

Summer 2018 U.S. Immigration Alert!

A Newsletter from National Immigrant Solidarity Network

Summer 2018 Issue, Volume 63

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Trump's Animals ICE And Prisoner Sexual Abuse Racists Are On The Loose!

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6/7: Trumps immigration crackdown by the numbers

Center for Investigative Reporting

50,000 That's how many people have been arrested at the southern border traveling in families since October. U.S. Attorney General Jeff Sessions introduced a "zero tolerance" policy in April, requiring that first-time crossers who try to enter the country without authorization be prosecuted and children separated from their families at the border. Source: The New York Times

155,000 That's how many immigrants were arrested in 2017 by U.S. Immigrations and Customs Enforcement. Thirty percent of those arrested had no criminal record. During the last year of the Obama administration, 110,000 immigrants were arrested, and 16 percent had no history of arrest. Source: CNN

3,410 That's how many workplace inspection raids ICE conducted to arrest workers without authorization to be in the U.S. between October and May. This figure is double the 1,716 operations conducted in fiscal year 2016. Source: Independent

428,250 That's how many people will have to leave the U.S. within the next two years with the end of temporary protected status for people from six countries. The Department of Homeland Security decided to end provisional residency to 262,500 Salvadorans, 86,000 Hondurans, 58,600 Haitians, 14,800 Nepalis, 5,300 Nicaraguans and 1,050 Sudanese. Source: CNN

15,000 That's how many additional H-2B temporary nonagricultural worker visas have been made available in 2018. In announcing the increase, Homeland Security Secretary Kirstjen Nielsen suggested that there are not enough workers in the U.S. to keep up with the needs of U.S. businesses. Source: U.S. Citizenship and Immigration Services

4/10 Milwaukee, WI: Civil Rights Groups Condemn Gov. Walker's Support for Sending Troops to the Mexico Border

League of United Latin American Citizens (LULAC), Voces de la Frontera, NAACP, Milwaukee Jewish Federation, and more

On Monday afternoon, Wisconsin Governor Scott Walker told a right wing radio host that he would send Wisconsin National Guard troops to the US-Mexico border if requested by President Trump. On Tuesday at 10:30am, Wisconsin civil rights organizations will hold a press conference in the rotunda of the Milwaukee City Hall to condemn Walker's declaration. Last week Trump, facing overwhelming opposition to his proposals to build more walls and further militarize border communities, voiced support for sending troops to the border.

"The only purpose of Trump's absurd demand to send troops to the southern border is to fuel fear and hatred of people from Mexico and Latinx people in general," said Christine Neumann-Ortiz, Executive Director of Voces de la Frontera. "For Governor Walker to cater to Trump's white nationalist rhetoric and policies is irresponsible and disgraceful. Mexico is Wisconsin's second largest trading partner after Canada. Instead of building positive relations, Walker is mimicking Trump's disrespect for a critical economic partner and for the growing Mexican and Mexican-American community in Wisconsin he's supposed to represent, who make important contributions to the state. If Walker wants to send the National Guard somewhere, he should send them to help with reconstruction in Puerto Rico."

"Border communities are already over-militarized, and residents' Constitutional rights are routinely trampled upon by unaccountable Border Patrol agents," continued Neumann-Ortiz. "The border is not a warzone, and the United States' obligations to receive asylum-seekers under international law is a humanitarian mission, not a military one."

5/17: Trump's Animals

The president has always blurred the distinction between immigrants and crime.

Jamelle Bouie - Slate

For Donald Trump, crime and immigration are two sides of the same coin. He has been explicit about the connection since he announced his campaign for president in 2015: "They're bringing drugs, they're bringing crime. They're rapists. And some, I assume, are good people." He made it throughout the election. "Countless Americans who have died in recent years would be alive today if not for the open border policies of this administration," he said during a 2016 speech in Arizona. And he has made it as president, routinely juxtaposing crime and immigration, with a particular focus on the gang MS-13. "You've seen the stories about some of these animals," said Trump last year.

"They don't want to use guns, because it's too fast and it's not painful enough. So they'll take a young, beautiful girl—16, 15, and others—and they slice them and dice them with a knife because they want them to go through excruciating pain before they die. And these are the animals that we've been protecting for so long. Well, they're not being protected anymore, folks."

This is how Trump speaks, moving from lurid stories of criminal violence to jeremiads against "sanctuary cities" and illegal immigration back to condemnation of gangs and violence. And while he occasionally pauses to distinguish "criminal aliens" from law-abiding immigrants, the actual effect of this juxtaposition is to collapse the distinction between the two and lodge a particular relation in the minds of his listeners: Immigrants mean crime, and crime means immigrants.

At a roundtable discussion with California sheriffs on Wednesday, he blasted some immigrants as "animals" after one sheriff expressed frustration with "sanctuary" laws that preclude cooperation between local law enforcement and federal immigration authorities. "They can't do all kinds of things that other law enforcement agencies can do. And it's really put us in a very bad position," said the sheriff, adding—as a hypothetical—that she wouldn't know if a gang member was in her jail. "There could be an MS-13 member I know about—if they don't reach a certain threshold, I cannot tell ICE about it."

Trump responded with his usual riff:

"We have people coming into the country, or trying to come in — and we're stopping a lot of them — but we're taking people out of the country. You wouldn't believe how bad these people are. These aren't people. These are animals. And we're taking them out of the country at a level and at a rate that's never happened before. And because of the weak laws, they come in fast, we get them, we release them, we get them again, we bring them out. It's crazy."

Democrats and other critics hit the president for attacking Hispanic immigrants as “animals,” while the White House and its conservative defenders pushed back, calling this a clear reference to MS-13 and other gangs associated with immigration from the southern border. “The president was very clearly referring to MS-13 gang members who enter the country illegally and whose deportations are hamstrung by our laws,” said press secretary Sarah Huckabee Sanders. “This is one of the most vicious gangs that operates by the motto of rape, control, and kill. … If the media and liberals want to defend MS-13, they’re more than welcome to.”

Part of the problem is in the ambiguity of the remarks themselves. The sheriff in question is posing a hypothetical and Trump doesn’t actually respond to it, nor does he specify MS-13 members. His response is general, referring to “people” who are “bad” and who, he argues, are coming into the country at such a rate that it taxes the ability of the government to deal with them. “These are animals” is the only real clue that Trump is talking about MS-13 and not undocumented immigrants at large.

Even then, this broad, slippery language must be placed in the context of the president’s past rhetoric. You can’t divorce “these are animals” from “some, I assume, are good people.” To ignore Trump’s history and read his comments narrowly—thus giving him the benefit of the doubt—is to act as if he hasn’t built his political career on anti-immigrant scaremongering and demonization. There is no MS-13 invasion of the United States, but there’s a reason the gang is a staple of the president’s rhetoric: It dramatizes his imagined connection between immigrants and crime, forcing opponents into a defensive crouch as they try to criticize the link without defending the gang.

Even if Trump were plainly referring to MS-13, it’s still a step too far for the president of the United States to refer to anyone in the language of “animals.” Not only does it demonize, casting entire groups as subhuman, it opens a door to something worse than just rhetoric, and sends a signal to the agencies and officers tasked with enforcing the laws of the United States.

This particular signal is straightforward: They do not deserve respect or fair treatment. Who is “they?” It may be the gang members themselves, or it may be people accused of being gang members, regardless of the truth. It may be people who want to escape gang life but find themselves stigmatized. It may be entire communities, targeted as one of the president’s vectors for crime and disorder. Indeed, Trump has already obliterated the distinction between the law-abiding and the criminal in immigration enforcement, freeing ICE agents to detain and deport anyone they suspect of being “illegal.” The result is a surge in the arrests of immigrants without criminal records.

If there’s no difference in the president’s policies between criminal and law-abiding immigrants, why should we assume there’s a difference in his rhetoric?

5/1: US May Day marchers denounce Trump immigration policies

Steve Gorman - Reuters

LOS ANGELES - Organized labor activists led May Day rallies in several U.S. cities on Tuesday, though in smaller numbers than last year, decrying President Donald Trump’s immigration crackdown as an assault on vulnerable workers in some of America’s lowest-paying jobs.

The biggest gathering was in Los Angeles, where a boisterous but peaceful crowd of several hundred marched through downtown, carrying pro-union and pro-immigration banners while chanting, “Union power” and “This is what democracy looks like.”

In New York City, several hundred May Day activists marched up Broadway to Wall Street while police in Seattle arrested a man suspected of throwing a rock during a rally there.

Organizers sought to combine traditional May Day themes of protecting workers’ rights with a denunciation of Trump’s efforts to increase deportations and a call for voters to show up at the polls for the upcoming mid-term congressional elections.

Protesters also took aim at Trump administration policies and rhetoric they viewed as hostile to the environment, racial and ethnic minorities, women and to members of the lesbian, gay, bisexual and transgender community.

Many railed at the administration’s decision to end temporary protected status for thousands of immigrants from several countries hurt by natural disasters or conflict, including Nicaragua, Haiti, El Salvador, Sudan and Nepal.

They also cited the uncertain status of an estimated 700,000 young immigrants brought to the United States illegally as children and now facing possible deportation after Trump moved to scrap an Obama-era program protecting them.

Rally leaders sought to emphasize that such policies fell especially hard on undocumented workers toiling in low-wage, non-unionized sectors such as fast-food, hospitality, child care and agriculture.

The marches in the United States capped a day of protests elsewhere in the world. In Paris, hundreds of masked and hooded anarchists smashed shop windows, torched cars and hurled cobblestones at riot police on Tuesday, hijacking a May Day rally by labor unions against President Emmanuel Macron's economic reforms.

FESTIVE AND DEFIANT

Tuesday's Los Angeles turnout under cloudy skies and a slight drizzle was considerably diminished from the thousands who took to the streets of America's second-largest city in 2017, for the first May Day celebration after Trump took office.

But the mood was festive and defiant, nevertheless.

"No rain, no clouds, no hate, no division is going to keep workers from celebrating with immigrants, with refugees ... with the LGBT community, with the criminal justice reform community, with the environmental justice community," union leader Laphonza Butler told the crowd, speaking from a flat-bed truck.

Butler heads the Service Employees International Union (SEIU) Local 2015, representing some 380,000 long-term healthcare workers statewide, one of the largest collective bargaining units in the nation.

But marchers represented a broad cross-section of organized labor and other constituencies, from the Teamsters union and nurses to street vendors and a group called the Clean Carwash Campaign.

"May First is a celebration of workers, and a lot of workers in this city are immigrants," said Karla Cativo, 36, a community organizer with the Salvadoran American Leadership and Educational Fund, which provides services to Central American immigrants.

Cativo, a Salvadoran native who entered the United States as an undocumented immigrant, said she gained U.S. citizenship with "a lot of work and because of a lot of people fighting for my rights."

Fellow protester Fabian Barcenas, 55, said he wanted to give voice to "millions of workers who pay taxes and support their families who don't have the chance of having legal status here."

5/9-12 Salt Lake City, UT Golden Spike Conference to Remember the Sacrifice in Injustice of the Chinese Railroad Workers 149 Years Ago

Lee Siu Hin – National Immigrant Solidarity Network

May 10th marked the 149th anniversary of completion the transcontinental railway, and the Golden Spike celebration, at Promontory Summit, Utah. several hundred people attend the celebration and the recreation of the famous "Golden Spike" photo 149 years ago.

Tens of thousands of Chinese workers from China, were sent to build the railroad, with lower pay than the white workers, injustice, heavy casualties (thousands killed or injured), they're not invited to join the historical "Golden Spike" celebration photo. Soon after the railroad was completed, they lost the job, and begin facing brutal white racism that led to the "Chinese Exclusion Act" one of the darkest U.S. history for the next several decades.

Last several decades, the Chinese railroad workers decedents and the community activists from across the county coming to the annual celebration, with conferences, hope to highlight the history of Chinese railroad workers

The 3-days "Golden Spike" conference includes workshops, film showing and site visits, also an interesting workshop about what Chinese railroad workers were eating while building the railroad 150 years ago

History of Injustice

150 years ago, Chinese "guest" workers with unequal pay and bad working condition, (because white management didn't want to border to remember Chinese workers' full name, they simply call their nick name with beginning "Ah"--an prefixed to another name commonly use in China, to make it simple.

Also, the "Chinese Exclusion Act" 130 years ago, mirror today's "Muslim Ban" History can teach a lot about ourselves today..

5/18: With a wonky swoop of a pen, Jeff Sessions kicks Trump deportation effort into high gear

An end to "administrative closure" in immigration court foreshadows a dramatic ramp-up of detentions.

Alan Pyke – Think Progressive

Hundreds of thousands more undocumented people in the United States could soon find themselves trapped in the indefinite hell of a for-profit Immigration and Customs Enforcement (ICE) detention center after Attorney General Jeff Sessions sharply curtailed immigration judges' authority to manage cases on Thursday.

Sessions ordered an end to the practice of "administrative closure," a tool judges and prosecutors alike have used for decades to manage immigration caseloads. The tool lets judges indefinitely suspend a proceeding so that parallel systems for resolving an immigrant's fate can play out legally, or simply drop a low-priority case so that more urgent ones can jump the line.

Sessions' decision prompted immediate backlash from lawyers and judges alike, who warned that the already overwhelmed immigration court system could lock up completely under the massive new burden. And it's not just the courts that'll get overstuffed — ICE's detention efforts are likely to accelerate dramatically as well thanks to the move.

The escalation in ICE detention activity that's drawn headlines since last winter was just one phase in a multi-stage campaign to purge the country of undocumented immigrants, immigration lawyer David Leopold said in an interview. Sessions' ruling initiates phase two. Now, without a key tool for navigating cases where someone's marriage is being verified or their completely clean record persuaded a prosecutor to lay off, a huge number of people will get fast-tracked to the legal status that puts a person on ICE's round-up radar.

"The first prong of this was going after people with final deportation orders all over the country, the moms and kids being rounded up. But then they've also got people in the immigration courts waiting for some sort of relief," Leopold said. "You're going to have a whole new slew of people with final deportation orders that are ripe for the picking by ICE."

More than 215,000 immigration cases were administratively closed from 2011 to 2017. Sessions' order acknowledges that instantly reincorporating all 200,000 into the already overloaded dockets of immigration courts would be unwieldy, but also says that any case in that pool will be immediately reopened if the Department of Homeland Security requests it.

The decision comes over stern objections from the judges who oversee these proceedings. The National Association of Immigration Judges had pleaded with Sessions to affirm a judge's authority to take cases off the docket. Sessions' rejection of that plea Thursday "will result in an enormous increase in our already massive backlog of cases, which will overwhelm the system," the group warned in a January letter.

Most of the 200,000-plus closures of recent years were done on ICE's initiative rather than a judge's, as the agency used the tool as a form of prosecutorial discretion to drop low-priority cases so that people believed to be dangerous could move more quickly through a backlogged system. Sessions seems to ignore that detail in his ruling, portraying the surge in administrative closures as rooted in the same kind of devil-may-care refusal to uphold immigration law that he's asserted in suing states over "sanctuary" policies.

The lawyers who practice before immigration judges share their objections, and note also that the Attorney General is incorrect on the merits. Sessions' decision "grossly misinterprets the law and disregards existing federal regulation and decades of immigration court practice," American Immigration Lawyers Association president Annaluisa Padilla said in a statement Thursday. Sessions "cherry-picked" an outlier case so that he could undermine the key judicial tool, she said.

Sessions' directive targets a particular population that doesn't fit with the Trump administration's proclaimed focus on criminals. Administrative closures are used to pause proceedings for "people who generally have legal options to normalize their status, to give them an opportunity to say, hey I got married to a citizen, they'll close the case and the person gets a chance to normalize their status," DHS Watch's Ur Jaddou said.

Sessions is therefore ordering immigration courts to cut people's legal appeals short and fast-track them into ICE's grip.

"Whether it increases actual removals is a different question, because the system is so busy," Jaddou said. "But it will lead to more people quickly receiving removal orders, and then the process that follows is detention and removal."

The move is likely only the first in a series Sessions will issue to reshape immigration court proceedings to better suit the Trumpian mood. The Attorney General, who was denied a chance to become a federal judge back in the 1980s after prominent civil rights activists including Coretta Scott King warned the Senate he had a clear track record of racist decisionmaking and speech during his time as a prosecutor in Alabama, has finally found a way to don the decider's robe. He is inserting himself into the immigration judiciary in an unprecedented way using authority past attorneys general haven't invoked, as Vox's Dara Lind detailed recently.

The shape of immigration court proceedings have changed in other dramatic ways under Trump. From 2014 to 2016, the majority of people with cases before an immigration judge were not kept in indefinite detention while waiting for the backlogged system to decide their fate. As you'd expect based on his rhetoric and tone, Trump reversed that pragmatic approach. The share of immigration court defendants who were never detained during their cases dropped from about 70 percent to about 40 percent with the change in administration, according to analysis from the judicial data clearinghouse TRAC.

These numbers suggest the Trump team is committed to keeping as many allegedly undocumented people as possible in detention facilities for as long as possible while they wait for a judge's ruling.

Apply that philosophy to the move Sessions just made and you get a dramatic jump in the already-high number of humans packed into ICE cages for protracted periods as the courts churn through a redoubled glut of casework. If we must detain as many suspected undocumented immigrants as possible while they await rulings, immigration judges will be judged by a quota, and judges can't bump cases off their docket to let a green card investigation or other alternative process play out, the natural outcome will be a large jump in the number of people detained and the length of their stays in detention centers.

Horrifying stories of abuse and inhumane conditions pour out of immigration detention centers routinely as it is. The detention jails system is dominated by private contractors motivated by profit not process. People routinely die in ICE custody. Those who live get used as disposable labor to goose prison company profits, or get raped by guards, or simply get left to go mad in crowded squalor and neglect.

Sessions' plan to jam hundreds of thousands more people back into the administration's punitive incarceration scheme could yield a catastrophic human rights situation — or scale an existing one up dramatically.

"I see it as a natural progression of the mass deportation going on," Leopold, the immigration lawyer, said. "This is one more step they're taking to emptying out the country of people of color."

6/5: Death toll from Tunisia migrant shipwreck tops 100

Death toll from the sinking of the boat near Kerkennah Islands has risen to 112, IOM says.

Al-Jazeera

The death toll from the sinking of a boat packed with migrants off the coast of Tunisia on Saturday has risen to 112, the International Organization for Migration (IOM) said on Monday.

On Sunday, officials said 46 people died when the boat capsized near Kerkennah Islands. More than 65 migrants have been rescued by coastguard.

The latest shipwreck is the most deadly in the Mediterranean Sea since February 2 when 90 people drowned off the coast of Libya, according to the IOM.

Human traffickers increasingly use Tunisia as a launch pad for migrants heading to Europe as Libya's coastguard, aided by armed groups, has tightened controls.

A survivor told AFP news agency that more than 180 people were crammed onto the boat - double its capacity - when it started taking on water and sank. About 100 of those on board were Tunisians.

In March, 120 mainly Tunisian migrants were rescued by the navy trying to reach Italy.

More than 650 people have been recorded as dead or missing in the Mediterranean so far this year, while at least 33,270 have survived the crossing to Europe.

5/17: Why Are For-Profit US Prisons Subjecting Detainees to Forced Labor?

'How convenient and profitable for wealthy private prisons to exploit detained immigrant labor rather than hire regularly waged employees.'

Azadeh Shahshahani - The Guardian

In 2017, officials at the Stewart immigration detention center in Georgia placed Shoaib Ahmed, a 24-year-old immigrant from Bangladesh, in solitary confinement for encouraging fellow workers to stop working.

Ahmed, who was paid 50 cents per hour to work within the facility, was upset because his \$20 paycheck was delayed. His punishment was solitary confinement for 10 days, where he was subject to deplorable conditions – a cell with no access to other workers, only an hour of out of cell time per day and showers only three times per week. Detailing the impact that severe isolation has had on his mental health, Ahmed said: "I think the segregation will kill me."

Stewart is operated by the largest prison corporation in the US, CoreCivic (formerly Corrections Corporation of America), under a contract with Immigration and Customs Enforcement (Ice). The corporation's net income last year was \$178m.

Ahmed's experience mirrors that of a growing number of detained immigrants at facilities across the US who are subjected to forced labor.

In April, we filed a lawsuit on behalf of Shoaib Ahmed and others against CoreCivic, alleging that the prison corporation violates human trafficking laws and employs a deprivation scheme to force immigrants detained at Stewart to work for sub-minimum wages, and then threatens to punish them for refusing to work through solitary confinement or loss of access to necessities. A lawsuit against Geo Group, another prison corporation, is moving forward for using similar practices at the Aurora Detention Center in Colorado, violating the Trafficking Victims Protection Act.

Stewart relies on the labor of detained immigrants to keep the cooking and cleaning and other basic operations going. How convenient and profitable for the largest and wealthiest prison corporation to exploit detained immigrant labor rather than hire regularly waged employees.

CoreCivic's abuse and exploitation of detained immigrants' labor as part of its profit-making schemes constitute a contemporary form of slavery as we detailed in a submission to the UN special rapporteur on the human rights of migrants. The International Covenant on Civil and Political Rights (which the US has ratified) states, "slavery ... in all [its] forms shall be prohibited," and that no one, including detained immigrants, "shall be required to perform forced or compulsory labor".

Stewart employs a deprivation system in which officials provide immigrants with inadequate food and basic living supplies and require immigrants to purchase them at exorbitant costs at the commissary. While officials portray the labor program as "voluntary" in light of the 13th amendment of the US constitution, detained immigrants are often penalized for refusing to work. Officials at Stewart take advantage of immigrants for cheap labor and overuse solitary confinement to punish immigrants, oftentimes for the mere act of speaking up and demanding their rights, as happened to Shoaib Ahmed.

CoreCivic's exploitation of detained immigrants' labor as part of its profit-making constitutes a modern form of slavery. Adding to the deprivation system, Stewart officials enforce unreasonably strict eating schedules and provide immigrants with inadequate food portions, forcing many immigrants to purchase additional food from overpriced commissaries, as detailed in a report released last year. Almost all immigrants detained at Stewart say they are given insufficient food. As one detained immigrant from Mexico stated: "I believe the reason why the facility gives the detainees so little food is so we will have to buy food from the commissary. Everything in the commissary is expensive. I spend \$80 a week, \$320 a month, in the commissary."

None of this bothered a group of 18 Republican lawmakers including three from Georgia who sent a letter to Jeff Sessions, Ice, and the Department of Labor asking them to help the private prison company Geo Group defend itself against the lawsuits. They actually alleged that the labor programs are good for the detained individuals as they "reduce the negative impact of confinement through decreased idleness, improved morale, and [lead to] fewer disciplinary incidents".

Improved morale? Shoaib Ahmed, who has since been deported and still suffers from psychological trauma and distress, would beg to differ. These legislators' support for the prison corporations perhaps should not come as a surprise. CoreCivic gave \$295,642 in federal political contributions during the 2016 election cycle. Ninety-six percent of that money went to Republicans, including Lamar Smith of Texas, one of the signatories of the letter.

Private prison companies contributed \$1.6m during the 2016 federal election cycle. Immigrants who choose to work at the detention facilities should be paid a living wage. It goes without saying that they should not be pressured into working. Prison corporations that have for years enriched themselves by exploiting detained immigrant labor should be held accountable. So should the politicians who support this inhumane and illegal scheme.

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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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