

September 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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Immigrants United for Labor Day
Weekends and Beyond!
What Is Our Next Step?

In This Issue:

Immigrant Debate (Pg 1) | Labor Day Immigrant Actions
(Pg 3) | Immigration News (Pg 4) | Corporate Takeover Of
Borders (Pg 5) | Please Join Our Working Groups (Pg 6)

Debate Endgame in this Congress -- Stalemate, Solution, or Setback?

Frank Sharry Executive Director, National Immigration Forum

Aug 24, 2006

WASHINGTON, D.C.--When Congress returns just after Labor Day, it only has five weeks left before recessing for the mid-term elections in November. With immigration being one of the nation's top policy issues, will some sort of immigration bill be enacted this year? If so, what kind?

The debate is so volatile it's risky to make predictions. But I like taking chances, so here are four possible scenarios, with my predictions of their likelihood, from most likely in my view, to least.

Scenario 1: Stalemate

After spending the summer staging one-sided "field hearings" aimed at bashing immigrants and the more comprehensive Senate bill, the Republican House leadership decides to go for a kill in September. They approve "Sensenbrenner-lite" -- the original enforcement-only bill enacted by the House last December but with changes to the provisions that make undocumented immigrants and those who assist them into felons.

The Senate, having recently passed a flawed but unprecedented comprehensive reform bill -- one that provides more visas and a path to citizenship for many but not all undocumented immigrants, as well as tough and excessive enforcement measures -- criticizes the House for sticking with an enforcement-only approach. It asserts that only an "enforcement-plus" strategy will work, pointing to opinion polls showing that 75 percent of the public agrees. The House stands its ground, the Senate does the same, and the result is a stalemate.

Likelihood

By deciding this summer to agitate rather than legislate on illegal immigration, House Republican leaders clearly hope border security/illegal immigration will be a wedge issue that motivates otherwise despondent conservative voters to show up at the polls in November. My guess: House Republican leaders will decide to stay the course right up through the mid-terms this November. The result? Stalemate. We start from scratch next year.

Scenario 2: Sensenbrenner-lite sealed with a promise

The House, looking for a legislative result but on their terms, passes a watered-down version of the Sensenbrenner bill in September. But instead of bucking the Senate and the president, they promise this is but a "down payment" for a more comprehensive approach next Congressional session. House Democrats, fearful of looking "soft" on illegal immigration right before the elections, vote for the measure in droves.

This puts pressure on the Senate to "do something" before the elections. Republicans do it in the name of party loyalty and claim this is but a first step. Many Democrats go along to avoid misleading but punishing 30-second campaign ads right before the elections. The president thanks Congress for taking the first step and signs the "enforcement-first, comprehensive reform next" bill into law.

Likelihood

Even if the House passes Sensenbrenner-lite, and even if many House Democrats vote for it out of fear, Republican Senators who support comprehensive reform are unlikely to cave in. Moreover, the president is unlikely to accept what would amount to a major defeat for him.

Republican reformers in the Senate have shed a lot of blood to pass the Senate bill this spring, and they are deeply offended their House counterparts have spent the summer criticizing them rather than negotiating. They firmly believe that enforcement-first is enforcement-only, and enforcement-only is bad policy. They and the White House maintain that the House approach is bad politics because pragmatic swing voters want practical solutions and up-for-grabs immigrant voters now see immigration as a defining issue.

If this scenario unfolds, I predict Senate Republican reformers and the White House will stay strong, refuse to go along, and the House gets the blame for the ensuing stalemate.

Scenario 3: Threading the bipartisan needle towards workable comprehensive reform

The Republican House leaders return in September and realize their silly “field hearings” have backfired. They become fearful that the “do-nothing” label is sticking and decide to go for a bill. The White House calls together Senate and House leaders for informal negotiations.

With the Republicans deeply divided between comprehensive reform and enforcement-only, the only way to move a bill is to attract broad support from Democrats. The negotiations yield a simpler bill that combines border security measures, an expanded worker verification system, more worker and family visas and a broader earned path to legal status and citizenship. Though controversial, the bill is approved by a slim margin in the House and by a wide margin in the Senate in October. The president happily signs it into law.

Likelihood

It would take something close to a miracle for this scenario to happen. First, Republican House leaders would have to decide they really want a bill, and then would have to embrace key components of the Senate bill they have spent the past three months attacking. Democrats, who are in no mood to give the Republicans a victory when they're on the verge of taking back control of one or both chambers of Congress, then would have to supply the winning margin of votes. The only way for this dream to come true is if the Republican leadership becomes so determined to produce a legislative result they make an offer the Democrats can't refuse. Unfortunately, this is Washington, D.C., not Hollywood.

Scenario 4: Guestworker-only plus enforcement

Republican House leaders decide to go for a bill this fall that adds an old-style “work-and-return” guestworker program to most of the tough enforcement measures in the original House enforcement-only bill. They trumpet this as a “Republican version of comprehensive reform” that says no to what they call the Senate “amnesty” provisions, and no to the Senate's sensible increases in permanent family and work visas. House leaders convince the White House and Senate Republicans to support this for the sake of party loyalty and mid-term survival. Just enough Republicans support it in both chambers get it across the finish line, and the president signs it into law.

Likelihood

Not gonna happen. Republicans are simply too divided to produce enough votes to pass a Republicans-only version of reform. Rep. Tom Tancredo (R-Colo.) will make sure enough Republicans oppose any bill with guestworker visas, and almost no House Democrats will vote for a guestworker-heavy bill. And even if they did, the Senate Republican reformers would not go along. For them, it's simple: no path to citizenship, no solution, therefore no deal.

So, if the most likely scenario -- a stalemate -- wins out, what then? Well, if the House remains in Republican hands and they credit their come-from-behind victory in November to “standing on principle” against the president and the Senate, watch out. The worst is yet to come.

If, on the other hand, if the House Republicans take a beating, either by losing numerous seats yet retaining the majority, or by losing control to the Democrats, what then? Well, if it becomes clear that immigrant-bashing and having no realistic solution on immigration backfired, then the next two-year Congressional session just might be the time to make real progress towards the enactment of workable comprehensive immigration reform.

On the third hand, the only safe prediction in the immigration debate is that the future is unpredictable.

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Send e-mail to: isn-subscribe@lists.riseup.net or visit: <http://lists.riseup.net/www/info/isn>

September Nationwide Labor Day Weekend Immigrant Actions

Los Angeles, CA -1 (Downtown LA): September 2, 12:00 PM Olympic & Broadway. Tel: (818)989-3019
URL: <http://www.March25Coalition.org>

Los Angeles, CA - 2 (Wilmington): September 4, 8:00 AM (Assembly) 10:00 AM (March). Tel: (714)541-0250
URL: <http://www.MAPA.org>

Chicago, IL: September 1 - 4, Immigrant Workers Justice Walk from Chicago to Batavia, IL. Tel: (877)762-7242
URL: <http://www.movimiento10demarzo.org>

Pittsburgh PA: September 3, 3:00 PM East Carson and 22nd Street, Southside. E-Mail: PFOLinfo@gmail.com

St. Paul, MN: September 4, 10:30 AM 139 Concord St. (corner of Cesar & State St.) Tel: (651)389-9174
URL: <http://www.mnimmigrantrights.org>

Newark, NJ: September 4, 11:00 AM Lincoln Park. Tel: (973)643-1924

San Francisco, CA: September 4, 10:00 AM Embarcadero. Tel: (415)487-9203, (510)839-7598

Oakland, CA: September 4, 9:00 AM E. 14th St./International Blvd. + 98th Ave Tel: (510)502-9072
URL: <http://www.BAMN.com>

Fresno, CA: September 4, 4:00 PM Fulton Mall.

Phoenix, AZ: September 4, 9:00 AM State Capital. URL: <http://www.SEIU5az.org>

Washington, DC: September 7, 4:00 PM The Mall 3rd & Constitution. URL: <http://ncic-metro.org>

September 7 Washington DC Camp Democracy Immigrant Rights Day Sponsored by National Immigrant Solidarity Network

URL: <http://www.immigrantsolidarity.org/CampDemocracy/> Information Hotline: (202)595-8990

On September 7 2006, when Congress return to Washington following summer recess, we are calling for Camp Democracy Immigrant Rights Day near Washington Monument.

Camp Democracy (<http://www.CampDemocracy.org> 9/5 - 9/21) Immigrant Rights Day will be one of the key days for the camp to build multi-ethnic, multi-issue and multi-constituent based immigrant movement, and linking peace movements with anti-war/anti-globalization movements, and mutually supporting each other's causes.

Chicago, IL: STOP deportation for Elvira Arellano By: Jennifer Karmin

Three blocks from my apartment, Elvira and her son Saul have taken refuge in a small store-front church. Elvira is actively disobeying an order by the Department of Homeland Security to turn herself in for deportation. One of my 8th grade poetry students tells me, "She is our Rosa Parks." Everyday, we both visit Elvira at the church. Elvira is a well-known Chicago leader of undocumented workers. President of La Familia Latina Unida, she recently lead a Mother's Day hunger strike demanding that President Bush call a moratorium on "raids, deportations and separations of families" until the Senate and the Congress come to a resolution of this nation's broken immigration laws.

WAYS TO HELP

Call Senators Obama and Durbin. Ask them to pass private bill HR 1628.
Senator Obama: Chicago office 312-886-3506; Washington office 202-224-2854
Senator Durbin: Chicago office 312-353-4952; Washington office 202-224-2152

Donations of water, food, money, and your time can be brought to Adalberto United Methodist Church, 2176 W. Division Street. Send other ideas to Roberto Lopez. E-Mail: rlopez@somosunpueblo.com

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. NEW YORK PROTEST, UPSTATE RAID

On Aug. 25, dozens of people marched in New York City to demand justice for immigrants after the House of Representatives Judiciary Committee cancelled a "field hearing" it had planned for that day in Glens Falls, New York. "Congress members organize hearings in the most remote places and only invite the 'minutemen' and anti immigrant groups," said Kavitha Pawria, an organizer with Immigrant Communities in Action, which called the protest. "We believe [the House field hearings have] the purpose of mobilizing the conservative bases as the elections approach." Immigrant Communities in Action says at least 100 people were set to travel 200 miles from New York City for an Aug. 25 "counter-hearing" in Glens Falls to challenge the anti-immigrant message. [*El Diario-La Prensa (NY) 8/26/06, quotes retranslated from Spanish; Immigrant Communities in Action 8/7/06, 8/23/06*]

Congressional leaders cancelled the Glens Falls field hearing on Aug. 18, a day after Judiciary Committee spokesperson Terry Shawn told the Glens Falls daily Post-Star that a list of committee members and local experts invited to testify was still being finalized. No reason was given for the cancellation. The Glens Falls hearing was to focus on identification requirements at the border and the risks of terrorism, drug smuggling, and human trafficking. [*AP 8/18/06; Post-Star 8/18/06*]

On Aug. 15, US Immigration and Customs Enforcement (ICE) agents raided a Thai restaurant in Glens Falls, apparently looking for a former employee. The former employee wasn't there, but the agents arrested four other Thai immigrants who were found to have overstayed their visas. The restaurant, Siam Thai Sushi, reopened on Aug. 22 after the owner, Darrell Spraragen, brought in a new chef and other staff members. [*Post-Star 8/22/06*]

2. DAY LABOR ARRESTS IN MISSISSIPPI

On Aug. 7, ICE agents arrested 37 immigrant day laborers outside a Home Depot store on Highway 49 in Gulfport, Mississippi. ICE spokesperson Temple Black said most of those arrested were from Honduras and Mexico. The workers are apparently being detained at local jails and detention centers for removal. A contractor who witnessed the raid told Vicki Cintra of the Mississippi Immigrants' Rights Alliance (MIRA) that he saw eight Gulfport Police Department cars at the site. The Gulfport Police Department admitted to Cintra that they carried out a joint operation with ICE. [*CLINIC Newsletter #12, 8/23/06*]

3. IRANIAN BROTHERS SUE

On Aug. 14, four Iranian immigrant brothers filed a lawsuit in US District Court in Los Angeles against former attorney general John Ashcroft, Federal Bureau of Investigation (FBI) Director Robert Mueller III, FBI Agent Christopher Castillo and other officials, charging that the government

detained them illegally for nearly four years to punish them for refusing to work as informants.

Mohsen, Mohammad, Mojtaba and Mostafa Mirmehdi were ordered deported in 1999 for allegedly having lied on their asylum applications. They were detained on Oct. 2, 2001 on immigration violations and denied release because of their alleged support for the Mujahedin Khalq (MEK), an Iranian opposition group. The MEK was added to the State Department's list of terrorist organizations in 1997, but dozens of members of the US Congress have expressed support for the group since then. The Mirmehdi brothers admitted attending demonstrations in the US sponsored by the MEK, but deny having been members or associates of the group. On Aug. 20, 2004, the Board of Immigration Appeals (BIA) ruled that the Mirmehdis have no ties to terrorism. The BIA upheld their deportations but said they could not be sent back to Iran because they could be tortured there for anti-government activities. The four brothers were finally released on Mar. 16, 2005; they live in Southern California's San Fernando Valley, where three of them work as real estate agents.

According to the 49-page complaint, FBI agent Castillo relied on informants who falsely identified the brothers as associates of the MEK. Castillo then tried "to force their cooperation through continued punitive detention, even after admitting that a crucial informant had been 'just speculating' when he described the Mirmehdis as associates of the MEK," the lawsuit states. "Castillo approached the Mirmehdis on no less than five occasions to demand their cooperation in exchange for freedom." According to the lawsuit, if Castillo had not provided "false and misleading testimony" at a 2001 hearing--where he was the government's only witness and portrayed the brothers as security threats--the Mirmehdis could have been released on bond as early as Dec. 10 of that year. [*Los Angeles Times 8/15/06*]

The lawsuit also claims the brothers suffered mistreatment in detention, including being locked down in isolation for up to 23 hours a day, being strip-searched after every visit with their attorneys, having their phone calls with attorneys illegally monitored, being denied medical care and being subjected to "routine ethnic insults and prejudice." The lawsuit seeks attorney fees and unspecified damages, but Mohsen Mirmehdi said its intention is to hold government officials accountable. "They accused us of something we weren't a part of. They ruined our reputations and our business." [*LAT 8/15/06; CBS2.com 8/14/06*]

"The Mirmehdi brothers were casualties of the war on terror and had their lives destroyed based on the misconduct of the federal officials who sought their detention knowing that they had only engaged in peaceful First Amendment activity in opposition to the current regime in Iran," said attorney Paul Hoffman. [*AP 8/14/06*]

A Corporate Takeover of American Borders

Robert Koulisch, Baltimore Sun

August 21, 2006

Borders are a key element of national identity. When borders are violated, the result is often crisis and war. Look no further than this summer's conflict in the Middle East, set off by a cross-border kidnapping of Israeli soldiers by Hezbollah militants. Protection and defense of borders is, for most nations, a high priority.

Thus, it is troubling to see our government intent upon passing control over its borders to private companies.

Immigration control is a fundamental exercise of sovereignty, and sovereign powers are considered almost inviolable. As a legacy of its plenary powers over immigration, Congress has enacted some of this country's most racist and arbitrary policies, which the Supreme Court has never struck down. Examples include Chinese exclusion, national origins restrictions and expedited removals. Turning over immigration powers to private companies further endangers democracy. Immigration policy, programs and current proposals are replete with references to privatization - enforcement, detention, inspections and services - that would place the fate of potential immigrants in the hands of private mercenaries and military contractors.

The Customs and Border Protection's Expedited Removal Program has contracted with Halliburton to oversee the expansion of the federal government's capacity to detain immigrants. Rep. Mike Pence, an Indiana Republican, has proposed deploying private "Ellis Island Centers" in foreign countries for the purpose of recruiting and managing guest workers.

Privatization, a neoliberal trend begun in the 1970s, means policy is driven by profit-seeking. During the early 1980s, the federal government began experimenting with incarcerating people for profit, using immigrant detention as its canary in the coal mine. In 1984, the Corrections Corporation of America, the private-incarceration leader, cut its first deal with the federal government to operate Immigration and Naturalization Service detention centers in Houston and Laredo, Texas. Since then, private incarceration has become a boom industry as well as a lightning rod for credible human-rights abuse litigation.

U.S.-Mexico border control is also being privatized. After more than a decade of border militarization with "Operation Gatekeeper" and "Operation Hold the Line," the deployment of the National Guard and plans for 700 miles of fencing, in May the government solicited bids from military contractors Boeing, Lockheed Martin, Raytheon, Ericsson and Northrop Grumman for a multibillion-dollar contract to build a "virtual fence" of unmanned aerial vehicles, ground surveillance satellites and motion-detection video equipment along the border. With final awarding of the Secure Border Initiative Network set for September, the arrival of military contractors at the border is imminent.

Add Blackwater Inc., a private security firm that has run mercenaries in Iraq and New Orleans, and is negotiating a contract to train U.S. Border Patrol officers, and you get a virtual fence that has guns for hire welcoming newcomers at ports of entry.

Military contractors and private mercenaries as immigration policymakers represent a foreboding prospect for any democracy. Another issue is the use of technologies of power to help manage a cheap postindustrial labor force. Guest worker proposals are helping to frame immigration within a neoliberal trade context, which opens another door to privatized control.

For example, Mode 4 of the recent proposed General Agreement on Trade in Services, negotiated in the World Trade Organization, would accomplish what the North American Free Trade Agreement couldn't achieve, reducing migrant workers to the status of commodities.

Mode 4 would hasten the demise of Human-rights protections for border crossers, while the Senate's guest-worker provision would help make Mode 4 binding on domestic policy. As an outcome, guest-worker provisions would expedite the movement of temporary workers, secure private "bantustans" for border crossers in northern Mexico, and control guest-worker populations in this country while further marginalizing efforts by NGOs to hold the process accountable.

Finally, guest-worker policies would provide additional opportunities for the security-industrial complex at the border. With CCA, Blackwater, Lockheed Martin and others as gatekeepers, guest workers would come face to face with law-and-order activities twice removed from public scrutiny.

The looming presence of "virtual" technologies, mercenaries and military contractors as front-line defenders for U.S. sovereignty is cause for alarm well beyond the potential for individual human rights violations. It suggests this country's "deciders" are less interested in physical border fences that would harm trade and impede the flow of cheap labor than in securing a system of "virtual fence" and paramilitary strategies that would facilitate wholesale control over migrants in the name of profit.

National Immigrant Solidarity Network Please Join our Working Groups!

- Student/Youth
- Labor
- Direct Action
- Day Labors
- Border
- Event Organizing (March 25/May 1/September-October Actions)
- Multi-Ethnic
- Community Work/Supports
- Legislative
- Lesbian-Gay-Bisexual-Transgender-Queers (LGBTQ)
- Women
- Deportation
- Education & Outreach
- Interfaith

Send e-mail to: Info@ImmigrantSolidarity.org for more information

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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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