

THE RUTHERFORD INSTITUTE

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INTERNATIONAL OFFICE
CENTRAL AND EASTERN EUROPE
Budapest, Hungary

September 19, 2008

The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Pending Deportation to Russia of Virginia Resident Gennady Denisenko

Dear President Bush:

This is a matter of the greatest urgency. As I mentioned in my letter of September 11, 2008 (see attached), at any moment, Gennady Denisenko, a resident of the Commonwealth of Virginia, will be deported to Russia. In light of this, I am gravely concerned by your lack of a response and ongoing silence on this issue. With a phone call, you could do much to help Gennady's plight.

This upstanding husband, father and friend to many is languishing in a Texas prison where it has been reported he is "locked up with drug dealers, gang members and others." There can be no excuse for allowing this man to continue to be subjected to the demeaning, bureaucratic and undemocratic treatment he has received.

Lacking your intervention, Gennady's case is all but hopeless. The U.S. government has thus far refused to sign onto a joint motion to re-open Gennady's immigration status. Without the government's consent, Gennady will have no further recourse in this matter. Already, plans are underway to deport him to Russia, where he will likely be met with hostility, especially given the deteriorating relations between the U.S. and Russia. Therefore, I urge you to act quickly.

Gennady Denisenko is a courageous man. This is a man who loves freedom. Most of all, he loves America. In fact, he championed Western ideals of freedom while still in Communist Russia. He has lived in the United States since defecting from the Soviet Union in 1991. Since coming to the United States, Gennady earned a Master's Degree from Florida State University and has been pursuing his Ph.D. at the University of Virginia. Gennady has also become a beloved and well-respected member of the Charlottesville community.

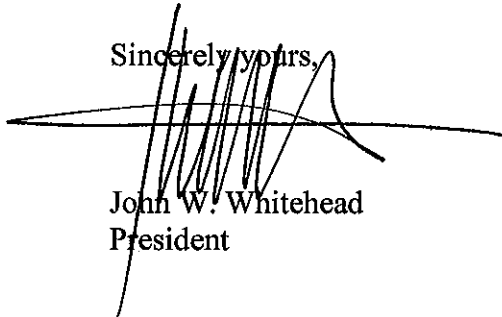
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As our elected representative, you have an obligation to represent the concerns of your constituents. Your constituents are urging you to intervene immediately in this situation and ensure that this man is returned to the family and community that love him.

Gennady needs your help, and we need more than silence from you.

Let me hear from you as soon as possible.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John W. Whitehead", written over a horizontal line. The signature is somewhat stylized and overlaps the line.

John W. Whitehead
President

Enclosure

cc: The Honorable John Warner
United States Senate

The Honorable Jim Webb
United States Senate

The Honorable Virgil Goode
United States House of Representatives

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Dear President Bush:

I am contacting you on behalf of Gennady Denisenko. A Virginia resident who has lived in the United States since defecting from the Soviet Union in 1991, Gennady is now on the verge of being deported to Russia.

The increasing instability in Russia as a result of the conflict in the Georgian Republic has given rise to increased anti-American sentiment in Russia. In light of this, Gennady, as a defector to the United States, may well be viewed as a traitor and be subjected to retribution, especially given his much-publicized views following his defection about the need for Russian democracy.

It is my understanding that the Russian Consulate has already issued travel documents for Gennady to be deported to Russia. Thus, we are working under extreme time constraints. To this end, we are seeking your immediate intervention to conduct an investigation into Gennady's pending deportation and request for political asylum, which would help him remain in the United States, a country that he loves.

Deportation back to Russia would irrevocably splinter the Denisenko family. Gennady is married to a native-born American citizen, Melinda. Alex, his step-son, is also an American citizen and resides with him in Virginia. Anna, his daughter, is a permanent resident of the United States and is on the brink of obtaining full citizenship.

Gennady Denisenko has much to offer the country he has called home for the past 17 years. Having earned a Master's Degree from Florida State University, he has been pursuing his

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Ph.D. at the University of Virginia. Denisenko's employment history while in America has included a graduate fellowship at the University of Virginia, a position as a Russian language translator for the Language Assistance Program at the University of Virginia Medical Center, as well as other work as a paid and volunteer translator.

Gennady has also become a beloved member of his Charlottesville community and an active member of his church, First Baptist Park Street Church, where he serves as a deacon. Family, friends, co-workers, students and members of his church have attested to his character, describing him as "loving, caring and trustworthy," "compassionate, wonderful and giving" and "disciplined, hard-working and respected by his colleagues."

Gennady's story, one that undergirds America's love for freedom, is representative of the stories of countless immigrants who have sought refuge from persecution and oppression in the United States.

A former prosecuting attorney representing the Soviet government in his hometown of Krasnodar, Gennady reportedly drew the ire of local politicians by trying to practice law independent of Communist dogma. He was also a vocal proponent of democracy. Consequently, he was tagged by the KGB, the Soviet secret police, stripped of his right to practice law and imprisoned in a labor camp in Siberia for several years. Denisenko converted to Christianity following his release from the labor camp. Like so many of his time, he fled his native land because he feared that his political and religious beliefs would result in further reprisals by the repressive Soviet regime. Aided by an American family, Gennady defected to the United States in 1991, seeking political asylum.

Unfortunately, following the collapse of the Soviet Union in 1991, Gennady's request for asylum was rejected by the United States government, which cited a failure to show exceptional circumstances. Gennady's subsequent efforts to pursue all avenues available to him, including a request to have his asylum application be reopened and/or have his immigration status adjusted in light of his marriage to a U.S. citizen, have been to no avail. Indeed, they came to an abrupt halt in April 2008 when the Immigration and Naturalization Service (INS) requested that Gennady and Melinda Denisenko appear at an office in Northern Virginia to finalize their pending status adjustment application. However, when the Denisenkos arrived for their appointment, INS agents seized and handcuffed Gennady. He has been in INS custody and imprisoned in Texas since then.

At this point, Gennady's last remaining legal recourse is to have his case reopened with the Board of Immigration Appeals. However, the Department of Homeland Security (DHS) has blocked this relief, refusing their consent to have the Board of Immigration Appeals re-open the case, allegedly due to a Virginia misdemeanor conviction over a driver's license application.

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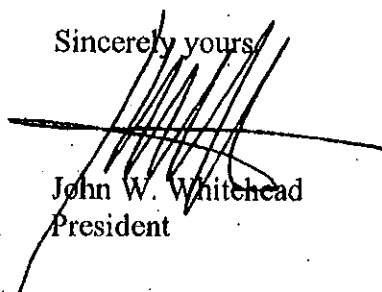
This country was founded as a refuge for those seeking religious and political freedom. Should Gennady Denisenko be denied clemency and be deported back to Russia, where he will likely be subjected to a hostile reception, would not only be a tragedy for the Denisenko family and the Charlottesville, Virginia, community-at-large, it would also be a sad reflection on the adopted country that Gennady has praised as being a land of freedom and opportunity.

Denying clemency to Gennady Denisenko would be to send the message that America is no longer the "new Colossus" that Emma Lazarus immortalized as a "Mother of Exiles" in the poem inscribed on the pedestal at the base of the Statue of Liberty. "From her beacon-hand," wrote Lazarus,

Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep ancient lands, your storied pomp!" cries she
With silent lips. "Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tossed to me."

For the sake of the thousands of persecuted souls who have sought and found refuge in America's welcoming arms, we respectfully urge you to intervene on behalf of this Virginia resident and his family. We ask that this matter be fully investigated, the immigration case be reopened and Gennady Denisenko's political asylum request be granted.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John W. Whitehead", is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

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