ASYLUM SEEKERS, FAMILY SEPARATION, DENATURALIZATION, and IMMIGRATION

https://www.democracynow.org/2020/2/6/headlines/human_rights_watch_138_salvadoran_asylum_seekers_killed_after_being_deported_from_us?fbclid=lwAR2A5dyU8WMBp3qNJ3a1MYXJTtquFpQUS3cqctn_6k_HLt6BmHOHlKw7CKY

https://www.hrw.org/report/2020/02/05/deported-danger/united-states-deportation-policies-expose-salvadorans-death-and

Human Rights Watch has been tracking the fates of asylum-seekers deported to El Salvador. The organization reports that between 2013 and 2019 two hundred of these deportees were killed, raped, or tortured upon return to El Salvador. 138 of these deportees were killed by gang members, police, soldiers, U.S.-trained death squads, or partners (in the case of those fleeing domestic abuse). Because Human Rights Watch identified these cases through news accounts, court records, and interviews with family members. Since no official data is kept on the fate of deportees the actual number of those affected is probably higher. (Write-up 2/7/2020)

CONDEMN U.S. willingness to return asylum-seekers to the violent conditions in El Salvador

- **Chad Wolf**, Acting Secretary of Homeland Security, Washington DC 20528, (202) 282-8495 [no street address as per the DHS web site]
- Matthew T. Albence, Acting Director, U.S. Immigration and Customs Enforcement, 500 12th St. SW, Washington DC 20536

ASK the House Homeland Security Committee to begin its own monitoring of the fate of Salvadoran deportees

• Representative Bennie G. Thompson (D-MS), Chair, House Homeland Security Committee, H2-176 Ford House Office Building, Washington DC 20515, (202) 226-2616

https://thehill.com/opinion/immigration/481152-us-hiring-immigration-judges-who-dont-have-any-immigration-law-experience

We've reported before on the pressures—both workload demands and political interference—immigration judges are forced to deal with, but there's another threat to our immigration justice system that hasn't been getting the notice it deserves. The Trump

administration has been hiring immigration judges who have no experience in immigration law. The experience requirement for immigration judges doesn't mention immigration law experience, but only that applicants must have seven years of "post-bar experience as a licensed attorney preparing for, participating in, and/or appealing formal hearings or trials." Of the 28 new immigration judges recently sworn in by the Executive Office for Immigration Review, 11 of them had no immigration law experience. Representative Sheila Jackson Lee has been speaking out on this issue. (Write-up 2/7/2020)

THANKS to Representative Lee for reminding us that immigration judges should have immigration law experience

• Representative Sheila Jackson Lee (D-TX), 2079 Rayburn House office Building, Washington DC 20515, (202) 225-3816

URGE your Congressmembers to join her in bringing attention to this problem

- Find your Senators here:
- https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit
- Find your Representative here: https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/e dit

https://www.nytimes.com/2020/01/31/us/politics/trump-travel-ban.html

From RLS at *News You May Have Missed*: Trump has extended the travel ban to six more countries with significant Muslim populations: Nigeria, Myanmar, Eritrea, Kyrgyzstan, Sudan and Tanzania . Set to go into effect February 21, this move is likely to further endanger Myanmar's Rhohingya Muslims, who face genocide in Myanmar and misery in refugee camps elsewhere, the *New York Times* notes. Nigeria is likely to be particularly hard-hit, as 7,920 Nigerians were given immigrant visas in 2018. Student visas would still be permitted, according to NAFSA: Association of International Educators, which provides detailed information on its *website*. Most people from China are now being denied entry, but this prohibition is due to the coronavirus and hence is temporary. The previous travel ban *was upheld* by the Supreme Court, so it is hard to see what legal challenges will prevail against this one. Families separated by borders will particularly suffer, explained Doug Rand, who worked on immigration policy in the Obama White House: "It has become a de facto family separation policy besides the obvious one at the border," he said. "This will just magnify the pain to extend it to other countries." (Write-up 2/7/2020)

DEMAND Congressional action to defend the U.S.'s role as a place of refuge for individuals from around the globe

Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here:

https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/edit

CONSUMER PROTECTIONS and WORKPLACE RIGHTS

https://www.washingtonpost.com/business/2020/02/06/house-passes-bill-rewrite-labor-laws-strengthen-unions/

http://inthesetimes.com/working/entry/22292/pro_act_labor_workers_house_union_democrats_pelosi?link_id=2&can_id=09192451663d2503ab35c5ace03ff9a7&source=email-trumps-nlrb-just_made-it-riskier-to-wear-union-buttons-at-work&email_referrer=email_719817&email_subject=house-passes-the-pro-act-lets-get-this-bread

https://www.federalregister.gov/documents/2020/01/23/2020-01007/notice-of-opportunity-to-comment-on-a-request-for-a-general-statement-of-policy-or-guidance-on

On February 7, the House passed the Protecting the Right to Organize (PRO) Act, which would allow the National Labor Relations Board (NLRB) to fine employers who fire employees for union organizing, allow contract ("gig") workers to unionize, and ease "Right to Work" provisions in various states that undermine union organizing, according to the Washington Post. Central Coast representative Jimmy Panetta (D-CA) described the bill as "the most significant upgrade to U.S. labor law in 80 years...a direct response to the struggle that many hardworking families are facing to keep pace with the rising costs of education, child care, housing, and other basic essentials." The bill is unlikely to be taken up in the Senate, as it is opposed by right-wing and industry forces. Why launch it, given it will not become law anytime soon? According to In These Times, the point is to announce the Democratic agenda and map the future should Democrats be in a position to enact it.

A staple of collective bargaining agreements is the carry-over principle, which is that the provisions of an agreement stay in force even if it expires while a new one is being negotiated.

The Republican administration has proposed a rule which would undermine this long-standing way of preserving continuity. A "General Statement of Policy or Guidance: Agency-Head Review of Agreements that Continue in Force Until New Agreements Are Reached" would allow heads of federal agencies to review expiring agreements and decline to continue any provision whose legality they question. Not only will workers' rights under their contracts take a hit, but unions will be under pressure to settle contracts more quickly, perhaps accepting retrograde agreements. If you want to preserve the continuity of workplace regulations and the rights of workers, you can comment on this rule by 2/24/2020. In addition, you might want to advise your senator to urge that the Protecting the Right to Organize (PRO) Act, H.R.2474, be brought to the floor of the Senate. It has already been passed by the House.

COMMENT on this labor-hostile proposal [*Note: comments must include the caption "USDA (Petitioner), Case No. 0-PS-46"*]

• **Emily Sloop**, Chief, Case Intake and Publication, Federal Labor Relations Authority, Docket Room, Suite 200, 1400 K Street NW, Washington, DC 20424-0001.

[If you prefer, you can comment online at https://www.federalregister.gov/documents/2020/01/23/2020-01007/notice-of-opportunity-to-comment-on-a-request-for-a-general-statement-of-policy-or-guidance-on]

URGE your Senators to stand up for H.R.2474

Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

ENVIRONMENT

https://www.regulations.gov/document?D=CEQ-2019-0003-0001

http://blogs.law.columbia.edu/climatechange/2020/01/10/five-points-about-the-proposed-revisions-to-ceqs-nepa-regulations/

https://www.nytimes.com/interactive/2019/climate/trump-environment-rollbacks.html

https://blogs.ei.columbia.edu/2019/06/10/trump-climate-deregulation-tracker-2019/

https://www.washingtonpost.com/climate-environment/white-house-wants-to-change-rules-to-sped-up-highway-projects-pipelines-drilling/2020/01/08/4e248fda-325a-11ea-9313-6cba89b1b9fb_story.html?utm_campaign=post_most&utm_medium_

From RLS at News You May Have Missed: Under new rules proposed by the Council on Environmental Quality (CEQ), designers of big projects would no longer have to take into account climate change considerations or the fifty-year old National Environmental Policy Act (NEPA). This move is in addition to 95 other environmental policy rollbacks over the last three years, the New York Times reports, and 70 lawsuits have been filed challenging these changes. (As of last summer, many of these had prevailed, according to the State of the Planet.) These new rules would exempt significant infrastructure projects-such as pipelines-from clean air and water requirements, and would prevent communities from objecting to projects that would impact them, according to the Washington Post. Columbia University School of Law's Climate Law Blog points out that the changes would eliminate the requirement to consider "cumulative" environmental impact, meaning that each proposed project would be considered in isolation regardless of other projects/conditions in the same location. The proposed changes would also eliminate consideration of significant parts of "indirect" environmental effects—which are not necessarily indirect at all, but are those effects that will take place over time, rather than immediately. Only "reasonably foreseeable" effects would have to be considered, with "reasonably foreseeable" being defined as that which "a person of ordinary prudence would take it into account in reaching a decision," suggesting that environmental threats that require expertise to predict might be excluded. Comments are due by March 10. (Write-up 2/7/2020) **ARGUE** that weakening environmental protections at a moment when the future of our planet is at a topping point is illogical at best and suicidal at worst [Note: Be sure to refer to docket number CEQ-2019-0003]

• Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503 [If you prefer to comment electronically, you may do so at https://www.regulations.gov/document?D=CEQ-2019-0003-0001]

https://www.change.org/p/gavin-newsom-appoint-a-climate-advocate-to-the-aqmd-board?recruit er=12289845&utm_medium=nurture_v1&petition_id=20128028

Via Rogan's List: "Southern California's air quality is getting worse. With the worst ozone pollution in the country, and climate change making pollution more deadly, pollution related deaths have increased 10% in the last decade. We need to act now to clean up our air and save lives. The South Coast Air Quality Management District (AQMD), responsible for improving air quality in the greater Los Angeles area, now has an open Governing Board seat. Current board members come from aviation, mining, oil industry and other corporate-friendly backgrounds." (Write-up 2/7/2020)

ASK Governor Newsom to nominate a public health advocate or environmental justice advocate, from the community not a corporation, to the AQMD Governing

• Governor Gavin Newsom, 1303 10th Street, Suite 1173, Sacramento, CA 95814, (916) 445-2841

ETHICS and SEPARATION of POWERS

https://thehill.com/policy/healthcare/481533-trump-calls-for-bipartisan-bill-to-dramatically-lower-drug-prices

https://www.vox.com/policy-and-politics/2020/2/5/21123917/state-of-the-union-democrats-chanting-hr3-bill

https://www.congress.gov/bill/116th-congress/house-bill/3/all-actions

https://www.nytimes.com/2020/02/05/upshot/paid-leave-trump.html?te=1&nl=the-upshot&emc=edit_up_20200206&campaign_id=29&instance_id=15777&segment_id=21033&user_id=77459bf83bd5164afd9443001121fdbb®i_id=6617604520200206

https://www.congress.gov/bill/116th-congress/senate-bill/2976?q=%7B%22search%22%3A%5B%22The+Skills+Act%22%5D%7D&s=1&r=2

Trump's "fanciful" State of the Union Address has left our country's fact-checkers grossly overworked, but let's focus for a moment on two legislative issues. First, Trump urged Congress "to pass bipartisan legislation to "dramatically" lower the cost of prescription drugs." If you were listening, you may have heard the chants of "H.R.3! H.R.3!" coming from the Democratic side of the aisle. H.R.3, the Elijah E. Cummings Lower Drug Costs Now Act, was passed by the House in December and received in the Senate that same month, but has not yet been assigned to a Committee by Senate Majority Leader McConnell. You may also have noted the lack of Democratic enthusiasm when Trump called for paid family leave. The legislation to which Trump was referring is S.2976, the Advancing Support for Working Families Act. S.2976 does offer working families a new means for covering family leave, but it does not actually include any paid family leave, via either the government or employers. Instead, it allows families to collect a portion of future child tax credits early to "pay" for the leave. In other words, families would be borrowing from their future selves in order to cover family leave offered by S.2976. Additionally, S.2976 only applies to family leave for babies or adopted children under age six and includes no

provisions to care for sick family members or to cover an individual's own health emergencies. S.2976 also does not provide any job protection for individuals covering family leave by this method. (Write-up 2/7/2020)

REMIND Trump, McConnell, and your Senators that the drug-price legislation Trump called for is sitting idle in the Senate and **INSIST** to Trump, McConnell, and your Congressmembers that real paid family leave is paid family leave, not a juggling of the books that can threaten a family's future financial security

- **Donald Trump**, the White House, 1600 Pennsylvania Ave. NW, Washington DC 20500, (202) 456-1111
- Senator Mitch McConnell (R-KY), Senate Majority Leader, 217 Russell Senate Office Building, Washington DC 20510, (202) 224-2541
- Find your Senators here:
 https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS

 4/edit
- Find your Representative here: https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/e dit

https://www.nytimes.com/2020/02/04/opinion/archives-document-destruction.html

Let's add a small corollary to Santayana's warning that "Those who forget the past are condemned to repeat it" and note "Corrupt governments will encourage that forgetting when they find it expedient." A New York Times opinion piece by professor of history Matthew Connelly warns that "vital information [held by the National Archives] is actually being deleted or destroyed, so that no one—neither the press and government watchdogs today, nor historians tomorrow—will have a chance to see it." In 2017, it was revealed that the National Archives had authorized Immigration and Customs Enforcement (ICE) delete or destroy documents detailing the sexual abuse and death of undocumented immigrants. After thousands of critical comments were received from individuals, Congressmembers, and organizations that plan was given minor changes, but last month the National Archives gave ICE permission to begin destroying documents from the first year of Trump's presidency. The opinion piece goes on to identify other documents being destroyed with Archives approval: Department of the Interior files on endangered species, offshore drilling, safe drinking water, and management of Native American lands; Department of State papers of the under-secretary for economic growth, energy, and environment, which include everything from aviation safety to foreign takeovers of American firms. As Connelly notes, "All this is happening without so much as a congressional

hearing—Congress has not called [National Archives Director] Mr. Ferriero to appear for almost five years." Part of Congress's lack of action may be that maintaining and running archives is an expensive business, and one that the nation has repeatedly underfunded. (Write-up 2/7/2020) **INSIST** to the Director of the National Archives and to your Congressmembers that we want to see the preservation of documents currently being or slated to be destroyed, which will require better funding of the Archives

- **David S. Ferriero**, Archivist of the United States, National Archives and Records Administration, 8601 Adelphi Rd., College Park, MD 20740-6001, (866) 272-6272
- Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here: https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/e dit

https://www.bloomberg.com/news/articles/2020-02-06/trump-fans-flooded-iowa-caucus-hotline-top-democrat-says

https://www.nbcnews.com/tech/security/clog-lines-iowa-caucus-hotline-posted-online-encourage ment-disrupt-results-n1131521?fbclid=lwAR3H7qvDeGu4Kedzzm7Vqgdl76BS_sZDqlYwL8nKL FRqYlVWvLdTsDOLV4o

https://time.com/5366171/11-year-old-hacked-into-us-voting-system-10-minutes/

All sorts of lessons can be drawn from the debacle that was the lowa Democratic Presidential Caucus, but let's focus on two. First: We. Need. Paper. Ballots. Yes, a ballot box can be stuffed, but the parts of our election systems that are most vulnerable are electronic. In 2018, we saw how easily eleven- and twelve-year-old children could hack U.S. voting systems. We need secure operating systems and secure machines. Second: We have to identify and combat new forms of election interference as they arise. *Bloomberg* first reported that one of the problems the lowa caucus had to contend with was deliberate clogging of the phone lines used to tally results. When the tallying phone app failed, caucus leaders had to phone in results to a central number. Unfortunately, as *NBC* reported, the phone number to which results were reported was easily found via Goggle search—and had been shared on right-wing message boards in advance of the caucus. Those answering the phones on caucus night found themselves fielding calls excoriating the Democratic party and touting Donald Trump, rather than calls with caucus results. (Write-up 2/7/2020)

DEMAND (yet again) legislation to make our elections secure, including legislation that requires paper ballots and legislation that penalizes deliberate attempts to interrupt voting and tallying procedures

Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here:

https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/e dit

GENERAL DECENCY

Trump is lashing out like a blinded basilisk at those who have attempted to hold him to Constitutional norms. Two people who deserve thanks: Speaker of the House Nancy Pelosi, whose leadership has been crucial during the impeachment process, and Mitt Romney, the sole Republican to vote to convict Trump on either of the two articles of impeachment. Whether or not we generally share his political viewpoint, he was unique among Republicans in his willingness to hold the President to account. (Write-up 2/7/2020)

THANKS for ethical choices in a time when these are all too rare

- Representative Nancy Pelosi (D-CA), Speaker of the House, 1236 Longworth House Office Building, Washington DC 20515, (202) 225-4965
- Senator Mitt Romney (R-UT), 124 Russell Senate Office Building, Washington DC 20510, (202) 224--5251

HEALTH and HEALTHCARE

https://www.latimes.com/business/story/2020-01-30/trump-moves-to-gut-medicaid?fbclid=lwAR1 6LyKIWklcqoM0xgyQ0MG3uNVOuTARV12IPbHQ4p2RsyW3LAQokfbjXh8

https://www.latimes.com/politics/story/2020-01-30/trump-plan-reshape-medicaid-with-block-grants

https://thehill.com/policy/healthcare/480984-democrats-face-uphill-battle-against-trumps-medicaid-overhaul

From RLS at *News You May Have Missed*: Medicaid and the Children's Health Insurance Program (CHIP)—the government insurance programs that serve 70 million Americans, including a third of all children—would be seriously undercut under new proposals from the Trump administration. As the *LA Times* reports, these programs cover half of all births in the South and 62% of nursing home residents nationwide. The new Republican proposal would permit states to convert their Medicaid allocation to block grants, according to the LA Times, allowing them to use the funds as they wished. The grants would be capped, likely diminishing access to medical care for low-income people. (Write-up 2/2/2020)

INSIST to your Congressmembers that any plan that limits access to essential healthcare is a non-starter

• Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here:

https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/edit

HUMAN and CIVIL RIGHTS

https://publicintegrity.org/inequality-poverty-opportunity/immigration/trump-plans-to-collect-dna-from-nearly-a-million-immigrant-detainees/?fbclid=lwAR0ceEqsDOLE46hasxDq4M5VIZH4p9XvQ5SVym133TQ1ZcUcqd3pmuXXeOq

https://www.ice.gov/news/releases/ice-awards-new-contract-rapid-dna-testing-southwest-border-expands-pilot-program

The Center for Public Integrity has reported on a Republican administration to collect DNA samples from nearly one hundred individuals, some of them minors, being held in immigration detention. This would likely be the U.S.'s largest ever law enforcement collection of DNA from individuals not accused of a crime (it is important to remember that those in immigration detention are in civil, not criminal, detention). The plan, announced in early January, would

begin with DNA collection at two migrant detention centers, one in Michigan and the other in Texas. Civil rights advocates have raised concerns that DNA collected could be used to link immigrants to family members who might then be targeted as well. While those charged with a crime can request that their DNA samples be destroyed if they are found innocent, no such provision is included in administration plane. Immigration and Customs Enforcement (ICE) has signed a \$5.2 million contract with Bode Cellmark Forensics for supplies and services. The contract will expire in April. (Write-up 2/7/2020)

URGE Bode Cellmark Forensics to honor civil rights by refusing to extend or reapply for this contract to work with ICE on DNA collection

• Bode Cellmark Forensics, Inc, 10430 Furnace Rd, Ste 107, Lorton, VA 22079, (703) 646-9740

ASK the House Judiciary and Homeland Security Committees to investigate this large-scale collection of DNA from individuals not charged with any crime

- Representative Jerrold Nadler (D-NY), Chair, House Judiciary Committee, 2141 Rayburn House Office Building, Washington DC 20515, (202) 225-6909
- Representative Zoe Lofgren (D-CA), Chair, Judiciary Subcommittee on Immigration and Citizenship, 2141 Rayburn House Office Building, Washington DC 20515, (202) 225-6909
- Representative Bennie G. Thompson (D-MS), Chair, House Homeland Security Committee, H2-176 Ford House Office Building, Washington DC 20515, (202) 226-2616

https://www.theguardian.com/us-news/2020/jan/30/asylum-seekers-hunger-strike-louisiana-ice-detention?fbclid=lwAR2yua52ujSYHQcJt7cje8wYnx_tsr0-Dind3DeU21ZxJdwRPUNxAvJucU4

In a story that has received virtually no attention in the U.S., five men in Immigration and Customs Enforcement (ICE) detention have been engaging in a hunger strike that is now beginning its fourth month. The organization Freedom for Immigrants has filed a complaint against ICE for refusing to release the medical records of two of these men for independent review, a right that should be available to anyone in ICE custody. ICE has been force feeding two of the men, leaving nasal feeding tubes in for up to three weeks at a time. Because it can be both violent and painful, force-feeding is only allowed under a judge's orders. The five men are from South Asia and are filing asylum claims based on fear of religious or political persecution. (Write-up 2/7/2020)

CALL for a Congressional investigation of hunger strikes among ICE detainees and ICE's treatment of these individuals

- Representative Bennie G. Thompson (D-MS), Chair, House Homeland Security Committee, H2-176 Ford House Office Building, Washington DC 20515, (202) 226-2616
- Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here:

https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/e dit

From RLS at News You May Have Missed: A House committee in South Dakota passed a bill which would impose fines of up to \$2000 and jail sentences of up to a year on doctors who prescribe puberty-blocking hormones and gender-affirming surgery to transgender teens under 16, according to the Washington Post. Other states are proposing these bills as well, among them South Carolina, Georgia and Kentucky. The bill in Georgia would make the provisions of gender-affirming care a felony; the legislator who is proposing it refers to it as "child abuse," according to the Marietta Daily Journal. Legislators argue against allowing transgender youth to make permanent changes to their bodies when they may merely be "experimenting with their identity," the Post reports. The Campaign for South Equality, an organization of medical professionals in the South, has spoken out against these bills, saying that "gender-affirming care is linked to significantly reduced rates of depression, anxiety, substance abuse, and suicide attempts." The risk is that young transgender teens will take puberty-blocking hormones without medical supervision and will be at higher risk for mental health challenges and suicide. According to the American Academy of Pediatrics, 25% to 30% of transgender adolescents report attempting suicide at some point during their lives; the risk for female-male transgender adolescents is especially high, 62.5%.

REMIND your Congressmembers that we need national-level protections for LGBTQ+ rights—including the rights of minors

• Find your Senators here:

https://docs.google.com/document/d/1fWPKEeiBUwv0vaiTGYGKO37TWU4aSULWvI5sgOo5YS 4/edit

• Find your Representative here:

https://docs.google.com/document/d/1tNhdelcADPMfFL2c1V6iF_NDxATh0A_WLxzMt2Tlwm0/edit