

Winter 2022 U.S. Immigration Alert!

A Newsletter from National Immigrant Solidarity Network

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Racist Hate and Migrantphobia Continues Under Biden

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9/7: A record number of migrants have died crossing the US-Mexico border

Priscilla Alvarez, CNN

Nearly 750 migrants have died at the southern border this fiscal year, a record that surpasses last year's total by more than 200 people, according to Department of Homeland Security figures shared with CNN.

Migrants often face treacherous terrain when crossing the border -- including oppressive desert heat, dangerous waters and falling from the border wall.

Since October 1, which marks the start of the fiscal year, there have been 748 deaths, a Homeland Security official told CNN, with a month still left to go in the fiscal year. That's up from 557 southwest border deaths during fiscal year 2021, the previous record.

The figures don't always capture all deaths, as other state and local agencies may recover bodies without Border Patrol involvement, meaning the number of deaths is likely higher.

Last week, the bodies of at least eight migrants trying to cross the US border from Mexico were found in the Rio Grande, Customs and Border Protection said. The remains were discovered by agents and Mexican authorities while rescuing other migrants in the river.

An increasing number of migrants continue to appear at the US-Mexico border as conditions deteriorate in Latin America. Arrests of migrants along the US southern border this year remained high, including during months when numbers usually dip, meaning that thousands were exposed to even more difficult elements.

In July, the US Border Patrol made more than 181,000 arrests on the US southern border, according to the latest available agency data.

In the past, many migrant deaths have been related to heat exposure, according to the Border Patrol.

Advocates for migrants say they may be forced to take increasingly risky paths to reach the US, citing border policies like a Trump-era pandemic emergency restriction that allows authorities to turn people away at the border.

"Migrants, refugees, and entire families are using more distant and dangerous routes to come to the United States," Fernando García, executive director of the Border Network for Human Rights, previously told CNN.

Deaths along the US southern border have been rising over the years. In fiscal year 2020, there were 247 deaths and 300 deaths in 2019, marking a significant increase amid a 30-record year for border crossings. The agency data on deaths dates to 1998.

Customs and Border Protection declined to comment on the figures, but said smugglers are taking advantage of desperate migrants.

"Transnational criminal organizations continue to recklessly endanger the lives of individuals they smuggle for their own financial gain with no regard for human life," CBP said in a statement. "Smuggling organizations are abandoning migrants in remote and dangerous areas, leading to a rise in the number of rescues but also tragically a rise in the number of deaths. The terrain along the border is extreme, the summer heat is severe, and the miles of desert migrants must hike after crossing the border in many areas are unforgiving."

So far this fiscal year, there have been nearly 19,000 searches and rescues along the US southern border, according to CBP -- an increase from 12,833 in fiscal year 2021.

10/12: The Blame Game: How Political Rhetoric Inflames Anti-Asian Scapegoating

StopAAPI Hate

With the midterm elections underway, Stop AAPI Hate is releasing The Blame Game to spotlight how political rhetoric has been consistently employed, over decades, to hurt Asian communities. At present, there is an emphasis on anti-Chinese rhetoric, which results in the targeting of Asian Americans, including those who are not of Chinese descent.

Our research has found that perpetrators of hate incidents toward Asians and Asian Americans repeat rhetoric they hear from candidates and elected officials blaming China for public health crises, for economic downturns and for national security concerns. This trend becomes apparent when comparing hate incidents reported to Stop AAPI Hate with inflammatory language recently used by politicians:

- **Public Health Scapegoating:** At the start of the pandemic, President Trump and his party used racist rhetoric on Twitter to place blame on the Chinese for the start and spread of COVID-19. Stop AAPI Hate has since received over 2,000 incidents that mimicked this language.
- **National Security Scapegoating:** Several politicians have engaged in rhetoric that names the Chinese Communist Party as a national security threat for espionage. In June 2021, Governor Ron DeSantis of Florida signed two state bills to address perceived Chinese Communist Party espionage in businesses and higher education. Stop AAPI Hate has received reports of nearly 100 incidents that included similar language.
- **Economic Scapegoating:** Both parties engage in rhetoric that paints China as an economic threat to America's existence. In Ohio, for example, Tim Ryan, a Democrat, presented China as the singular threat to the American economy and the country's existence in his "One Word" campaign ad. Stop AAPI Hate has received reports of incidents where Asian Americans were threatened with violence, accused of "stealing jobs and sending U.S. dollars back to China", and harassed to "go back to China".

9/21: Migrants sent to Martha's Vineyard file class action lawsuit against Florida officials

Xinhua

A group of migrants to the United States filed a class action lawsuit on Tuesday against Florida officials who sent them to Martha's Vineyard, Massachusetts, last week.

The lawsuit, filed in the U.S. District Court for the District of Massachusetts, alleged that Florida Governor Ron DeSantis and the state's transportation secretary "impermissibly interfered with the Federal Government's exclusive control over immigration in furtherance of an unlawful goal and a personal political agenda."

DeSantis, a Republican, sent two planes of undocumented migrants to Martha's Vineyard, last week, to "facilitate the transport of illegal immigrants to sanctuary jurisdictions."

DeSantis is among several Republican governors who have relocated migrants to northern parts of the United States in protest of President Joe Biden's immigration policies.

Texas Governor Greg Abbott has sent thousands of migrants to Washington, D.C., New York City, and Chicago while Arizona Governor Doug Ducey has bused individuals to the U.S. capital.

Democrats have responded by accusing the Republicans of using the migrants as political pawns.

Reports that a plane carrying migrants was heading to Biden's home state of Delaware drew wide attention on Tuesday.

White House press secretary Karine Jean-Pierre told reporters on Tuesday afternoon the Biden administration was aware of the reports that a plane was heading to Delaware.

"We've been closely coordinating with the folks in Delaware, the officials in Delaware," Jean-Pierre said, adding that they had not been in touch with DeSantis.

10/22: A Group of Former Trump Aides Is Behind Racist and False Anti-Immigrant Ads

And they're connected to Stephen Miller's legal organization.

Isabela Dias – Mother Jones

Baseball fans in California and Pennsylvania watching the playoffs last Saturday had to sit through commercial breaks that included racist, xenophobic ads filled with misleading and false claims. "You worked hard for what you have," one of the ads says. "Followed the rules, paid your taxes, saved and sacrificed for your piece of the American Dream, and now it is being stolen for you, stolen from your family, stolen from your children. Joe Biden and his fellow Democrats have erased our southern border, and they have released a record number of illegal immigrants into the United States, all at your expense. This giant flood of illegal immigration is draining your paychecks, wrecking your schools, ruining your hospitals, and threatening your family."

Behind the ads is a group called Citizens for Sanity, which vows on its website to "return common sense to America" and defeat "wokeism." In the lead-up to the midterms, the organization has been paying for virulent televised messages and billboards targeting President Joe Biden and Democratic candidates running in contested senate races. Among the group's officers are three former Trump aides who now work with America First Legal (AFL), an organization founded by anti-immigration hardliner Stephen Miller that brands itself as an "answer to the ACLU" and has sued the Biden administration over everything under the sun. A Federal Communications Commission document analyzed by OpenSecrets shows the ex-Trump staffers—Gene Hamilton, John Zadrozny, and Ian Prior—listed as "chief executive officers or members of the executive committee or board of directors" of Citizens for Sanity.

Hamilton, AFL's vice president and general counsel, held positions in the Departments of Homeland Security and Justice and has been credited as the architect of the effort to end Deferred Action for Childhood Arrivals (DACA). Zadrozny, now a deputy director of investigations with Miller's group, served as a US Citizenship and Immigration Services official and previously

worked for the anti-immigration Federation for American Immigration Reform. Prior used to be a deputy director of public affairs in Trump's DOJ and is now a senior adviser at America First Legal, though he told OpenSecrets that Citizens for Sanity has no relationship with AFL. Prior also leads Fight for Schools, a group out of Loudon County in Virginia that opposes critical race theory.

"Citizens for Sanity is not an ideological organization," Prior told Politico. "We stand for reason, common sense, objectivity, equality, the neutral rule of law, and open scientific inquiry—everything the radical left now stands implacably against. And we are using these messaging campaigns to alert Americans to the urgent need to defeat and repudiate woke insanity before it destroys America."

One of the group's ads targeting immigrants is not only blatantly racist, but also deceiving. "Who is Joe Biden letting into our country?" it says, suggesting the current administration allowed Christopher Puente, a man charged with sexually assaulting a 3-year-old girl in 2020, into the country. But Puente had been in the United States on and off for years before Biden took office. Immigration and Customs Enforcement tried to detain him in 2019, after he was arrested for unrelated charges, but the Chicago police didn't honor the agency's request to keep him detained. (Puente has since been incarcerated on the assault charges.) In another video, the group claims that all senate Democrats voted against hiring more border agents, despite the fact that Arizona Senators Mark Kelly and Kyrsten Sinema co-sponsored the bipartisan bill Border Patrol Enhancement Act to raise border patrol agents' pay and increase their numbers.

Some of the organization's campaigns are satires mocking progressive policies and talking points. "No one is free until all pansexuals have free housing," said one billboard in Columbus, Ohio. "Vote to keep our borders, jails and bathrooms open," read another in New Mexico. One in Spanish placed in Austin said pregnant Latinx men must be defended this November. "That's the genius of it, right?" Prior said on a podcast in August. "Here's a thing that progressives and far-left wokeists are probably gonna start saying at some point. We're just getting ahead of them and letting people say where is this going next." On Twitter, the group boasts of having "disrupted the narrative" and "triggering crazed reactions from the woke mob and corporate media." It has also been placing ads in newspapers and billboards accusing Kelly and Nevada Sen. Catherine Cortez Masto of supporting open-border policies and drug smuggling.

The ads have elicited negative reactions on social media and elsewhere. "I remain disgusted that Fox continues to air horrid Citizens for Sanity ads during MLB playoff games," sportswriter Gordon Edes tweeted, "even though 30 percent-plus players in the game are Latinos." A Florida-based environmental nonprofit also called Citizens for Sanity has included a disclaimer on top of its website clarifying it's "not affiliated in any way with the extremist group who is spending tons of money on billboards throughout the country" and "could care less about the messages on their billboards." In response to an Oct. 11 edition of the Arizona Daily Sun that included ads from Citizens for Sanity, a group of Flagstaff residents penned a letter to the editor asking the newspaper to "reject the blatant effort to stoke anti-immigrant fears." The ads, they wrote, are "overtly racist, transphobic or just plain hateful" and "the inflammatory rhetoric and the dehumanizing photos stigmatize the immigrants who live in our community and those seeking asylum and escape from violence."

11/15: On Governor Greg Abbott's Third Term in Texas and What's In Store for the Border: A Q&A With Marianna Treviño Wright

When it Comes to Heavy-Handed Border Enforcement, the Executive Director of the National Butterfly Center Has Seen it All.

Melissa del Bosque - The Border Chronicle

The mid-term election was called for Democrat Katie Hobbs as the new governor of Arizona. This is good news for the border and the country. As The Border Chronicle reported throughout the campaign, Hobb's Republican competitor Kari Lake amplified the racist great replacement theory, portrayed the border as under invasion, and promoted the lie that the 2020 election was stolen.

With Hobb's win, the U.S.-Mexico border, with the exception of Texas, will be led by Democrats. Hobbs is advocating for Congress to pass comprehensive immigration reform and a path to citizenship for Dreamers. In New Mexico and California, the Democratic incumbents Michelle Lujan Grisham (New Mexico) and Gavin Newsom (California) won reelection and have advocated for similar measures, which bodes well for border communities.

But the border hawks and invasion cheerleaders aren't going away. Hobbs won by a slender margin of just one percentage point, and Lake will not fade willingly from the public eye.

In Texas, Republican Greg Abbott won reelection for his third term as governor. During the last four years, Abbott has deployed the National Guard and state police to border communities under his multibillion-dollar initiative Operation Lone Star, which has amplified white supremacy and invasion messaging and spurred violence against Latinos in Texas.

It will be interesting to see if Abbott tones down his rhetoric and actions, since the rest of the border will be run by governors who do not embrace the violent, anti-immigrant invasion rhetoric. I believe, however, that Abbott will more than likely join forces with Republican governor Ron DeSantis, who won reelection in Florida, and we'll continue to hear the same harsh rhetoric coming from some Republican-led states.

And as The Border Chronicle often writes, the massive border security industrial complex continues apace whether a Democrat or Republican is president, or even governor for that matter. And Border Patrol and ICE, which are ubiquitous in border communities, continue to desperately need reform, which both Democrats and Republicans have been unwilling to address in a meaningful way.

Some bad news on this front: Chris Magnus, who was confirmed as commissioner of Customs and Border Protection last year, was forced to resign over the weekend by Department of Homeland Security secretary Alejandro Mayorkas. The disagreement, according to news reports, is that Magnus, who is a former Tucson police chief, was working to change the toxic Border Patrol culture, which, unsurprisingly, was unpopular with some Border Patrol agents.

Mayorkas sided with the agents. Which is interesting, because since Mayorkas was appointed, the Border Patrol union has made it abundantly clear how much they dislike Mayorkas and want him impeached if the House is majority Republican, as it looks like it will be.

Marianna Treviño Wright, executive director of the National Butterfly Center in Mission, Texas, located in the Rio Grande Valley, the southernmost tip of the Texas-Mexico border. In just four years, under Governor Greg Abbott and his Operation Lone Star, Texas's spending on border security has ballooned from \$800 million in 2018 to now more than \$4 billion in the 2021–22 fiscal cycle.

As a result, there is now an alphabet soup of law enforcement agencies—from the Texas National Guard, DPS and Border Patrol to local police. They interact daily with residents, sometimes with devastating consequences for people's mental health, physical safety, and civil liberties. The rapid militarization, including border walls, surveillance towers, and agents patrolling in vehicles, has also been devastating for the environment.

For some years now, Treviño Wright has been a brave and critical voice in South Texas against the militarization and loss of civil rights in her community. She's documented many abuses by both federal and state agencies. And she and the center have even gone to battle with Steve Bannon and his We Build the Wall con, which I've written about in the Border Chronicle series "Barbarians and Butterflies."

Because of your location on the Rio Grande, you've experienced a lot of the heavy-handed policing and surveillance firsthand at the Butterfly Center. When did you first start to notice this buildup, and how did it manifest itself?

I'm going to say around 2017. They had already started bringing in the raid towers. Manuel Padilla was the Border Patrol's Rio Grande Valley sector chief, and Melissa Lucio was the McAllen patrol agent in charge.

There were federal grants for border security that were coming through the governor's office to state police, and they had Operation Stonegarden and things like that, and they were installing trail cameras on private property, including the Butterfly Center, which we had no idea about, and which you documented in your article "The Surge."

Most people in the borderlands understand that the drug war is a sham. And those of us in Hidalgo County know even more directly what a sham it is, because our sheriff went to federal prison, as did his son [who ran a drug-trafficking task force], for being narcos. And the Feds were funding them to fight drug trafficking. These high-intensity drug-trafficking area task forces and all these joint operations are only designed to funnel more of our tax dollars into further militarizing the border.

The Butterfly Center also ended up filing two lawsuits to stop border wall construction both by the federal government, which wanted to build a wall right through the center, and then against Steve Bannon and his group We Build the Wall, which built a private border wall nearby. What is the latest on those lawsuits?

The lawsuit against the federal government is in the Washington, DC, District Court. I'd like to believe that it's moving forward, but I'm not that naive. The Department of Justice attorneys for the Department of Homeland Security are going to pull every punch that they have at their disposal to delay any real progress in this case until they're able to smother it in a heavy wet blanket of quote-unquote national security. Our lawyers have said they're willing to fight this all the way to the Supreme Court.

With legislation, Congress excluded the Butterfly Center and a few other sensitive areas from border wall construction. But now it looks like the Biden administration is building a wall at the historic Jackson Cemetery, which is one of those excluded areas. What's up with that?

I always believed that Biden was not going to stop border wall construction. Biden is Obama 2.0, and Obama continued to build former president Bush's border wall. Obama deported more people than any other president. Obama did more to ensconce the surveillance state and roll back any right to privacy that citizens might have believed they had. And you know, never even when he had the supermajority in the beginning of his first term did anything meaningful happen for civil liberties on the border.

Are you concerned that the federal government could still come and build the border wall right through the middle of the National Butterfly Center?

I believe one day they will probably seize the land for a "border wall system." Which would be considered separate from a border wall, right? Because the government makes the laws, they word them in a way that best suits them, they write the loopholes in for themselves. So, border wall is legally considered something separate and apart from border wall system. And this system includes the high-speed, all-weather roads, the bright stadium lighting, the fiber-optic network cables, and sensors. And then the dead zone that is devoid of vegetation for at least 150 feet on either side of the wall. So the government could conceivably seize the Butterfly Center land by eminent domain for border wall system.

What is the status of the center's lawsuit against We Build the Wall, which constructed a private border wall next door to the Butterfly Center, which you want removed?

The lawsuit was finally remanded to state court, which is where we initially filed it, and after two years of a federal judge refusing to rule on our motion. We are finally where we belong. And we fully anticipate making progress. Especially now that all four of the executives from We Build the Wall have, in some manner, been found guilty. Steve Bannon accepted a presidential pardon, which is an admission of guilt. Brian Kolfage and Andrew Badolato pled guilty. And Timothy Shea was found guilty by a jury in a court of law. They're all facing sentencing apart from Bannon, who has now been charged by the state of New York and hopefully will face trial. So we hope this bodes well for us against these co-conspirators. All of whom profited from their involvement in this fraud.

Recently, the center had to have flyers made informing visitors of their constitutional rights while at the center because of so much Border Patrol harassment. Can you talk about what's been happening and why you had the flyers made?

Our staff and our visitors have frequently been harassed and targeted by Border Patrol agents. And then, once Operation Lone Star started, we had the added harassment, illegal activity, and incursion of state police and National Guard on the property, none of whom have any legal authority to enter private property without a warrant. In addition, we found that U.S. Border Patrol was bringing third-party contractors and members of the media on to the property, which again, they have no legal authority to do.

Lately, there's been an escalation of harassment, including things like telling our visitors that the property was closed or that they couldn't access a particular area of the property because it was off limits, or it belonged to the feds, different things like that. Then they began approaching our visitors and saying, "This area is dangerous. You don't want to be here. This property is used for a lot of illegal activity," and frightening and distressing our visitors in what we think is a very clear attempt to interfere with our operations and our sustainability and our reputation. And we've been operating in this exact same location for 20 years now seven days a week without incident.

And so we asked our lawyers, "Can we educate visitors on this?" So that when they have this interaction with Border Patrol, they are not alarmed. They understand that this is a tactic or a technique that, you know, law enforcement or Border Patrol uses to inflict their will, to try to achieve their goal through fear or intimidation. We went through several drafts, and the lawyers said, "Yes, you can. You can share this flyer with every visitor." And so now we do.

I wonder if you could use this flyer as a teaching moment for people visiting the border about what it's like to live with all those layers of law enforcement and how it impacts your freedoms.

We do hear from visitors that they're shocked by the volume of police vehicles and police presence they see around the center and on the border in Hidalgo County. I see it as a shell game. For example, yesterday when we closed the center, I saw three sheriff deputy units headed out toward the center and the Bentsen State Park, and they're coming on duty. And they're all going to be stationed out there somewhere sitting in their SUVs or their trucks for hours watching Netflix. They're collecting the overtime that comes from a federal grant through the state for border security.

The single greatest threat of real danger to the National Butterfly Center came this summer when I found an unattended, unlocked truck idling with a loaded machine gun in the front seat next to the center. At the time, there were two Border Patrol units and two National Guard units at the Butterfly Center, along with this blue pickup truck. That was the vehicle that was unlocked and running with the machine gun in the front seat.

That is crazy. Who did the truck belong to?

I texted the patrol agent in charge of the McAllen Border Patrol station to find out what was going on. My thought was, maybe there had been a pursuit and a bailout? And this was the smuggler's or the trafficker's abandoned vehicle.

But it turns out it belonged to a National Guard soldier who had left that weapon accessible on the side of the road and on our property. When I asked them, "What were you doing? You're on our property. This is dangerous." They just laughed and said they were exploring and enjoying the butterflies. Then they got in their vehicles and drove away.

Didn't the National Guard also crash a truck into your gate at the center? That's another crazy story.

They did wreck our gate. They totaled a Dodge Ram Pickup. It hit the gate so hard that it cracked the gate, which is made from the same steel bollards as the border wall. And again, I thought maybe it was a law enforcement pursuit or something like that. But it was just some guardsmen who were driving too fast and crashed into the gate.

This brings me to Greg Abbott being reelected as governor. And of course, he spearheaded Operation Lone Star, a massively expensive border operation that uses state and federal funding and has deployed the National Guard to your community. What do you expect will happen now with Abbott's third term?

I would imagine it's going to be more of the same if the state legislature allows Governor Abbott to get away with taking more of our property and sales taxes and using them for Operation Lone Star instead of improving public education, fixing the power grid, fixing Child Protective Services, and improving prison facilities, all of which have been documented to be broken, or poorly functioning for people in the state of Texas, and that's a shame.

Abbott is kind of a one-trick pony. This border security thing is the one thing that seems to work for him. The narrative and political theater around the "crisis" on the southern border and the so-called invasion that Abbott capitalizes on for his own advancement. I do expect that there's going to be more of that.

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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:
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