

**Summer 2016 U.S. Immigration Alert!**  
A Newsletter from National Immigrant Solidarity Network  
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**Orlando Massacre,  
Immigrant Raids:  
Hate Never Stop  
Around the Country!**

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**6/13: Orlando Massacre Comes After Lawmakers in U.S. Filed More Than 200 Anti-LGBT Bills**

**Democracy Now!**

In a tweet that went viral after Sunday's attack on an LGBT nightclub in Florida, ACLU staff attorney Chase Strangio wrote: "The Christian Right has introduced 200 anti-LGBT bills in the last six months and people blaming Islam for this. No." The attack has also renewed calls for lifting what advocates say is a medically unnecessary ban on blood donations from many gay and bisexual men. We speak with Hannah Willard of Equality Florida.

AMY GOODMAN: I wanted to go back to Hannah Willard for a moment, who is with us from Orlando. She is with Equality Florida, a statewide advocacy organization for gay, lesbian, bisexual and transgender rights. Hannah, what are you calling for now?

HANNAH WILLARD: Well, we are calling for a myriad of next steps. Yesterday we moved very quickly to help people gain access to grief counseling resources. Immediately, we called for people to go to their local blood banks and make sure that they were giving blood. We also called for folks to donate if they felt called to do so, through a GoFundMe campaign that raised over a million dollars in one day alone. So many folks were looking for tangible next steps, and we wanted to provide those vehicles for folks to have those avenues to feel like they were standing in solidarity with those that we lost.

But, you know, the best tangible next step that folks can take is to teach our children to treat each other with dignity and respect, to treat those whom they don't understand with empathy and compassion. That's how we build a Florida where

every single child growing up knows that they are celebrated and valued for exactly who they are, no matter who they love. And that's the Florida that I want to see.

AMY GOODMAN: Talk about the ban on gay blood donors, Hannah. I know there's been a major call for blood donations. We saw the lines yesterday in Orlando.

HANNAH WILLARD: Absolutely. Well, if there was ever a time when this ban was seen as the discriminatory and unnecessary thing that it is, it's now more than ever. This ban has been debunked as medically unnecessary, as discriminatory. There were friends and family of those that we lost who were itching to be able to do something to support those who were still fighting for their lives in the hospital. Every single minute counts when you're on—when you're in surgery, open on the table and needing a blood donation. It's really a shame that the FDA has yet to lift this unnecessary ban. But we also know that, moving forward, these types of tragedies always serve as a catalyst for changes in policy and lead to different actions so that we can move forward to prevent senseless violence like this from ever happening again.

AMY GOODMAN: ACLU staff attorney Chase Strangio tweeted, "The Christian Right has introduced 200 anti-LGBT bills in the last six months and people blaming Islam for this. No. #PulseNightclub." Hannah, your response?

HANNAH WILLARD: It is not up for debate that homophobia and bigotry are still alive and well in Florida and across our country. The LGBTQ community is under attack, plain and simple. We were very tangibly and violently under attack at Pulse nightclub this past weekend, but, of course, over 200 anti-LGBT bills filed here in Florida and in states across the country, legislators are targeting our community where we are most vulnerable, which is often transgender people and especially transgender people of color. I was so thankful that Daniel mentioned intersectionality earlier, because there's so many reasons why marginalized communities must band together to ensure that we move forward together. We all have the same oppressors. We all have the same opposition. And I'm proud that we work with a diverse intersectional coalition here in Orlando and here in Florida to fight back against our opposition. And certainly we'll be fighting back in the Legislature and through concrete policy changes in the coming years.

AMY GOODMAN: Daniel Leon-Davis, your final comment, as you continue to gather information about people you knew and didn't know who are—who are either victims or the loved ones of victims?

DANIEL LEON-DAVIS: Of course. I think the thing that hit me the hardest yesterday was a tweet that basically said, "Our souls have died, and the only thing that remains alive is the Second Amendment." And I think just thinking about the fact that we remain in this cycle, like, it just feels like, at what point—what is the breaking point? Because every single breaking point we felt was going to be it—the Sandy Hooks, right? Like every single breaking point we felt was going to get us there hasn't. And so, I guess my question is: Is this the breaking point?

AMY GOODMAN: We're going to break, speaking of breaking points, and we're going to come back and talk about guns, talk about what happened in another country when a massacre rocked that country, the worst in Australia's history. And we're going to continue our discussion with the imam. I want to thank Hannah Willard, and I want to thank, as well, Daniel Leon-Davis of—and we'll link to your piece, "The Site of the Orlando Shooting Wasn't Just a Gay Nightclub. It was My Safe Haven." This is Democracy Now! We'll be back in a minute.

## **May Day 2016 Immigrant Rights March: Reports from Across the Country**

### **Lee Siu Hin - National Immigrant Solidarity Network**

#### **Los Angeles, CA**

Sunny Southern California May Day 2016, about thousand people organized by LA May Day Coalition participated in a multi-ethnic unity march, include Latinos, African American, Koreans and Chinese-American union members, as well as white activists, to join the march, demand immigrant rights, vote, union and NO to the Trump. Speakers includes: SEIU, Black Life Matters, KIWA, CARCEN, CHIRLA and so on. It was a powerful day!

#### **Seattle, WA**

#### **Arrests and Injuries in Trade Union Demonstrations in US**

Washington, May 2 (Prensa Latina) A dozen arrests and five policemen wounded was the toll of US demonstrations during the International Workers' Day, especially in the city of Seattle, confirmed today the authorities.

Seattle, considered a bastion of the 'antiestablishment' movement in this country, was the scenario of major demands of the labor movement for the rights of workers and immigrants.

When the march increased its character the police tried to disband but many demonstrators replied with stones and even

biting, reaching some throwing Molotov cocktails that did not explode, but wounded agents.

Mayor Ed Murray lamented the violent incidents considered absurd, while riot police waited for the traditional event, which last year left 16 arrests and criticism for excessive use of repression.

### **100 rally for May Day on steps of Salt Lake City and County Building**

**(Theresa Nielson - Fight Back!)** Salt Lake City, UT - On May 1, 100 people gathered at the Salt Lake City and County Building to celebrate, table and rally for International Workers Day. The Freedom Road Socialist Organization (FRSO) hosted the event, joined by Students for a Democratic Society, Utah Against Police Brutality, Utah Anti-war Committee, Workers World Party, and Socialist Alternative.

Speeches by local activists and shop floor union leaders focused on labor and immigration rights. Joey Brandin performed songs such as There is Power in a Union and Solidarity Forever. “

As a Mexican immigrant, I can tell you that it is almost impossible to find a job in the state of Utah if you're undocumented. It means that many of these people will find themselves homeless, exploited under the table, or resorting to unconventional means of survival. In Utah, laws like SB 81 are denying undocumented queer people a chance at an affordable post-secondary education and a better future,” said Adrian Romero from Stand for Queer Lives.

Connor Richards from Students for a Democratic Society (SDS), spoke about student solidarity with workers around the world. Then Richards shifted to immigrant rights at home saying, “We need you to support the SDS campaign Education for All, and the cutting of lines 36 through 42 of Senate Bill 81 that prevents state-funded scholarships from being granted to undocumented people.”

Erica Cole, union steward of the American Postal Workers Union, spoke about racist discrimination in employment, “It is ridiculous that if one of my daughters says she is white on a job application the outcome will be vastly different than if she says she is Black.”

Samantha Stott from Utah Against Police Brutality and Cop Watch explained to the crowd, “Speaking not only of the working class, but also those who are not working, those who are dealing with addiction and mental illness who are on the streets. They don't have the help that they need.”

Carly Haldeman of the Freedom Road Socialist Organization was the final speaker, “I'm calling out to the working class to stand against the fraudulent system we call capitalism. We have to do the hard work! We have to organize!”

Ian Decker, also a member of the Freedom Road Socialist Organization and emcee for the rally, thanked the people who attended the event, and invited them to a Marxism-Leninism Day School on Saturday, July 9.

Joey Brandin then sang the Internationale in solidarity with the workers and oppressed peoples of the world.

### **Militant march on May Day in Boyle Heights**

*Demands Legalization for all, dump Trump, stop police killings of Chicano youth*

**(Fight Back!)** Los Angeles, CA - A militant march and rally was held on International Workers Day, May 1 that brought out the Boyle Heights community by the hundreds. Raising the demands of Legalization for all, dump Trump, and stop police killings of Chicanos, the protest was organized by Centro Community Service Organization (Centro CSO).

The march was led by people holding banners reading “Legalization for all.” Two large red flags also led the march. Waving and yelling at the top of their lungs, Garfield High School students carried the two flags, one of Aztlán and the other with the slogan “Liberation not deportation.”

As the militant crowd lined up to march, they were fired up and began chanting, “Chicano power,” “Aquí estamos y no nos vamos, y si nos echan, regresamos!” (We are here! And we're not leaving! And if they deport us, we'll be right back!) and “Dump Trump!”

Leading chants on the back of a pickup truck, Sol Márquez kicked off the march by asking the crowd, “Who's ready to march to the police station and demand justice?” The march started on Soto and Chavez in the heart of Boyle Heights and was greeted by many cheers and waves from the public.

Marchers stopped for a short rally at the LAPD Hollenbeck police station to denounce police killings of Chicano youth. Three families in Boyle Heights and East Los Angeles have fallen victim to police killings in 2016. They all joined the march. The three Chicanos murdered were Edwin Rodriguez killed by LA County sheriffs on Feb. 14; Jose Mendez, killed by LAPD-Hollenbeck Feb. 6; and Arturo Valdez killed by LAPD-Hollenbeck April 10.

In front of LAPD station Jhony Mendez shouted into the microphone, "My little brother Jose Mendez was only 16 years old when LAPD shot and killed him. And to this day LAPD has never shown us their faces, because they know they are in the wrong."

Estela Rodriguez, shouted and pointed to LAPD, "My 24-year-old son was shot 17 times, all in the back or to the back of his head. It's time we bring Edwin Rodriguez's case to justice."

The spirited march ended with a high energy rally at the historic Mariachi Plaza. Blanca Valdez, long time education activist, talked about her son Arturo being shot in the head by the LAPD.

Isabel Ocampo of Centro CSO talked about the militant spirit of the undocumented youth and the fight for deferred action for all. "It is time undocumented people come out of the shadows and join the fight for legalization," said Ocampo

Long time Chicano leader Carlos Montes spoke to the crowd, "Self-determination for all Chicanos, political and economic control for our people. Are you down with me? We can keep fighting years for reforms, but real change will come from revolution!" The crowd overwhelmingly agreed by chanting, "Viva la revolucion!" (Long live revolution)"

MECHA de Roosevelt High School and the undocumented students of SURGE, of California State University, Los Angeles (CSULA) urged support for the fight for public education and immigrant rights. Leonardo Vilchis of Union de Vecinos also talked about the fight against evictions and raising rents!

Participants in the event included students and families of Boyle Heights and ELA, members of Centro CSO, Freedom Road Socialist Organization (FRSO), Union de Vecinos, United Electrical, Radio and Machine Workers of America (UE), CSULA SURGE, East Los Angeles College M.E.Ch.A, Roosevelt High School M.E.Ch.A, Garfield High School M.E.Ch.A, GABRIELA Los Angeles, Anakbayan Los Angeles, The Farabundo Martí National Liberation Front (FMLN) of Los Angeles, Assoc. of Ex Braceros, local rank and file Teamsters from UPS, the MORENA party of Mexico, , Human Rights Alliance for Child Refugees, Serve the People, and two different chapters of the Brown Berets.

Sol Márquez concluded the rally stating, "We thank all of you who were present today demanding justice for all Chicanos killed by LAPD and LA sheriffs. And we thank our Black brothers and sisters who have fought back against their own national oppression at the hands of the state – and their movement is only growing. We must unite since our interests are the same: Liberation now, freedom now! And let us also never forget that women hold up half the sky!"

## **5/10: Private Prison CEOs 'Pleased' Their Earnings Soared From Keeping Immigrant Kids In Detention**

### **Ester Yu-Hsi Lee – Think Progress**

During separate conference calls to talk about earnings reports, two of the country's largest for-profit private prisons indicated that they saw their profits soar from holding immigrant mothers and children in detention centers across the country.

Revenues increased during the first quarter of 2016 for both the Corrections Corp. of America and GEO Group, executives told shareholders on conference calls.

CCA saw a revenue of \$447.4 million, a 5 percent increase from last year's first quarter. The company's press release attributed much of that increase to a federal contract with the Immigration and Customs Enforcement (ICE) agency.

"We are pleased with our first quarter financial performance, which exceeded our first quarter guidance..." CCA chief executive officer Damon Hininger said in a press release. "Our financial performance was driven primarily by stronger than anticipated demand from our federal partners, most notably Immigration and Customs Enforcement."

The statement went on to say that the increase in profits was "primarily attributable" to its contract with the South Texas Family Residential Center. Located in Dilley, Texas, that detention center primarily houses Central American mothers and children who fled violence and poverty in their home countries and are now waiting to come before an immigration judge who will determine whether they get to stay in the U.S. or get deported back. The facility has a 2,400-bed capacity.

Similarly, the GEO Group reported a 17 percent increase, or \$136 million, from the previous year, in part because of a 626-bed expansion at the Karnes residential center, another family immigration detention center located in Texas.

Immigration advocates say that both the Karnes facility and the Dilley facility are plagued with ongoing human rights issues that often go unaddressed — and, because they hold children, they have been likened to “baby jails.” At Karnes, some immigrant mothers and children were allegedly kept in a dark medical infirmary which acted as a solitary confinement cell. One advocate compared the Dilley facility to her time in a Japanese internment camp.

“It’s sickening to hear CCA and GEO brag about their profitable quarter to shareholders,” Cristina Parker, immigration programs director at Grassroots Leadership, said in a press release. “That money is made off the suffering of mothers and children who came to the U.S. for refuge.”

Because of a “bed quota,” the federal government has required anywhere between 30,000 and 34,000 beds be provided on a daily basis to detain immigrants so that they would show up to their court proceedings. The contract with private prison companies costs taxpayers roughly \$160 per day.

## **4/27: CAPAC Members React to New DOJ Rules for Chinese Espionage Cases**

### **Benjamin Chou - The Congressional Asian Pacific American Caucus (CAPAC)**

Washington, D.C. — The New York Times reported yesterday that the U.S. Department of Justice (DOJ) issued new rules to require an extra level of oversight when investigating cases of espionage. These new rules come after several high-profile cases in which Chinese American scientists — including Sherry Chen and Dr. Xiaoxing Xi — were wrongfully accused and arrested for alleged espionage only to have those charges later dropped. In November 2015, Congressional Asian Pacific American Caucus (CAPAC) Chair Rep. Judy Chu (CA-27) and Reps. Ted Lieu (CA-33) and Michael Honda (CA-17), along with 39 other Members of Congress, sent a letter to Attorney General Loretta Lynch calling for an independent investigation into these cases. A second letter was sent later that month to Commerce Secretary Penny Pritzker requesting a fair and judicious review of Ms. Sherry Chen’s case. CAPAC Members also met with Attorney General Lynch to raise their concerns over what appears to be an ongoing pattern and practice of Asian Americans being singled out by federal law enforcement and prosecutors. Reps. Chu, Honda, and Lieu, released the following statements:

#### **Congresswoman Judy Chu (CA-27), CAPAC Chair:**

“Wrongful accusations of espionage should not be a pattern of practice in our country. The cases of Sherry Chen and Dr. Xiaoxing Xi are appalling. Two prominent scientists, who are U.S. citizens, were publicly humiliated and had their lives turned upside down simply because they were emailing while being Chinese American. Their charges were dropped, but only after their reputations were shattered. Further, their arrests sent a chilling message to other Asian American scientists that they, too, could be next. That is why I welcome the new rules by the Department of Justice as a positive first step in the right direction. These extra levels of scrutiny are clearly necessary to avert other false charges against American citizens. The Congressional Asian Pacific American Caucus will remain vigilant to prevent such wrongful accusations in the future, and we will seek justice for those who are already victims.”

#### **Congressman Mike Honda (CA-17), CAPAC Chair Emeritus:**

“For too long, Americans have been accused of espionage by our government on the basis of their heritage, not any finding of fact,” said Honda. “Today, the Justice Department took a good first step to making certain that never happens again. However, too many have still been hurt by these cases in the past. Along with my colleagues, it is critical for us to make certain that the Department of Justice appoints an independent panel to investigate these potential miscarriages of justice.”

#### **Congressman Ted Lieu (CA-33):**

“I am pleased that the Department of Justice has heard the calls of Members of Congress and implemented a policy change to provide critical oversight for national security cases. The pattern of wrongfully arresting and indicting Asian Americans and Pacific Islanders on flimsy espionage allegations has painted a concerning picture of targeting based on race and national origin, and it is clear that these cases need to be handled differently. I thank Attorney General Lynch for taking action and look forward to being briefed on the changes by the Department of Justice to evaluate whether further steps are needed.”

#### **Background:**

Rep. Michael Honda, in his role as the Ranking Member of the Commerce, Justice and Science Appropriations

Subcommittee, advocated for a change in the behavior of the Justice Department when questioning Federal Bureau of Investigation Director Comey earlier this year about the two accused scientists. Rep. Judy Chu, in her role as a Member of the Judiciary Committee, also questioned FBI Director Comey and Attorney General Loretta Lynch on these matters.

*The Congressional Asian Pacific American Caucus (CAPAC) is comprised of Members of Congress of Asian and Pacific Islander descent and Members who have a strong dedication to promoting the well-being of the Asian American and Pacific Islander (AAPI) community. Currently chaired by Congresswoman Judy Chu, CAPAC has been addressing the needs of the AAPI community in all areas of American life since it was founded in 1994.*

## **6/10: Is White House leaking warnings of deportation raids to ‘terrorize’ immigrant communities?**

**Jorge Rivas – Fusion**

Immigrant rights groups are asking President Obama to clarify whether the White House is intentionally leaking information to the press in an attempt to terrorize immigrant communities with the threat of deportation raids.

It’s apparently happened twice in the past six months, and people want answers.

The first time was when the Washington Post last December published a story based on leaked information that launched a wave of fear among Latinos across the country. The story, published right before families gathered for Christmas, detailed how immigration officials were preparing “for a series of raids that would target for deportation hundreds of families.”

Those raids ended up detaining 121 people, mostly women and children, over the course of two days in January. But the looming fear of a wider immigration roundup affected untold millions across the country, as raid rumors created a frenzy on social media.

Then it happened again.

On May 12, Reuters published a story warning of another impending raid—also based on unnamed sources and an “internal documents” seen exclusively by that news agency. And again the rumor mill spread fear through immigrant communities.

Activists think it’s fear-mongering and want it to stop.

More than 100 immigrant rights groups on Thursday sent a letter to President Barack Obama to demand the White House launch an independent inquiry into the source of the leaks.

“The most recent ‘exclusive’ report has led some to believe it was the intentional purpose of the administration to terrorize immigrant communities in the U.S. in order to dissuade would-be refugees from fleeing violence in their home countries,” reads the letter signed by 107 of the nation’s oldest and most well respected immigrant civil rights groups.

In other words, the immigrant groups suspect the leaks were done by design to plant stories in selected media outlets to sow widespread fear.

“Information has been leaked to the press—apparently from either the Department of Homeland Security or the White House itself,” reads the letter signed by groups like the Coalition for Humane Immigrant Rights of Los Angeles, National Day Laborer Organizing Network and Central American Resource Center.

The White House has not yet responded to the group’s letter.

“Immigration raids create fear and insecurity among immigrant communities in the United States”

- Senators Dick Durbin and Patrick Leahy

The letter from the immigrant activists comes a day after 26 Democratic senators called on Obama to end the raids, precisely because of the chaos they can create. “Immigration raids create fear and insecurity among immigrant communities in the United States. They will deter students from attending school and parents from seeking medical care, but they will not deter terrified mothers and children from fleeing life-threatening violence in their homelands,” read the letter, spearheaded by Senators Dick Durbin and Patrick Leahy.

The Obama administration has deported a record number of immigrants, almost more than every other president combined. So the fear of immigration raids is not unfounded.

But the immigration raids that the Washington Post and Reuters warned about were named a very specific and vulnerable target: “hundreds of families who have flocked to the United States since the start of last year,” according to the Washington Post article from December 2015.

Reuters meanwhile warned of “a month-long series of raids in May and June to deport hundreds of Central American mothers and children.”

“When the U.S. government is using morally repugnant and legally questionable tactics to to instill fear in those fleeing violence, we must demand answers,” Pablo Alvarado, executive director of the National Day Labor Organizing Network, said in a statement. “We hope that a thorough investigation into these leaks will help clarify, and ultimately rectify, President Obama’s failed response to the humanitarian crisis in Central America. It’s time for relief, not raids.”

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## **5/13: ICE Plans Largest Immigration Raid Of The Year; Here’s What You Need To Know**

**Yara Simón – Remezcla**

In an especially rough year for undocumented immigrants, the next two months will be an even more trying time as Immigration and Customs Enforcement (ICE) gears up for what is being called this year’s largest deportation sweep under President Barack Obama’s administration.

In the first week of January, as people came down from holiday bliss, those who crossed the border for the American Dream lived in fear. News broke in late December that ICE planned to raid the homes of adults and children who judges served with orders of removal. And in that first weekend, 121 of them – mostly Central Americans fleeing gang violence and living in Georgia, Texas, and North Carolina – were taken into custody after a weekend sweep.

Based on an internal document and sources, Reuters learned that this time around, a month-long series of raids in May and June may result in the repatriation of hundreds of Central American mothers and children who have been told to leave the United States. This includes people who entered the U.S. as minors but have turned 18 since.

An ICE spokeswoman said she couldn’t “confirm or deny the existence of specific ongoing or future law enforcement actions,” but she did say that those who immigrated to the U.S. after January 1, 2014 are priorities for removal.

In response to the planned raids, Democratic presidential candidates Hillary Clinton and Bernie Sanders once again spoke out against the deportations. For her part, Clinton said mass raids keep families living in fear. “I am concerned about recent news reports, and believe we should not be taking kids and families from their homes in the middle of the night,” Clinton said, according to CNN. “Large scale raids are not productive and do not reflect who we are as a country.”

Her comments are a complete 180 from what she said in 2014 when she called for the deportation of children and families when a wave of Central Americans headed to the United States to escape violence. In January of this year, she officially condemned these raids.

Sanders said “the painful and inhumane business of locking up and deporting families who have fled horrendous violence in Central America and other countries. I urge President Obama to use his executive authority to protect families by extending Temporary Protective Status for those who fled from Central America.”

While neither is in a position to do something at the moment, there are a few things all undocumented immigrants should know to protect themselves.

Disclaimer: This list is not legal advice; reach out to a lawyer for help with your immigration case.

1) Opening is not an invitation for ICE to come into your home, but according to the ACLU, keeping the door closed keeps you safer. Ask the agents why they are there, and have them slide information under the door.

2) Asking for a warrant is very important. You can ask agents to slide the warrant under the door, but don’t be fooled by an official document that’s not a warrant. ICE agents need to have a warrant signed by a judge if they want to enter your home. The warrant will spell out what the ICE agent is allowed to do and what areas of your home they can search, according to

National Immigration Project. An administrative warrant of removal from la migra is not the same as a warrant signed by a judge.

If ICE comes to your work, make sure the warrant specifies that they can enter your workplace. This is what a warrant signed by a judge looks like, and this is what an order from ICE looks like.

3) Even if ICE does not have the proper warrant and you tell them that you do not consent to letting them in, they may try to force their way in. If this happens, the ACLU says to not resist. Instead, they suggest you state, "I do not consent to your entry or to your search of these premises. I am exercising my right to remain silent. I wish to speak with a lawyer as soon as possible."

4) Don't sign anything that ICE gives you, unless your lawyer tells you to. The Immigrant Legal Resource Center says that you especially don't want to sign a voluntary departure order without your lawyer's input. "The Immigration Service may try to intimidate you or trick you into signing," the ILRC said. "Don't let yourself be tricked! You may be signing your deportation order."

5) The New York Immigration Coalition advises taking pictures of your home, and reporting the raid by contacting United We Dream at 1-844-363-1423. United We Dream has partnered with Latino Rebels to track raids, and Latino Rebels' MigraMap anonymously collects information.

6) Contact a lawyer. Your best chance at fighting deportation is through an immigration lawyer, and while it's not an expense everyone can take on, there are options. [Click here to find representation](#) – some of them will take you on for free.

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## **5/2: ICE detainee passes away at Miami hospital**

### **ICE**

MIAMI – A Salvadoran national in the custody of U.S. Immigration and Customs Enforcement (ICE) died Thursday night at Kendall Regional Medical Center in Miami. The suspected cause of death is complications as a result of alcohol withdrawal.

Jose Leonardo Lemus Rajo, 23, was transferred from the Krome Detention Center to the hospital April 26, after experiencing alcohol withdrawal symptoms using the Clinical Institute Withdrawal Assessment for Alcohol monitoring scale. At approximately 6:30 p.m. on April 28 Lemus Rajo stopped breathing. Physicians at Kendall Regional Medical Center attempted to resuscitate him but were unsuccessful and they declared him deceased at 7:15 p.m.

Consistent with the agency's protocols, the appropriate state health and local law enforcement agencies have been advised about the death, as have the Department of Homeland Security's Office of Inspector General and the ICE Office of Professional Responsibility.

Lemus Rajo had been in ICE custody since April 25, following his arrest by ICE officers at the Florida Department of Corrections Probation and Parole. As is the case with all ICE detainees, Lemus Rajo underwent a medical screening shortly after coming into ICE custody, which uncovered symptoms related to alcohol abuse for which he was immediately treated.

Lemus Rajo was ordered to be removed in absentia by an immigration judge on June 7, 2011.

This notification was delayed while the Salvadoran Consulate assisted ICE in attempting to notify Lemus Rajo's family. Lemus Rajo is the fifth detainee to pass away in ICE custody in fiscal year 2016.

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## **5/25: The Overwhelming Barriers to Successful Immigration Reform**

### **Daniel J. Tichenor - The Atlantic**

Nearly every new American president of the modern era has viewed the nation's immigration policies as deeply flawed. Yet few of these modern executives have been willing to make immigration reform—one of the most dangerous issues in American politics—central to their agenda. Even fewer have had a measure of success doing so. Even the most dramatic and successful of all—Lyndon Johnson's landmark 1965 reform—came with high political costs and uneven results. Yet, Johnson's battle for reform underscores the way immigration policy can be a potent political tool and offers a model for future presidents.

Today, as in the past, efforts to significantly revise U.S. immigration laws and policies have divided even the most unified party coalitions. Campaigns for sweeping reform in this arena have regularly followed a tortured path of false starts,

prolonged negotiation, and frustrating stalemate. And when non-incremental reforms have passed, rival goals and interests have complicated enactment. The result has been legislation that is typically unpopular among ordinary citizens and stakeholder groups alike, and which often places new and sometimes competing policy demands on the government. These dynamics—intraparty conflicts, elusive problem definition, difficult compromises, and unpopular outcomes—have typically frustrated most American presidents.

Lyndon Johnson was well aware of these challenges as a first-year president, yet he forged ahead knowing the fight for sweeping immigration reform would be far more taxing and unpredictable than nearly all of the legislative proposals on his immense agenda. He ultimately expended far more political energy on this issue than anyone on his team anticipated, with bedeviling twists and turns on the path to major reform. The Johnson administration learned that major reform often hinges upon the formation of “strange bedfellow” alliances that are unstable and demand painful concessions. But they also believed immigrants and refugees served their larger visions for the nation and refused to let nativists use rhetoric against those groups to codify their ethnic, racial, and religious animus. Johnson recognized that failing to spearhead an immigration overhaul would significantly undercut his civil-rights, social-justice, and geopolitical goals. He upended xenophobic policies that had prevailed for half of a century, and his remarkable legislative achievement has had dramatic unforeseen consequences over time, including an unprecedented change in the country’s demographic landscape.

For all of its potential to reshape U.S social, economic, and political life, immigration reform has made most modern presidents decidedly uneasy. Franklin Roosevelt assiduously avoided clashes with immigration restrictionists in Congress during the 1930s, a period when draconian national-origins quotas barred entry for most newcomers and nativist demagogues blamed unemployment on past arrivals. Decades later, presidents such as Ronald Reagan and Bill Clinton pursued a cautious, reactive strategy toward immigration reform, one in which they responded opportunistically to congressional initiative on the issue. Some presidents have failed spectacularly, including Jimmy Carter, who pursued employer sanctions-amnesty legislation, and George W. Bush, who hoped for comprehensive immigration reform. Most recently, the incoming Obama administration shelved immigration reform when it became clear that nearly every Republican member of Congress (and some Democrats) would derail legislation. Obama eventually followed precedents set by Truman and Eisenhower, taking unilateral executive action to provide deportation relief and economic benefits to particular undocumented immigrants, most notably young people who entered the United States as children (and, later, their parents, a move currently blocked in the courts).

Reticence on this issue, let alone avoidance, will be all but impossible for the next president. Whoever moves into the White House in 2017 will be under enormous pressure to act decisively on immigrant policy. Executive action may offer Band-Aid measures, but it’s likely to satisfy few, being seen at worst as a crassly partisan, constitutionally suspect maneuver. Efforts at major immigration reform will be both daunting and nearly inescapable.

Immigrants should be asked, “What can you do for our country?” Not “in what country were you born?”

Amid this bleak outlook, Johnson’s story offers some hope. No other president was more closely identified with liberal immigration reform than John F. Kennedy. But when Johnson came into office, he initially made it clear to White House advisers that he wanted nothing to do with the issue, even though he had pledged to fulfill the agenda of his slain predecessor. For years, Johnson was whipsawed by immigration policy in the Senate. Democrats were deeply divided between southern conservatives opposed to any loosening of restrictions and northern liberals committed to dismantling racist national-origins quotas dating back to the 1920s; these policies reserved about 70 percent of visas for immigrants from just three countries: Great Britain, Ireland, and Germany. While Kennedy described immigration reform as “the most urgent and fundamental” item on his New Frontier agenda, he got nowhere on plans to alter U.S. immigration law due to potent opposition from conservative Democrats like Senator James Eastland of Mississippi and Representative Michael Feighan of Ohio, who controlled the immigration subcommittees of both houses. These lawmakers stood atop a bipartisan coalition that favored immigration restriction in the name of national security, job protection, and ethnic and racial hierarchy.

Numerous White House aides argued that the persistence of these national-origins quotas contradicted Johnson’s goals at home and abroad. They were inconsistent with his civil-rights agenda “to eliminate from this Nation every trace of discrimination and oppression that is based on race or color,” and they provided, as Senator Philip Hart of Michigan put it, “grist for the mills of Moscow and Peiping.” Eventually, Johnson became a late convert to the cause.

Johnson’s first State of the Union Address in 1964 buoyed the hopes of immigration reformers. In this speech, he outlined a civil-rights agenda that championed equal access to public facilities, eligibility for federal benefits, opportunities to vote, and “good public schools” for all children. “We must also lift by legislation the bars of discrimination against those who seek entry into our country,” he added. Legislators soon introduced an administration-backed bill that would increase annual immigration to 165,000 and create a preference system allocating 50 percent of visas to applicants with special occupational skills or education that benefited national economic interests. Remaining visas would be distributed to refugees and those with close family ties to U.S. citizens or legal permanent residents.

One week after his address, Johnson held a press conference at the White House that included members of the House and Senate immigration subcommittees as well as a diverse set of reform advocates. As the restriction-minded Eastland and Feighan looked on uneasily, Johnson urged Congress to make U.S. immigration law more egalitarian. He reminded lawmakers that every president since Truman believed existing immigration policies hurt the nation in its Cold War struggle with the Soviet Union. Johnson invoked the language of Kennedy's inaugural address: Immigrants should be asked, "What can you do for our country?" he said. "We ought to never ask," he added, "in what country were you born?" Leading congressional sponsors of the administration's bill, including Senator Hart and Representatives Emanuel Celler of New York and Peter Rodino of New Jersey, praised the measure. When they finished their statements, Johnson caught Eastland off guard by asking him to address the assembled crowd. A surprised Eastland told the gathering he was prepared to look into the matter "very carefully and very expeditiously." After a series of tense Oval Office meetings with Johnson in 1964, Eastland stunned Washington observers by agreeing to temporarily relinquish control of his subcommittee to none other than the freshman senator from Massachusetts, Edward Kennedy. Johnson's unusual influence over Eastland removed a formidable impediment to the Hart-Celler bill, but major legislative hurdles remained.

As chair of the House immigration subcommittee, Feighan made headlines in 1963 for charging that the CIA was infiltrated by Soviet spies and the actor Richard Burton should be banned from entering the country for having an "immoral" affair with Elizabeth Taylor. One year later, Feighan mobilized restrictionists in both parties to block Johnson's immigration bill. He proposed a rival bill that promised to preserve preferences for northern and western Europeans, exclude nearly all Asians and Africans, favor immigrants with family ties, and maintain exclusions of Communists, socialists, and homosexual people. This maneuver hobbled all reform efforts until after the 1964 election.

After Johnson re-won the White House, his team renewed its push for immigration reform in 1965. Feighan and his allies held two months of hearings, peppering administration officials with questions about a new merit-based preference system and its potential impact on the number and diversity of newcomers. "How about giving the welfare of the American people first priority for a change?" he asked proponents of progressive reform.

Frustrated by Feighan's roadblocks, Johnson led House Democrats to expand the immigration subcommittee with Johnson loyalists as crucial swing votes. Privately, Feighan told anti-immigrant lobbyists he enjoyed enough bipartisan backing to seriously limit radical policy change. Yet he understood that Johnson and reformers now had sufficient political momentum to bypass him, so he entered tough negotiations with the White House.

Eventually, Feighan and his allies agreed to dismantle the national-origins quota system and the so-called Asiatic Barred Zone—which excluded all Asians except the Japanese and Filipinos—if Johnson got rid of the administration's emphasis on immigrant merit and skills. Feighan was convinced (incorrectly, as it turned out) that reserving most visas for immigrants with family ties to U.S. citizens and legal permanent residents would decidedly favor European applicants, thus maintaining the nation's ethnic and racial makeup. The new preference system in the administration's bill established four categories for family reunification, which were to receive nearly three-quarters of total annual visas. Spouses, minor children, and parents of U.S. citizens over 21 were granted admission without visa limits. The revised bill left roughly a quarter of annual visas for economic-based admissions and refugee relief.

Along with the legal preference system, the "non-quota status" of Mexican immigrants in particular and Latin Americans in general was a prominent concern for restrictionists in both houses of Congress. Secretary of State Dean Rusk and other foreign-policy advisers denounced the proposal of a cap on Western Hemisphere immigration, arguing that such a step would damage relations with Central and South American countries. The administration's stand on Western Hemisphere immigration came under withering attack in the Senate, however. Southern Democrats, led by Sam Ervin Jr. of North Carolina, threatened to stall action in the Senate immigration subcommittee unless concessions were made. Facing a major logjam, Johnson and pro-immigration lawmakers compromised with Ervin and his restriction-minded colleagues on an annual ceiling for Western Hemisphere immigration. As Johnson's congressional liaison, Lawrence O'Brien, explained: "Listen, we're not going to walk away from this because we didn't get a whole loaf. We'll take half a loaf or three-quarters of a loaf."

This sweeping immigration reform is one of the crowning—and most controversial—achievements of the Johnson years. Even by the standards of Lyndon Johnson and his Great Society juggernaut, the legislation that eventually passed—the Immigration and Nationality Act of 1965, known as INA—was monumental. Although few historians believe the law's champions anticipated just how profoundly it would change the U.S. demographic landscape, Johnson seemed to recognize that its passage was especially significant—enough so that he oversaw the staging of an elaborate signing ceremony at the base of the Statue of Liberty. True to form, White House staffers were given strict instructions by the president to physically block political rivals like New York Governor Nelson Rockefeller from the cameras assembled on the dais at Liberty Island. Hinting at the INA's potential impact, Johnson predicted that the new law would "strengthen us in a hundred unseen ways." Fifty years later, this sweeping immigration reform is being commemorated alongside the Voting Rights Act as one of the crowning—and most controversial—achievements of the hard-driving Johnson years.

Lyndon Johnson stands apart from his successors for shepherding landmark immigration reform through Congress. In many

respects, he enjoyed exceptional advantages in championing the legislation, including its close association with his martyred predecessor and broader civil-rights reform; the near consensus of foreign-policy experts that reform served national geopolitical interests; a strong economy; an electoral landslide in 1964; and, concomitantly, huge partisan gains in both houses of Congress.

But the fact that even these favorable circumstances did not shield the Johnson administration from an arduous legislative struggle underscores the enormous political difficulty of immigration reform. The law ended a draconian national-origins quota system that was explicitly rooted in eugenicist notions of Northern and Western European superiority. Yet it took 20 years after the defeat of Nazi Germany for Congress to remove these barriers in American immigration law, showing how effectively Cold War nativists knitted together national-security and race-based fears. It's equally revealing that, in the end, Johnson's success depended significantly upon painful compromises with exactly these sorts of nativists. The INA defies simple characterization precisely because of this fact; it is an intricate statute that has created outcomes that were somewhat unexpected when the legislation was passed. This struggle is often hidden by the headlines, which are not wrong, but often rosy in hindsight. The INA marked a monumental watershed in U.S. immigration policy, but this kind of moment will not be easy to reproduce.

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## **5/2: Ban on Arizona Sheriff Arpaio workplace raids is lifted: court**

**Jonathan Stempel – Reuters**

A federal appeals court on Monday lifted a court order blocking Maricopa County Sheriff Joe Arpaio's use of workplace raids to enforce Arizona laws that make it a crime for illegal immigrants to use stolen identities to obtain work.

The 9th U.S. Circuit Court of Appeals in San Francisco said a lower court judge was wrong to conclude that two Arizona identity theft laws were likely unconstitutional on their face, justifying a preliminary injunction against their enforcement by Arpaio and Maricopa County Attorney Bill Montgomery.

Since 2008, the controversial workplace raids have led to the arrests of more than 700 undocumented workers for identity theft, raising their likelihood of being deported.

The raids were a signature initiative for Arpaio, who calls himself "America's toughest sheriff" and believes the U.S. government does not do enough to combat illegal immigration.

Arpaio nonetheless had been planning to disband the unit that conducted the raids when the January 2015 injunction was issued, following earlier legal setbacks.

In issuing the injunction, U.S. District Judge David Campbell in Phoenix had agreed with Puente Arizona, an immigrant rights advocate group, and others that the state's identity theft laws were likely invalid because federal law preempted them.

But in Monday's 3-0 decision, Circuit Judge Richard Tallman said the Arizona laws also targeted workplace fraud that had nothing to do with immigration, and applied equally to U.S. citizens and legal immigrants as well as illegal immigrants.

"Just because some applications of those laws implicate federal immigration priorities does not mean that the statute as a whole should be struck down," Tallman wrote.

The appeals court ordered Campbell to evaluate the plaintiffs' remaining claims, including whether the Arizona laws are preempted when used to target illegal immigrants.

Jessica Vosburgh, a lawyer representing opponents of the laws, said her clients disagreed with the decision and may ask a larger Ninth Circuit panel to review the case.

In a statement, Montgomery said he believed the Arizona laws were "fairly applied" and were not preempted by federal law, and looked forward to making that case at trial.

The offices of Arpaio and Arizona Attorney General Mark Brnovich, who defended the state laws, did not immediately respond to requests for comment.

The case is Puente Arizona et al v. Arpaio et al, 9th U.S. Circuit Court of Appeals, No. 15-15211.

## 2016 National Immigrant Solidarity Network Calendar

### 1) June-October: Immigrant Health Justice and Cancer Discussion

- Los Angeles, CA

- In conjunction with e-TeamMed Foundation, bi-monthly meetings focus on health issues, health support and health justice.

### 2) October: Immigrant Rights Teach-In

- Los Angeles, CA

- Topics: Immigrant detention and deportation, upcoming November U.S. Presidential election impact on immigrant rights.

### 3) December: Immigrant Rights Conference

- Los Angeles, CA

- A one-day conference includes workshops, performances. Topic includes: post-election analysis, immigration detention and deportation, labor rights, health care.

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NISN 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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