

- [Weekend](#)
- [Wheels & Waves](#)

[Sports](#)

- [Baseball](#)
- [Basketball](#)
- [Boxing](#)
- [Colleges](#)
- [Football](#)
- [Golf](#)
- [High Schools](#)
- [Hockey](#)
- [Horse Racing](#)
- [Motor Sports](#)
- [Outdoors](#)
- [Soccer](#)
- [Tennis](#)
- [Wrestling](#)

[Focus](#)

[Opinion](#)

- [Editorials](#)
- [Letters to the Editor](#)

[Corrections](#)

[Obituaries](#)

[Lottery](#)



[Site Tools](#)

- [Weather](#)
- [Events Calendar](#)
- [Yellow Pages](#)
- [Discussion Boards](#)
- [Maps & Directions](#)
- [NEW! Local Radar Map](#)

[Site Features](#)

- [Horoscopes](#)
- [Newspaper in Education](#)
- [Special packages from Miami Herald journalists](#)
- [The Herald on your handheld device](#)

Bergeron said the notification received by the flight school was the second one sent out. He said INS had already advised Atta and al-Shehhi their visa applications were accepted weeks before Sept. 11.

The problem arose because INS never thought about contacting ACS and telling them not to proceed with the mailing -- because Atta and al-Shehhi were dead.

Atta's visa change was approved July 17, 2001, and al-Shehhi's on Aug. 9, 2001, according to copies of the notifications obtained by The Herald.

Rudi Dekkers, owner and president of Huffman Aviation, said Atta and al-Shehhi completed paperwork on the the M-1 nonimmigrant student visas on Aug. 29, 2000, just before they began a six-month flight instruction program at the school.

According to travel records obtained by The Herald shortly after the attacks, the hijackers first entered the country on multiple-entry tourist visas -- al-Shehhi on May 29, 2000, and Atta on June 3, 2000.

About six months later, when Atta was returning from a trip to Madrid on Jan. 10, 2001, INS inspectors at Miami International Airport became suspicious after he mentioned taking flight lessons on the tourist visa.

It was not illegal for foreign nationals to take flight lessons while using a tourist visa. But immigration officials prefer immigrants who are studying in the United States to have student visas.

After interrogating him, inspectors decided not to detain Atta because he had applied for the student visa.

There is no record that al-Shehhi was also questioned about his tourist visa.

In their student visa notifications, both men were cleared to stay in the United States until Oct. 1, 2001. The men completed their flight course on Jan. 3, 2001 -- more than six months before their visas were approved.

On Tuesday, Rep. John Conyers, D-Mich., criticized the visa notification episode.

"I am astonished that while the INS is fixated on detaining and rounding up countless Arab Americans without any justification, it has failed to take basic steps to ensure that visas are not issued to known terrorists," he said.

Dekkers said the forms vindicated that his school did not break the law.

"What is odd to me is that the visas were approved six months after they left," Dekkers said. "When they hit the buildings, they were approved to be here."

This report was supplemented with material from The Associated Press.

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