into the museum for an explanation. The new, covered shelter was just completed last week. There has been no ceremony marking the event, and as far as I know, none is planned. I believe this particular machine is an early 1920s model. There is a patent plate in the museum for 1922, but it may not be the plate that goes with that machine.

With the advent of refrigeration and same-day transportation, canneries are no longer the main fish

processing plants. The few fish canneries that remain still use fish processing machines which are now called butchering machines.

Our museum honors the people of this community who worked in our Blaine fishing industry. There are quite a few of them still here. Modern-day boats are bigger. The processing plants are in Bellingham. The fish runs are carefully monitored to provide replenishment of the species. But back in the day, this was the wild west of fishing, boat building, sawmills and smuggling. We have a rich history.

The next project is to complete the restoration of NN59, our Bristol Bay sail boat, so that we can all go sailing in Drayton Harbor. Donations can be made at the APA Museum on Saturday and Sunday afternoons.

Alice "Sunny" Brown has been the APA Museum's docent and volunteer coordinator since 2002.

my inquiries, a leaked memo and press reports for CBP to finally acknowledge that it inappropriately targeted Iranian-Americans at the #WA-Canada border."

A lawsuit against CBP was filed on February 12 in the United States District Court in Seattle by the Council on American-Islamic Relations (CAIR) challenging CBP's refusal to produce a directive issued to CBP officers to detain and interrogate Iranian-Americans on January 4 and 5. CAIR had filed a Freedom of Information Act (FOIA) request on January 8 asking the agency to produce all directives or other communications issued by CBP regarding the screening of individuals of Iranian heritage.

The agency failed to respond within a 20-day period prescribed by law. The complaint filed by CAIR cited the publication of

a "purported directive" by *The Northern Light* on January 29 and called on the court to order CBP to immediately produce all documents and records responsive to the plaintiff's FOIA request.

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APA ...

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Entering the machine from the right side, the salmon was beheaded with a curved knife, the tail and fins were removed and a round saw blade at the top center of the wheel split the body open. Wheels and brushes removed viscera and scrubbed the fish cavity. Water continually sprayed on the fish to aid the cleaning process. Each machine processed over 30,000 salmon per day.

Visitors to the APA Museum can't miss it. As you walk from the parking lot to the museum, on the boardwalk, it is on your right. It is a very large, red contraption. There is a roof over it. Previously it was just sitting on the dirt, kind of tilted and very rusty. Those who are regular park visitors and former cannery workers know it well. It has been in that spot for at

Morgan ...

From page 1

additional questioning of travelers who are from Wuhan, China, the epicenter of the global health emergency. "It was the same thing with the threat that was posed from Iran based on the totality of the circumstances," he asserted. "I would say in that one instance, leadership just got a little overzealous and we corrected that right away."

Congresswoman Pramila Jayapal, who has been at the forefront of politicians criticizing CBP over the January 4-5 incidents, was not satisfied with Morgan's explanation. On Twitter, she responded the same day by saying, "This is still not a sufficient response from CBP, and it's deeply disturbing that it took

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Source provides directive telling CBP officers to detain Iranian-born travelers

BY PATRICK GRUBB

In a bulletin issued by the tactical analytical unit (TAU) in U.S. Customs and Border Protection's Seattle Field Office, officers were instructed to conduct vetting on all individuals who met certain criteria, including being Iranian nationals or having traveled to Iran. The bulletin, labeled "Iranian Supreme Leader Vows Forceful Revenge After U.S. Kills Maj. General Qassim Suleimani in Baghdad – Threat Alert High," presented updated procedures described as being "best practices learned in the last 24 hours." Suleimani was killed in the early hours of Friday, January 3 by a U.S. drone strike near the airport in Baghdad, Iraq.

The undated bulletin was given to *The Northern Light* by local immigration attorney Len Saunders, who said he received it from an anonymous source. The document has been reviewed by an individual familiar with CBP communications who described it as being consistent with previous agency directives. The individual said that such directives would normally be emailed or read aloud at briefings that occur at the beginning of shift changes. The fact that it was given to someone outside CBP was "shocking," said the individual.

Presumably, the directive was published following a teleconference on or about January 3 between field office directors and CBP Acting Commissioner Mark Morgan and Deputy Commissioner Robert Perez "where the field was asked to remain vigilant and increase their situational awareness given the evolving threat environment," according to CBP.

The following day, Blaine-area ports of entry conducted "extreme vetting" of more than 60 travelers with Iranian backgrounds including U.S. citizens and permanent residents, in some cases detaining them for up to 12 hours. Following attention by local, national and international media, the operation was suspended. At the time, a national CBP spokesperson stated that there had been no directive to detain Iranian-Americans based on their country of origin. A local CBP press officer said that he had nothing to add to the comments made by the national office.

The directive obtained by *The Northern Light* states: "Effective immediately, TAU will

(See CBP, page 13)



▲ The city of Blaine plans to build a new road on the lower level of the Peace Portal corridor between F and H streets in downtown Blaine, roughly parallel to the BNSF railroad tracks, to encourage the development of a new enclave of mixed use properties.

Photo by Jami Makan

City plans to develop alley below Peace Portal Drive

BY JAMI MAKAN

The city of Blaine has plans to develop the alley that is located below and to the west of Peace Portal Drive and is roughly parallel to the BNSF railroad tracks. By building a road on the lower level of the Peace Portal corridor between F and H streets, the city hopes to encourage mixed uses in the area, bringing in more sales tax and other revenue.

With the development of the west side of Peace Portal Drive proceeding at a steady pace, development of the lower level could be an interesting next step. The project could create a hidden enclave of businesses, offices and even residential spaces, adding an exciting new dimension to Blaine's downtown core.

The alley next to the railroad tracks that will be developed is known as the "Peace Portal West Alley" or the "BNSF Alley," a reference to the Burlington Northern Santa Fe railway company that operates cross-

border freight trains that run through downtown Blaine.

Using a grant from the Port of Bellingham, the city of Blaine hired an engineer in 2017 in order to study the project. The grant came from the port's Small City Economic Development Fund, and it funded 50 percent of a \$30,000 design for a road along the lower section of Peace Portal Drive between F Street and H Street. "The fact that we were able to get grant funding for the design was terrific," said Blaine public works director Ravyn Whitewolf.

The engineering firm, Bellingham-based Pacific Survey and Engineering Inc., did a topographic survey and developed plan drawings for the city's access easement that is adjacent to the BNSF mainline. "They took that [access easement], surveyed it and essentially developed plan drawings for bid in that easement," said Whitewolf.

The new road adjacent to the railroad tracks would be funded entirely by the city of Blaine, using revenue from the city's

Transportation Benefit District (TBD). "With Hughes Avenue and [the second phase of] the Peace Portal Community Trail done, we decided to go ahead and fund this entirely with local funds for

(See BNSF Alley, page 2)

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Semiahmoo Resort hosting bartending competition on February 4

BY JAMI MAKAN

Semiahmoo Resort will be hosting a bartending competition on Tuesday, February 4 as part of Bellingham Cocktail Week.

The Cut/Off Bartending Competition, modeled after the television show “Chopped” on the Food Network, will take place in the resort’s Packers Kitchen and Bar from 4 to 7 p.m. It will feature three preliminary rounds, with each contestant crafting a cocktail out of a basket of mystery ingredients in 10 minutes or less.

Cocktails will be judged by a panel of bar industry experts as well as a popular vote from the audience. Winners of each of the three preliminary rounds will compete in the final Cut/Off championship where a winner will be crowned. The winner will receive a

cash prize in addition to a donation to the charity of their choice.

Local bartenders are encouraged to enter the competition. The fee to compete is \$25 and general admission for audience members costs \$20. Audience members will be able to enjoy tastes of the cocktails and tokens to vote for their favorites, as well as a front row seat to witness all of the action. Information and tickets are available online at semiahmoo.com.

For Bellingham Cocktail Week, the resort will also be offering a featured cocktail, Orion’s Nightcap, for \$12 from Saturday, February 1 through Sunday, February 9. The drink’s ingredients are: Woodford Reserve Bourbon Whiskey, Skrewball Peanut Butter Whiskey, Chambord, Amaro, Orange Twist, Woodford Bourbon Cherry.

Also in February, the resort is continuing its Semiahmoo Sips series, in which people can take part in fun and interactive cocktail classes every Thursday at Packers from 5:30 to 6:30 p.m. at a cost of \$20 per person. Each week will feature a different type of liquor, with an expert guiding you through its history, background and the best way to incorporate it into cocktails.

Each class will end with the creation of two cocktails to enjoy. The classes in February are on February 6 (Tequila featuring Coa Tequila), February 13 (Whiskey featuring Woodford Reserve), February 20 (Liqueurs featuring Salish Sea Organic Liqueurs) and February 27 (Brandy featuring Remy). Information and tickets are available online at semiahmoo.com.



▲ In February, Semiahmoo Resort will be hosting a bartending competition and cocktail-making classes.

Courtesy photo

Arts & Jazz fundraiser to feature musical performances and auction

BY JAMI MAKAN

Now in its 23rd year, the annual Arts & Jazz fundraiser will feature musical performances and an auction on Saturday, February 1 in the Blaine Middle School cafeteria. Funds raised at the event will be used to offer arts scholarships and to assist the theater, band, choir and visual art programs at Blaine High School (BHS).

Members of the Blaine community are encouraged to attend this year’s event, which will start at 7 p.m. with admission costing \$7 for adults and \$5 for students and seniors.

This year’s auction items will include reserved front row tickets to the 2020 BHS graduation ceremony and a certificate for driver’s license courses with

Nelson Driving School complete with an emergency road kit, as well as gift certificates for getaways, food, recreation and goods and services from various individuals and businesses.

Other auction items will include a golfing package from Silver Reef Casino, quilts and paintings by Whatcom County artists and donations from a number of cottage industries in Blaine, said Dorita Gray, who is one of the event organizers. “We’ve had so many people who have donated for years, and that’s just a wonderful feeling and I’m very grateful for that,” she said.

Prior to the auction, there will be a special performance by The Jansen Jazz Band under the direction of Steve Herrick, as well as members of Blaine Jazz Band Alumni. The

BHS choir and jazz band will also perform, and some BHS theater arts students are expected to volunteer as announcers and greeters.

During the event, the annual Friend of the Arts Award will be presented to Sabrina Gomez-Vannelli. Gomez-Vannelli is lead vocalist for the Bilongo Quintet and is the owner, founder and artistic director of Blaine’s Day-to-Day Dance Studio. “We think what Sabrina’s added to our community is definitely artful and has made Blaine a more artful place to live,” said Gray.

Blaine senior Megan Tran’s piece “Please Be Patient” was selected for this year’s Arts & Jazz poster. The selection of Tran as this year’s artist of note was made at the 2019 Evening of the Arts event on May 30 last year.

CBP ...

From page 1

be operating 24x7 working with TTRT (tactical terrorism response team) and frontline officers to conduct vetting on all individuals that meet the following criteria:

All persons (males and females) born after 1961 and born before 2001 with links (place of birth, travel, citizenship) or any nexus to the following countries ...”

The directive then lists Iranian and Lebanese nationals and Palestinians as well as persons of any other nationality who had traveled to Iran or Lebanon.

The bulletin instructs officers to conduct secondary inspections and use the “CTR” form (a counterterrorism checklist) before contacting the TTRT or TAU. Under a section labeled “High Side Vetting Criteria,” officers were instructed to look for connections to the military, extremist ideology, criminality or deceptive behaviors.

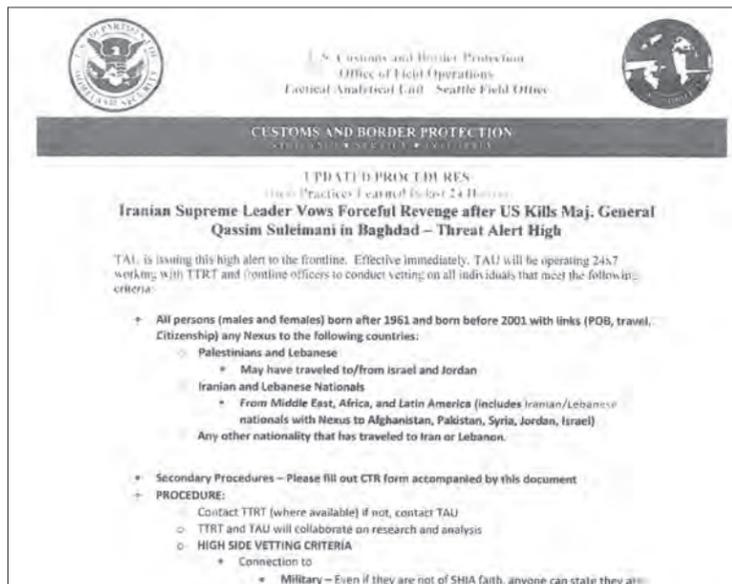
The bulletin is consistent with published interviews of some detained travelers who reported being asked about whether they or other relatives had ever served in

the Iranian armed forces.

In an article published January 22, *The Northern Light* broke the story of a local CBP whistleblower who said Iranian-born travelers were detained at other border crossings in the Blaine sector as well. Travelers were selected for counterterrorism inspections based solely upon their national origin, the CBP officer said, add-

ing that there were no immigration or customs reasons to detain them. Once the detentions became national news, Blaine port director Kenneth Williams put out a directive on January 5 at 1 p.m. saying the operation was suspended, the CBP officer said.

A copy of the bulletin obtained by *The Northern Light* is available online at thenorthernlight.com.



▲ The CBP bulletin that instructed U.S. border agents to detain travelers who were born in Iran or met certain other criteria. The full document can be read online at thenorthernlight.com.

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