

December U.S. Immigration Alert!

A Monthly Newsletter from National Immigrant Solidarity Network

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No Immigrant Bashing! Support Immigrant Rights!

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Special Issue: Focus on Mid-Term
2006 Election Results
What'll be the Impacts to the
Immigrant Rights Movements?

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communities in solidarity with immigrant workers and building
new civil rights movement!

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Special Issue: Focus on Election Results

BY: Immigration News Briefs (New York, NY)

VOTERS REJECT MANY ANTI-IMMIGRANT CAMPAIGNS

In the Nov. 7 national and state elections, voters throughout the US tended to reject candidates who campaigned solely or primarily on an anti-immigrant platform. In exit polls, fewer than one in three voters considered immigration "extremely important" in their decision; those who did consider it important only narrowly favored Republican candidates. According to the exit polls, about six in 10 voters said they believe undocumented immigrants working in the US should get a chance to apply for legal status; 61% of those supporting a path to citizenship voted for Democratic candidates. [*Washington Post* 11/8/06]

Exit polls also showed that more than 70% of Latinos voted Democratic in races for House seats, while only 27% voted Republican--an 11-percentage-point drop from the last midterm election in 2002. [*Wall Street Journal* 11/8/06]

"The immigration issue upset many Hispanics--the tone of it, the rhetoric, the reactionary solutions, the building of the wall," said Miami pollster Sergio Bendixen, who tracks Latino voting trends. He called the House GOP's enforcement-heavy approach a "very, very bad tactical mistake" that could weaken the party for years to come. [*Houston Chronicle* 11/9/06]

"With respect to immigration, the Republican Party handed the Democratic Party a gift," said Democratic activist Andrea LaRue, co-chair of Immigration2006.org. "The GOP's mishandling of this issue has alienated the fastest growing group of new voters in the nation. Democrats now have a clear opportunity to realize a demographic realignment of historic proportions and redraw the nation's electoral map for a generation." [*Immigration2006.org Press Release* 11/8/06]

However, as Roberto Lovato of New America Media noted, "The crop of House and Senate members-elect includes many Democrats whose positions on immigration hardly differ from the "border first" Republicans they ousted. [www.tompaine.com from *New America Media* 11/9/06]

"Let's be honest: There are divisions within the Democrats; it will have to be bipartisan," said Frank Sharry, executive director of the National Immigration Forum, which advocates for immigrants' rights. [*Los Angeles Times* 11/9/06]

Cecilia Munoz, vice president of the National Council of La Raza, which supports a path to citizenship for out-of-status immigrants, said she believes there will be a very different atmosphere on Capitol Hill next year. The election results showed, she said, "that all of the noise made by the anti-immigrant faction in Congress is just that, noise. It doesn't appear to have the kind of support that these Republicans thought it would." [*Orange County Register* 11/9/06] "The most vitriolic anti immigration candidates went down in defeat," said Tamar Jacoby, with the conservative New York think tank Manhattan Institute. [*Miami Herald* 11/9/06]

GEORGIA: REPUBLICANS GAIN, VOTERS SPLIT

In Georgia, Republican governor Sonny Perdue easily won reelection, and the Republicans made gains overall in the state. [*AP* 11/8/06] Last Apr. 17, Perdue signed a state law that fines employers for hiring undocumented workers, requires companies with state contracts to fire any employee who is not a legal resident and requires state offices to verify an employee's status before paying unemployment benefits or workers' compensation. [*WP* 5/3/06] Perdue capitalized on his support for that law during the campaign. Still, exit polls in Georgia show 53% of voters believe out-of-status immigrants should have a chance to apply for legal status, while 43% said they should be deported. The responses did not run strictly along party lines. [*AP* 11/8/06]

ARIZONA VOTE: THE GOOD, THE BAD AND THE UGLY

In Arizona, Democratic governor Janet Napolitano, who has vetoed several anti-immigrant bills passed by the state legislature, easily won re-election. [*Arizona Daily Star (Tucson)* 11/8/06] Two Arizona congressional races were defeats for anti-immigrant candidates. Democrat Harry Mitchell, a supporter of comprehensive immigration reform, defeated hardliner Republican incumbent J.D. Hayworth. [Immigration2006.org Press Release 11/8/06] And Democrat Gabrielle Giffords ended 22 years of Republican congressional representation in Southern Arizona, handily beating rival Randy Graf, a co-founder of the "Minutemen" vigilante group who had focused his campaign almost exclusively on opposition to "illegal" immigration. Graf even lost in Cochise County, where anti-immigrant sentiment is big and he was expected to do well. Giffords supports a path to citizenship for out-of-status immigrants, but campaigned as tough on border issues and opposed to "amnesty."

Still, Republican Jon Kyl was reelected to a third term in the US Senate, defeating challenger Jim Pederson; according to an AP exit poll, Kyl's supporters rated his hard-line stances on immigration and anti-terrorism as the most important factors in their decisions. [*ADS* 11/8/06]

And at the same time, by a nearly 3-1 margin, Arizona voters approved four state ballot initiatives that will make life harder for immigrants. Proposition 100 bars the release on bail of out-of-status immigrants charged with serious felonies. Proposition 102 blocks out-of-status immigrants from being able to obtain punitive damages in lawsuits--limiting awards to actual damages. Proposition 103 establishes English as the official language of Arizona. And Proposition 300 blocks undocumented immigrants from accessing state-subsidized programs including adult education and child care. [*Arizona Republic* 11/9/06] All four initiatives passed in all of the state's 15 counties.

Elias Bermudez, president of Immigrants Without Borders in Phoenix, said his group will organize a weeklong work stoppage and economic boycott on Dec. 12 to protest the passage of the ballot initiatives. He said he will also go on a hunger strike.

In Tucson, Latino voters casting ballots at a precinct were approached by "vigilantes," according to the Mexican American Legal Defense and Educational Fund (MALDEF). MALDEF staff attorney Diego Bernal said Latino voters were stopped as they entered and exited the polls by three men, one carrying a camcorder, one holding a clipboard and one a holstered gun. [*ADS* 11/8/06]

COLORADO VOTE: MORE BALLOT INITIATIVES

Colorado Rep. Tom Tancredo, a national leader of anti-immigrant Republicans in Congress, was reelected to a fifth term. [*Rocky Mountain News (Denver)* 11/8/06] But Democrats Bill Ritter and Rick Perlmutter, both advocates of comprehensive immigration reform, handily won their races for governor and Congress, respectively, defeating anti-immigrant hardliners. [Immigration2006.org Press Release 11/8/06]

Colorado voters narrowly approved two ballot measures on immigration. Referendum H, which denies a state tax credit to employers who knowingly hire undocumented workers, got 50.8% of the vote, according to unofficial returns. Referendum K,

which directs the state attorney general to sue the federal government to demand enforcement of immigration laws, got 56%. [RMN 11/9/06]

ELECTION RESULTS ELSEWHERE: A MIXED BAG

In Pennsylvania, Democrat Bob Casey, a supporter of comprehensive immigration reform, defeated incumbent hardliner Republican Rick Santorum by 18 percentage points. Santorum had attacked Casey on immigration during the campaign, even launching a negative website, "www.caseyforamnesty.com." [Immigration2006.org Press Release 11/8/06] John Hostettler, the Indiana Republican who chaired the House Immigration Subcommittee, was defeated, as were Chris Chocola (R-IN), Anne Northup (R-KY), Melissa Hart (R-PA), Charles Taylor (R-NC), Gil Gutknecht (R-MN) and Richard Pombo (R-CA). Many of those defeated are members of the anti-immigrant "Immigration Reform Caucus" headed by Colorado Rep. Tom Tancredo.

In New Jersey, Republican Tom Kean Jr. lost to Democratic Sen. Bob Menendez, a strong supporter of immigration reform. In Florida, Sen. Bill Nelson (D) easily defeated challenger Katherine Harris, who had attacked him for his position on immigration. And in Delaware, Sen. Tom Carper (D) decisively defeated challenger Jan Ting, a former immigration official. [Immigrant Legal Resource Center 11/8/06] New Hampshire Rep. Charlie Bass was another "enforcement-first" Republican who lost his seat. [AR 11/9/06]

Democratic candidates for governor in Arizona, Colorado, Kansas, Maryland, Massachusetts, Oregon and Wisconsin were attacked during their campaigns for supporting "illegal immigration," yet they all won their races. [ILRC 11/8/06] "The myth that members of Congress need to be afraid of immigration might have been put to rest, because no member of Congress was punished in this election for supporting pro-immigrant legislation," according to Josh Bernstein, federal policy director of the National Immigration Law Center. [LAT 11/9/06]

On the other hand, two Republican senators who had supported immigration reform efforts were defeated: Lincoln Chafee (RI) and Mike DeWine (OH). [ILRC 11/8/06] And several Democrats won with anti-immigrant campaigns: Missouri Democrat Claire McCaskill won a Senate seat after campaigning as tough on immigration; and Virginia Democrat Jim Webb unseated Republican Sen. George Allen after accusing him of voting to allow more guest workers into the US. In Pennsylvania, Democrats Patrick Murphy and Chris Carney won House seats after campaigns in which they accused their Republican opponents of being soft on immigration. [LAT 11/9/06]

Key Findings From A Recent National Study On Immigration (Summary)

**Ed Goetas and Brian Nienaber
The Tarrance Group
November 7, 2006**

(This report was completed and released just before the November 7 Mid-term election)

On the eve of potentially historic elections for Congress, this survey reinforces the trend seen in other data that the Republicans may be improving their standing with voters in terms of vote intensity and in terms of performance on the generic Congressional ballot.

In addition, the survey finds that despite a high level of voter intensity and voter interest, immigration is not a top vote determining issue and is not a top turnout motivator. In fact, voters remain supportive of comprehensive immigration reform and expect Congress to take action on comprehensive reform next year.

Immigration Is Not a Key Issue in This Election

Fully 63% of likely voters say they are "extremely" likely to vote and 49% rate their level of interested at "10" or "extremely interested" and the numbers for contested Congressional Districts are similar (69% and 59% respectively). Despite this high level of enthusiasm and interest, immigration is not a critical issue in this election.

Just 11% of likely voters select immigration as the most important issue in deciding their vote for Congress, putting it behind the War in Iraq (29%), terrorism and homeland security (15%), and the economy and jobs (11%).

Thirty-nine percent (39%) of likely voters and 38% of voters in contested Congressional Districts say they plan to use illegal immigration as one of their top issues when deciding their vote. So, a strong majority of these voters do not plan on using illegal immigration as one of their top issues.

Just 26% of likely voters and 27% of voters in contested Congressional Districts say that illegal immigration is one of the top issues motivating them to come out to vote in the Congressional elections. Again, an overwhelming majority of these voters are not using illegal immigration as a top issue motivating them to vote.

Support Continues for Comprehensive Reform Likely voters are informed of the recent law providing more resources for tougher enforcement at the border, including the construction of a 700 mile fence.

Likely voters are then presented with the option of thinking of this law as a solution that means it will be years before we need to consider more legal immigration or allow current illegal to earn legal status OR thinking of this law as a first step towards comprehensive reform, which includes securing the border, dealing with the future flow of legal immigration and creating an earned legalization program. A plurality (48%) of likely voters and 47% of voters in contested Congressional Districts say they think of this law as a merely a first step towards comprehensive reform. In contrast, 28% of likely voters and 23% of voters in contested Congressional Districts say they think of this law as a solution.

Looking at partisanship on this question, Republicans have more intense support for thinking of this law as merely a first step. Fully 62% of Republicans think of this law as just a first step.

In contrast with conventional wisdom, there is not a notable partisan divide on this question. For Republicans, 54% want comprehensive reform to be considered next year and 37% want to let the current law be given a chance to work. For Democrats, 48% want comprehensive reform to be considered next year and 37% want to give the current law a chance to work.

This interest in comprehensive reform is also seen in a Candidate A versus Candidate B match-up. In this match-up, Candidate A advocates a border security and enforcement only measure and Candidate B advocates comprehensive reform. A majority (57%) of likely voters and 53% of contested Congressional District voters select Candidate B, the comprehensive reform advocate as the candidate they would be more likely to vote for.

On a specific ask about dealing with comprehensive reform, 75% of likely voters and 68% of contested Congressional District voters say they expect Congress to deal with comprehensive reform next year, including the creating a guest worker program and creating an earned legalization program for current illegal immigrants. On partisanship, 76% of Republicans and 76% of Democrats expect Congress to deal with comprehensive reform next year.

In addition, likely voters already accept two of the key premises for any debate on comprehensive reform. A strong majority (65%) of likely voters and 60% of contested Congressional District voters disagree that just vigorous enforcement of current laws would cause most illegal immigrants to go back home. Similarly, 68% of likely voters and 69% of contested Congressional District voters agree that a program in which illegal immigrants can earn citizenship over several years by meeting a variety of requirements including paying a fine, working, paying taxes, living crime free, and learning English is not amnesty.

For the complete report, please visit **National Immigration Forum: <http://www.immigrationforum.org>**

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Immigration News Briefs from Across the Country

Immigration News Briefs is a weekly English-language summary of US immigration news, e-mail: nicaig@panix.com.

1. WORKERS WIN AT SMITHFIELD

On Nov. 18, Smithfield Packing Company reached an agreement with workers at the company's pork processing plant in Tar Heel, North Carolina, putting an end to a two-day walkout. The agreement was brokered with the help of the Catholic Church and its attorneys after the company received thousands of calls from activists and religious, civil rights and immigrant rights organizations, demanding that the workers' rights be respected. The strikers returned to work on Nov. 18.

The company agreed not to retaliate against the strikers, and to rehire dozens of workers who had been fired because of allegedly mismatched Social Security information. (The firings had prompted the walkout.)

Those workers with mismatched data will be given more time to resolve the problems, and will be able to continue working in the meantime. Smithfield's Human Resources Department will designate a staff member to help process "no match" Social Security issues and respond to questions. The company also agreed for the first time to meet with a group of workers elected by the workers themselves to further negotiate about plant issues and employee concerns, starting on Nov. 21.

In other Smithfield operations where workers are represented by the United Food and Commercial Workers Union (UFCW), contract language provides for a systematic and constructive process for workers and the

employer to resolve issues such as immigration and work status. [*Justice at Smithfield Message 11/18/06*]

2. SOMALI MAN DEPORTED

On Nov. 2, Mohamad Rasheed Jama was deported from the US to his native Somalia. He managed to call his lawyer from the plane in Newark, but the courts were closed. The next day a federal judge heard an emergency motion in his case, but ruled that Jama was already outside US jurisdiction. US immigration officials apparently flew Jama to Nairobi and handed him over to Kenyan officials, who flew him to Mogadishu. There, Islamist militants accused him of being a US spy and began demanding money.

Jama had lived in the New York City area for 28 years, since he was 18. He was convicted in 1989 for owning an unlicensed gun and ordered deported in 1993. He had been in immigration detention in New Jersey since October 2002. Jama's deportation came a week after his volunteer lawyers filed a habeas petition on his behalf, arguing that his continued detention in Middlesex County Jail was unlawful because "it is simply beyond dispute that effecting his removal to Somalia would be impossible."

Jama's deportation is the first to Somalia to be publicized since a failed attempt to remove Minneapolis resident Keyse Jama (no relation) to Somalia in April 2005. Keyse Jama was released from US immigration detention in July 2005; he fled to Canada in January 2006 and applied for political asylum there.

On Jan. 12, 2005, the Supreme Court ruled 5-4 in the Keyse Jama case that the absence of a functioning government--as in Somalia--is not an impediment to removal.. At a federal appeals hearing in Seattle this past October, a Justice Department lawyer said three people had been deported to Somalia- -after allegedly having volunteered to go--since the Supreme Court ruling.

Jeffrey Keyes, the Minneapolis lawyer who argued the Supreme Court case, suggested that the latest deportation appears to be a warning that "if you use habeas, you'll be on the next flight." [*New York Times 11/22/06*]

3. "RETURN TO SENDER" HITS NYC

Between Nov. 14 and Nov. 17, US Immigration and Customs Enforcement (ICE) "Fugitive Operations Units" arrested 70 immigrants in the New York City boroughs of Brooklyn, Bronx, Queens and Manhattan. Of the total, 27 had been ordered removed by an immigration judge and 43 were simply present in the US without immigration status. ICE described those arrested as including "criminal and non-criminal aliens," but declined to say how many of them had been accused or convicted of crimes. The arrested immigrants are from Albania, Algeria, China, Colombia, Dominican Republic, Ecuador, Egypt, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Israel, Jamaica, Malaysia, Mauritania, Mexico, Panama, Pakistan, Poland, Sierra Leone, Trinidad, Uzbekistan and Yugoslavia. All were transported to detention facilities in New Jersey and placed in removal proceedings. ICE

announced the arrests on Nov. 17 as part of a national initiative dubbed "Operation Return to Sender." [*ICE News Release 11/17/06*]

The New York sweep coincided with a separate Nov. 15 ICE sweep across eight US states and Washington, DC, in which 33 people were arrested. That sweep targeted Muslim immigrants from Pakistan, including an unknown number of Brooklyn residents, in connection with an investigation into the misuse of religious worker visas. Those arrested were charged with administrative immigration violations; some may also face criminal prosecution on visa fraud charges. Another six immigrants were arrested because they happened to be at the raided sites and were found to lack immigration status. [*ICE News Release 11/15/06*]

At least five Pakistani immigrants were picked up in the recent ICE raids in New York City. They include Baza Koohi, a Pakistani community leader and advocate for New York City residents affected by immigration detention. "Immigration violations are a civil offense, yet we are treated as convicted criminals," said Mohammed Razvi of the Council of People's Organization (COP). "Racial profiling since 9/11 is devastating our community," said Kavitha Pawria of DRUM-Desis Rising Up and Moving. [*International Action Center Press Release 11/23/06*]

4. TEXAS SHRIMP COMPANY CHARGED

On Oct. 11, the US Attorney's office indicted Hillman Shrimp and Oyster Company, its owner and four employees for an alleged scheme to recruit and hire unauthorized immigrants to work at the Houston-area supplier of Gulf Coast oysters and shrimp. Manager Antonio Ramos Gonzalez, the company's agent in charge of submitting applications for work visas for temporary workers from Mexico, was charged with conspiracy to commit visa fraud, encouraging and inducing undocumented immigrants to enter and illegally remain in the US as seasonal employees for the company, using false identification documents and making false statements to a federal agency. Gonzalez is also charged with three felony counts of visa fraud relating to three of the employees.

The indictment also charges company owner Clifford Hillman and three other employees--Steve Taylor, Wendy Taylor and Derenda Campbell--with conspiracy to hire and recruit undocumented workers, a misdemeanor violation, from 1999 through late June 2004. The scheme allegedly involved the use of false identification documents and false statements to secure H2-B visas for temporary employees doing seasonal work, and the filing of falsely certified employment eligibility forms. [*Houston Chronicle 10/12/06*]

Bring the Mandate for Peace to Washington DC on Jan. 27-29: March and Lobbying Day
Organized by: United For Peace & Justice (UFPJ), endorsed by National Immigrant Solidarity Network (NISN)

Join United for Peace and Justice (<http://www.UnitedforPeace.org>) in a massive march on Washington, D.C., on Sat., January 27, 2007 to call on Congress to take immediate action to end the war. On Mon, January 29, UFPJ will call for Congressional Lobbying Day, NISN will support the UFPJ call and organize immigrant Congressional visit and lobbying at the same day, we encourage peace and immigrant rights activists to come to Washington D.C., tell the new Congress: Act NOW to Bring the Troops Home! And Support Full Amnesty to the Immigrants!

For more information, please contact NISN DC field office: (202)595-8990, e-mail: info@ImmigrantSolidarity.org

Please Donate to National Immigrant Solidarity Network!
All Donations Are Tax Deductible!

We need to reach our \$50,000 goals by the end of the October!
Can You be part of the history to support us to support our immigrant organizing?

Friends:

I am again personally appeal for fund raising appeals for National Immigrant Solidarity Network. This is the critical moments for the immigrant rights, and peace & justice movements! Right-Wing anti-immigrant, pro-war, anti-labor forces in the Washington D.C. are pushing their racist agendas to against immigrants and more money for the war. We need to continue organize ourselves to send our LOUD VOICE to the Congress and the President our mass dissent!

Make check payable to ISN/AFGJ and it will be tax deductible! Send your check to:

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About National Immigrant Solidarity Network

ISN is a coalition of community, immigrant, labor, human rights and student activist groups, founded in 2002 in response to the urgent needs for the national coalition to fight immigrant bashing, support immigrant rights, no to the sweatshops exploitation and end to the racism on the community. Please visit our website:
<http://www.ImmigrantSolidarity.org>

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Please donate to ISN! (All donations are tax deductible!)

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