

# Fall 2021 U.S. Immigration Alert!

A Newsletter from National Immigrant Solidarity Network

Fall 2021 Issue, Volume 76

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## Biden Continues Trump's Anti-Immigrants Racist Policies

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## 10/7: U.S. Border Abuse of Migrants Shows Hypocrisy of the Bogus Anti-China Xinjiang Focus

**Tony Murphy – China–U.S. Solidarity Network**

The anti-China media lie claiming concentration camps and genocide against Uyghur Muslims is part of an overall propaganda pattern that should remind anybody of the weapons-of-mass destruction campaign that led to the U.S. war against Iraq.

Moreover, recent events at the U.S. border show how absolutely hypocritical that lie is.

This weekend a White House senior legal expert wrote a 3,000-word memo calling Biden's 700,000 southern border expulsions since February "inhumane" and "illegal."

The world was rightly outraged at U.S. border patrol agents, on horseback, using reins as whips and attacking Haitian migrants just trying to secure food.

Forced deportations of Haitian migrants added insult to injury. The congregate-setting conditions of the makeshift camps, buses and detention centers resulted in COVID cases, with 60 counted in just one shelter.

This visibly racist abuse represented just the latest chapter of imperialism's crimes against the Haitian people: a 60-year U.S. economic blockade in the 1800s; the theft of Haiti's gold in 1915; decades of reparations extracted by France; the U.S. flooding Haiti's economy with cheap rice and driving farmers out of business; the U.S. blocking a raise of the country's desperately low minimum wage.

The U.S. backed multiple coups in Haiti—even abducting Haiti's democratically elected president Jean-Bertrand Aristide by helicopter in 2004. Crimes committed by the U.S. against the Haitian people explain why Haitians are leaving their country. It's the fault of Washington and Wall Street. The same is true for the thousands of migrants coming from Guatemala, El Salvador, Honduras and other parts of Central and Latin America.

In response, the agents of the entire U.S. southern border enforcement system carry out daily acts of racist violence and torture against all of these migrants, who are seeking asylum from the hell their countries have become after decades of U.S. meddling.

The U.S. is using the COVID pandemic as an excuse to expel asylum seekers, a policy started by the Trump Administration and embraced by Biden. This subjects thousands of migrants to the dangerous conditions of camps like the one everyone saw in Del Rio. This not only makes COVID more likely but exposes asylum-seekers to violence, kidnapping and sexual assault by cartels and corrupt police.

Many are expelled from CPB with shoes lacking shoelaces, making them obvious targets for kidnappers. With kidnapping comes heartless ransoms, which cartels and other gangs use to extort thousands of dollars from the families of those seeking asylum. The resulting violence, rapes and killings happen regardless of whether money is paid.

And family separation has not ended. This horrific stated policy of the Trump Administration was supposedly opposed by Biden, who made a show of exempting children from Title 42, the law the CDC claims allows them to expel asylum seekers.

What that means in practice is that parents bring their children to the border to let them into the U.S.—while they, the parents, stay behind. Thousands of children continue to be separated from their families this way.

Some migrants end up in the squalid, abusive and dangerous detention centers. CPB agents insult them with racist, sexist and homophobic slurs, and lie to them about what is happening. CBP agents have denied medical care to pregnant people in custody and expelled them to Mexico while they were in labor or immediately after giving birth.

Eight out of ten LGBTQ asylum seekers reported being subjected to an attack or attempted attack in Mexico. Violence against LGBTQ asylum seekers is so prevalent that some aid workers say they don't know any LGBTQ clients who haven't been attacked.

The use of the COVID excuse to deny asylum has been condemned widely by healthcare professionals. It is contradictory on its face because it results in migrants being forced into multiple congregate settings.

The way to avoid asylum-seekers being introduced into congregate settings would be to process migrants into the United States.

We know it can be done: President Biden has vowed to settle 95,000 Afghan refugees in the U.S. Eighty-five percent of the 53,000 Afghan migrants now in the U.S. have been vaccinated, with an infection rate of less than 1%. “We built a city to house almost 13,000 guests,” a colonel said of the effort in Wisconsin’s Fort McCoy.

The U.S. not only can but, as a matter of reparations, should organize a similar approach to asylum-seekers at the southern border: provide testing, vaccination, jobs, healthcare and social services. Such an approach would be much closer to the way China handles Muslim Uyghurs in the vocational and training centers of Xinjiang.

The rising U.S. COVID death toll just passed 700,000 in a country of 350 million. By contrast, the number of COVID deaths in China, a country of 1.4 billion, has remained below 5,000.

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## **10/8: Walls Are Dumb but President Biden's ‘Smart Border’ Is Even Worse**

**Todd Miller—The Border Chronicle**

In December 2019, the city of Chula Vista announced with much fanfare that it had been designated as California’s first Welcoming City. This designation honored the community’s commitment to include its undocumented residents. Located 15 minutes from the U.S.-Mexico border, Chula Vista has one of the highest populations of immigrants in the United States, about 30 percent of its population of 270,000. Rachel Peric, the director of Welcoming America, said this “inclusive environment” was a “model . . . to ensure residents of all backgrounds—including immigrants, can thrive and belong.” College student Nicholas Paúl told me his city’s designation “was a proud moment” for his community. Raised on both sides of the U.S.-Mexico border, Paúl is emblematic of many residents from Chula Vista. “I’m a fronterizo,” he told me. Every weekend he crossed the border to Tijuana to visit family and friends. “It’s a way of life,” he said. “It’s not something that is unique to me. It’s my whole family, my whole neighborhood.”

So it came as a shock to Paúl a year later, in December 2020, when an exposé by San Diego's daily newspaper revealed that the Chula Vista Police Department was sharing information from automated license plate readers with U.S. Customs and Border Protection, the parent agency of the Border Patrol, and of Immigration and Customs Enforcement.

"They collect information not only about license plates but also the car—make, model, color, location coordinates," Paúl said. Police mounted cameras on four patrol vehicles that constantly take pictures of license plates while they roam the city. Paúl and other Chula Vista residents feared that they were targeting the city's undocumented population, possibly his very neighbors. Furthermore, the license plate reading program had been in effect since 2017, so this was happening even as Chula Vista received its Welcoming City designation.

Paúl's testimony is in a new report, *Smart Borders or a Humane World?*, that I coauthored with immigrant rights organizer Mizue Aizeki, and border scholars Geoffrey Boyce, Joseph Nevins, and Miriam Ticktin for the nonprofit Immigrant Defense Project and the Transnational Institute.

In this report, we examine what a "smart" border is, especially the version bristling with surveillance and detection technologies currently championed by the Biden administration. Even as the events in Chula Vista spurred border residents, like Paúl, to join forces against invasive license plate reader technology in their community, border technologies are being presented nationally as harmless and humane, especially in comparison to the foreboding physical barrier that dominated the news during the Donald Trump years. The border will be "managed," in the language of the Biden administration, and it will be as modern and cool as the smartphone in your pocket.

Former representative Nina Lowey (D-NY) expressed this technophilic framing perfectly in July 2020 after the House Appropriations Committee released its 2021 fiscal year draft. The budget, she said, provided "strong investments in modern, effective technologies" for border security while prohibiting funding for "President Trump's racist border wall boondoggle." In a way, this is the Democratic version of "border theater," a smoke-and-mirrors routine that presents "smart" technology as an alternative to the border wall, rather than as an integral part, extension, and perpetuation of it.

The border wall is more than just a physical barrier; it is also a system of video surveillance systems, unmanned aerial systems (or drones), and license plate readers, like the ones used in Chula Vista, which are part of a broadening biometric collection strategy. Biometric collection has grown "big time" for CBP since 9/11, said Patrick Nemeth, the Department of Homeland Security's director of identity operations, at the 2017 Border Security Expo, the industry trade show for new border technologies, held in San Antonio, Texas. Nemeth said that CBP's fingerprint data increased from 10 million to 212 million since 9/11. He boasted that DHS now had the second-largest biometric system in the world, "right behind India's." Since then, the number of "unique identity records" collected by the agency has increased to 260 million. And this will only keep growing as CBP upgrades its biometric system to Homeland Advanced Recognition Technology, which not only has facial, iris, and digital fingerprint capability, but will also be able to get a person's DNA (which is already happening) and track an individual's "relationship patterns."

And if you were wondering what the future might entail, drone surveillance technology and biometrics are both melding and advancing together. In April 2018, DHS tested a small drone that can "fly unnoticed by human hearing and sight" along a "predetermined route observing and reporting unusual activity and identifying faces and vehicles . . . comparing them to profile pictures and license plate data."

Technology evolves so quickly—and with so little transparency—that many border residents are unaware of how intensely their communities are being surveilled. After the exposé, Chula Vista residents like Paúl joined with the American Friends Service Committee and others to form the Chula Vista Surveillance Ad-Hoc Committee. They began to study the issue and planned to pressure City Council members at an April meeting. One obstacle, however, is that "there is a tolerance for this that has to do with society's being much more used to using technology in a way that's convenient for them, like using fingerprints or iris scans to open up their phones," said Pedro Rios, the director of the U.S.-Mexico Border Program for the American Friends Service Committee.

Rios added that the "larger trend of using technology for security monitoring is for me one that is concerning because it could have a significant impact on our civil liberties."

Chula Vista residents, Paúl and Rios explained, want to know how the Police Department could share data with immigration agencies for three years, since the city signed a contract with the private company Vigilant Solutions in 2017 to provide the Automated License Plate Reader system. When asked by reporter Gustavo Solis, Francisco Estrada, the chief of staff for Chula Vista mayor Mary Casillas Salas, acknowledged that the city chose to share information with the immigration agencies. "ICE and CBP are important," Estrada said, "because crimes and criminals cross the border and while we do not share information about a person's immigration status, we do work with federal law enforcement on drug interdiction, human trafficking, stolen vehicles and other crimes." Thanks to community pressure after the exposé in December, the Police Department announced that it would stop sharing the data with CBP and ICE. Rios told me, however, that the license plate

information could still be shared indirectly through “fusion centers,” intelligence hubs that DHS has throughout the country. The Chula Vista Police Department also receives funds from Operation Stonegarden, a DHS grant that funds police in primarily border states to coordinate with CBP.

The organizing committee wanted the city to get rid of the ALPR system altogether. But instead the City Council voted unanimously to keep the program, illustrating a fundamental point we make in *Smart Borders or Humane World?*: government officials tend to double down on surveillance instead of considering any sort of policy alternative. Casillas Salas, for example, claimed that the anti-surveillance committee was misrepresenting “what the license plate reader is or is not.” It is a tool, she claimed, to fight crime. “We will continue the dialogue, but right now I do not want to take one tool away from our police officers, not one.”

As you’ll discover in this new report, policy makers and elected officials have long asked the wrong questions and gotten the wrong answers about the border and border policing. This is especially true in a world with mounting global crises in public health, climate change, and endemic global inequalities, crises that often trigger migration. Rather than more “smart” technology, we need to “invest in the construction of a just, compassionate, and sustainable world,” as we argue in the report. Instead of asking, What is the best way to secure the border?, we need to ask better questions: How do we help create conditions that allow people to stay in the places they call home, and thrive where they reside? And, when people do have to move, how can we ensure they are able to do so safely?

And maybe even more importantly, What is the world we want to live in, and how do we get there? Part of the answer can be found in what it means to be a Welcoming City: to build a place where all residents, regardless of their immigration status, can thrive and belong.

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## **9/27: Homeland Security Secretary: 13K migrants from Del Rio have been conditionally allowed into US**

**3,000 migrants from Del Rio are in ICE detention, Border Report has learned**

**Sandra Sanchez – Border Report**

McALLEN, Texas (Border Report) — As the Biden administration continues to take criticism for its handling of 15,000 migrants who were huddled under the Del Rio International Bridge for weeks, Homeland Security Secretary Alejandro Mayorkas told an online legal conference Monday that 13,000 migrants are having their asylum cases heard before a U.S. immigration judge.

In response to a question from ABC News that cited Mayorkas as telling another network that 12,000 migrants — mostly Haitians — were released in Del Rio by DHS officials, Mayorkas on Monday corrected and then upped the figure.

“The numbers are above the 10,000 to 12,000, just to be clear. It’s about 13,000,” Mayorkas said during the 2021 Immigration Law and Policy Conference on Monday, held online by the Catholic Legal Immigration Network, Migration Policy Institute and Georgetown University Law Center.

Border Report reached out to DHS for clarification on how many migrants encountered in Del Rio, Texas, have been released into the United States and repatriated or expelled. We were told that of the 13,000 individuals who will have their asylum claims heard by an immigration judge in the United States, 3,000 are currently in detention under U.S. Immigration and Customs Enforcement. That means 10,000 have been released in the United States.

A total of 8,000 migrants encountered in Del Rio “decided to return to Mexico voluntarily,” and just over 4,000 were “being processed by DHS to determine whether they will be expelled or placed in immigration removal proceedings under Title 8,” a DHS spokesman from Washington, D.C. told Border Report.

“The numbers placed in immigration court proceedings are a function of operational capacity and also what we consider to be appropriate,” Mayorkas told the Monday afternoon conference.

His comments came during an unscripted 45 minute question and answer session with Dorris Meissner, senior fellow and director of the U.S. Immigration Policy Program at the Migration Policy Institute, a nonpartisan D.C. think tank.

Meissner took several questions from an online chat that ranged from resettlement of Afghan refugees, to when Title 42 border restrictions could be lifted, to what she called a “tightening at the border.”

Meissner, who is former commissioner of the U.S. Immigration and Naturalization Service under the Clinton administration, asked Mayorkas why the Biden administration selected the date of July 29 as the day by which Haitians must have had to already be in the United States to be eligible for Temporary Protected Status. This meant that the majority of Haitians who arrived to claim asylum in Del Rio were ineligible.

Mayorkas responded that the Biden administration earlier in the year “looked at conditions in Haiti and determined that TPS was warranted.” But he said that the July 29 date had already been established and on Aug. 3 was printed in the Federal Register, which was prior to the Aug. 14 magnitude 7.2 earthquake that struck the Caribbean island nation, and could have been a contributing factor to what he called “irregular migration.”

On Friday, DHS announced all migrants had been removed from under the bridge. Thousands were being processed in other Southwest border towns. And about 2,430 migrants have been placed on repatriation flights back to Haiti.

This included 529 Haitians flown back in three flights from Del Rio to Haiti’s capital of Cap Haitien on Saturday, and 501 repatriated on Sunday back to Haiti, the DHS spokesman said.

DHS officials said “these flights will continue on a regular basis.”

Since Sept. 9, nearly 30,000 migrants were encountered in Del Rio, DHS told Border Report.

“We are messaging to the diaspora community to the fact they should not take the perilous journey here for the reasons we so compellingly saw over the last two weeks,” Mayorkas said.

The Biden administration has been under fire by civil rights groups and migrant advocates for what they deem unfair treatment of migrants of color. This included use of U.S. Border Patrol horse patrol agents who are accused of appearing to maliciously herd migrants from under the Del Rio bridge.

President Joe Biden later said those border agents “will pay,” while Mayorkas said he was “horrified at what the pictures suggest.” The photographer who took some of the now-viral photos explained he and others never saw agents whipping migrants, but that they did swing their split reins as migrants neared their horses.

On Monday, the Black Southern Women’s Collective joined other advocacy groups in condemning what they call “inhumane treatment of Haitian migrants at the southern border.”

“Humanitarianism does not begin or end at U.S. borders,” said Phyllis Hill, founder of the Black Southern Women’s Collective. “As women of faith, women organizing in and with Black communities, and persons committed to racial justice, we are heartbroken by the treatment of Haitian migrants. In their greatest hour of need, Haitian migrants are being met with violence and unspeakable cruelty. We must fundamentally reform the plight of Black immigrants.”

“It is clear that the experience of Black immigrants is largely erased from national media coverage,” said Rev. Rhonda Thomas, executive director of Faith in Florida. “But the treatment of Black immigrants reflects a nation entrenched in white supremacy. Black immigrants from across the diaspora are often excluded from the national discourse on immigration even though they are subject to the same marginalization as non-Black immigrants. They also navigate the terrains of race in a way that non-Black immigrants do not. It should not take horrifying photos of Black people being whipped and terrorized to inspire leaders to reform our immigration policies. Our nation’s leaders can and must do better.”

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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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