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Sanctuary Policies Claim Another Promising Youth

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In an extensive report published by the Social Contract Press, economist Ed Rubenstein concludes that the 37 million legal and illegal immigrants estimated to be living in the U.S. represented a \$346 billion federal liability in 2007. That figure represents only a fraction of the overall cost because many of the direct costs associated with immigration are borne by state and local governments.

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Memorial Day

At age 23, Joseph Tremarco had already accomplished many things. He had found the love of his life and was engaged to be married in July of 2007. He had started his own business out of high school and worked every day to make it successful and had recently bought his first home. A little over a year ago, Joseph Tremarco was brutally and senselessly murdered. The alleged killer, an illegal alien, has since fled the country and has yet to be apprehended and prosecuted for this crime.

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SAVE Act Held Hostage to Special Interest and Political Posturing

The Secure America through Verification and Enforcement, or SAVE Act (H.R. 4088), has broad bipartisan support in the House of Representatives and even broader support among the American public, which is demanding meaningful enforcement of our nation's immigration laws. The legislation would make it mandatory for all employers use the E-Verify system to check the immigration status of all workers within four years of the date of passage. It would also improve border security and increase penalties imposed on those convicted of alien smuggling. The SAVE Act would institute nationally many of the same provisions adopted by states including Arizona, Georgia and Oklahoma and which have been proven to reduce the number of illegal aliens living in those states.

The bill was authored by Representatives Heath Shuler (D-N.C.) and Brian Bilbray (R-Calif.), and 185 members of the House have signed a discharge petition addressed to Speaker Nancy Pelosi asking her to allow H.R. 4088 to come to the floor for a vote. And yet, this common sense approach to immigration enforcement is in serious danger of being killed. Apologists for illegal immigration continue to insist that the price of enforcing our immigration laws must include amnesty for millions of illegal aliens, while others in both parties, at the behest of business interests, want to link the SAVE Act to increases in guest worker programs.

In spite of broad bipartisan support, the House leadership has resisted moving the SAVE Act through the legislative process, allowing only token hearings to take place. Pelosi and others in the Democratic leadership have pressured Democratic members not to sign the discharge petition, putting some of their own members who are co-sponsors of the bill in an awkward situation. The signatures of 218 House members are required to force a bill to the floor for a vote — a total that could easily be achieved if 39 Democrats who are co-sponsors of the SAVE Act but have not yet signed the discharge petition were to sign it.

While pro-amnesty forces, including the House Hispanic Caucus, are attempting to undermine H.R. 4088 from one end, cheap labor forces are attacking it from the other. Even as the U.S. economy slips into recession and unemployment is on the rise, business interests are pressing hard for increases in both skilled and unskilled foreign guest workers.

The House Republican leadership, while forcefully resisting pressure to attach any amnesty provisions to the SAVE Act, has been working behind the scenes to satisfy the demands of corporate lobbyists to double or triple the annual allocation of H-1B visas. Similarly, members of both parties, led by Representatives Bart Stupak (D-Mich.) and Charles Boustany (R-La.), have been working to increase the number of low-skilled guest workers admitted into the U.S. each year.

The resistance of so many members of Congress to allowing a straight up or down vote on the SAVE Act calls into question the sincerity of their commitment to immigration law enforcement.

The SAVE Act contains the provisions that nearly every member of Congress has publicly endorsed at one time or another during the debate about immigration policy.

While FAIR understands that the SAVE Act won't solve all of the problems with our immigration policy, it is a bill that, if passed and enforced, would represent a significant improvement over the status quo. An effective immigration enforcement strategy must include enhanced border enforcement, an effective employment authorization system, and harsh penalties against criminal elements that profit in the trafficking of human beings.

FAIR will continue to press for passage of the SAVE Act unencumbered by provisions to satisfy the special interest demands of amnesty advocates and cheap labor employers.

High Tech Industry Laying Off American Workers While Seeking Huge Increase in Guest Workers

On March 12, Microsoft Chairman Bill Gates testified before the House Committee on Science and Technology calling for significant increases in the number of H-1B guest workers admitted each year. Congress responded promptly to Gates' request.

A bill introduced by Representative Gabrielle Gifford (D-Ariz.) would raise the cap on H-1B visas from the current level of 65,000 per year to 130,000 in FY 2009 and to 180,000 by FY 2010. A second bill, sponsored by Representative Lamar Smith (R-Tex.), would increase the H-1B cap to 195,000 in FYs 2009 and 2010. Also responding to the demands of corporate lobbyists, Republicans John Cornyn (Tex.), Judd Gregg (N.H.) and Chuck Hagel (Neb.) joined Connecticut Independent Joseph Lieberman in introducing a Senate H-1B expansion bill.

The H-1B visa program was instituted in 1990 to allow America's growing high tech industry to gain access to uniquely qualified foreign IT workers. The idea behind the program was that limited numbers of highly skilled workers would expand opportunities for American technology professionals. Since its inception, H-1B guest workers have been used not to augment the American high tech labor force, but often to replace American engineers, or as a mechanism to keep wages from rising.

Far from being a program to allow America's high tech industry access to exceptionally skilled foreign IT professionals, nearly half of the current H-1B visas available are granted to workers having merely bachelor's degrees. Moreover, eight out of ten petitions for these visas come not from U.S.-based technology companies, but from foreign-based outsourcing firms that then subcontract workers to American companies. Six of the top ten companies winning H-1B visas in 2007 were "body shops" based in India.

Using the H-1B visa program, these outsourcing companies bring foreign workers into the U.S. to complement their outsourcing services abroad. After a few years in the U.S., the employers send the H-1B workers back home to compete with U.S. workers in tech support and other service industries, reports Business Week magazine. Despite industry claims that the H-1B program includes safeguards to prevent companies and subcontractors from using guest workers as a substitute for American workers, few protections actually exist.

Currently, the Department of Labor estimates that there are about 656,000 unemployed IT workers in the U.S. In addition, the slowing economy has led to a loss of jobs across the board including in IT. The Denver-based Rocky Mountain News reports that Colorado — the state with the third highest concentration of IT workers — has lost 47,200 technology jobs since 2001.

FAIR has consistently opposed increases in the H-1B visas (see [USA Today](#) op-ed, on page 7) because of the abundant flaws of the program. While there are undoubtedly a small number of foreign IT workers whose presence here would greatly expand economic opportunities for all,

most of the industry's legitimate need for workers could easily be met by using the existing labor force or by having the multi-billion dollar high tech industry invest in training to upgrade the skills of its labor force.

Pro-Labor Senators Respond

Not all members of Congress seem ready to rubber stamp the high tech industry's demand for more guest workers. On April 1, Senators Dick Durbin (D-Ill.) and Charles Grassley (R-Iowa) sent letters to the top 25 recipients of H-1B petitions seeking a clarification of how these visas were used.

Durbin and Grassley have repeatedly raised concerns that the loopholes in the H-1B and L-1 visa programs contribute to the outsourcing of American jobs. The L-1 visa allows multinational corporations to "transfer" unlimited numbers of foreign workers to their U.S. divisions. Last year, Durbin and Grassley introduced the H-1B and L-1 Visa Fraud and Abuse Prevention Act, which would require H-1B applicants to make a good faith effort to hire American workers first and would give the Department of Labor greater oversight authority in investigating possible fraud and abuse.

"The H-1B program can't be allowed to become a job-killer in America. We need to ensure that firms are not misusing these visas, causing American workers to be unfairly deprived of good high-skill jobs here at home," wrote Durbin, the powerful Majority Whip.

"There are highly skilled American workers being left behind, searching for jobs that are being filled by H-1B visa holders. It's time to close the loopholes that have allowed this to happen and enact real reform," Grassley added.

Sanctuary Policies Claim Another Promising Youth

Last summer, three Newark, New Jersey students were gunned down in cold blood by a gang member who had been released from police custody, even though he was charged with another serious felony and was in the country illegally. Sanctuary policies in Newark and in Essex County barred authorities from inquiring about the murderer's immigration status and allowed him to have the opportunity to snuff out three promising young lives.

This outrageous example sadly, has been lost on the political leaders of Los Angeles — a declared sanctuary city with a policy, known as Special Order 40, that prevents police from inquiring about immigration status. On March 2, another teen, 17-year-old Jamiel Shaw Jr., paid for that policy with his life.

Jamiel, a high school football star in Los Angeles, was brutally murdered near his home. The suspect in his killing is Pedro Espinosa, an identified gang member who a day earlier had been released from police custody despite facing charges of assault with a deadly weapon. One other important fact about Espinosa: he is an illegal alien who could have been remanded to federal custody had the Los Angeles Police Department been allowed to inquire about immigration status.

In early April, Jamiel's family and members of his community came before the Los Angeles City Council, imploring them to protect law-abiding citizens and residents by repealing Special Order 40. Especially poignant was the testimony of Jamiel's mother, Anita Shaw, an Army sergeant who was serving in Iraq at the time of her son's murder. "I was sacrificing my life for a better United States, and it's not safe for my son," she told the council.

The Council's response to the Shaw family's pleas was that this is simply not the time to consider this matter. Councilman Bill Rosendahl rose to opine that what is really needed is a forum to better explain to the public why Special Order 40 was initially implemented 30 years ago. Councilman Richard Alarcon implied that the real outrage about Jamiel's murder is that it is being used to promote the repeal of Special Order 40.

While the Los Angeles City Council failed to find the murder of an innocent teenager an appropriate reason to reconsider city policies that protect illegal alien criminals, the council and mayor did manage to find time to voice their opposition to federal efforts to deal with illegal immigration. Shortly after Jamiel's murder, the council held a hearing and approved a resolution by an 11-1 vote opposing the federal SAVE Act, which would step up enforcement against employers who hire illegal aliens.

On March 28, Mayor Antonio Villaraigosa penned a letter to Homeland Security Secretary Michael Chertoff, urging him to end raids by the Immigration and Customs Enforcement (ICE) agency on companies employing illegal aliens in Los Angeles. In his letter, Mayor Villaraigosa expressed deep concern about the inconvenience of these raids to employers in Los Angeles and the uncertainty they have created for illegal aliens and their families.

Mayor Villaraigosa has not yet weighed in on the city's obligation to help remove illegal alien criminals, like Espinosa, from its streets and as yet there has been no similar letter urging the federal government to do its job to protect the lives of innocent Americans like Jamiel Shaw.

Around the Country | May 2008

Florida

Despite strong resistance from the leadership of the Florida state legislature, Florida immigration reform activists continue to apply pressure on state lawmakers to adopt measures to enforce laws against illegal immigration locally.

Floridians for Immigration Enforcement (FLIMEN) raised money to produce and air a 30-second television ad calling upon House Speaker Marco Rubio to bring immigration enforcement legislation to the floor. Other activists from around the state converged on Tallahassee in early April to join with pro-enforcement legislators in a workshop to examine the reasons Florida urgently needs to develop its own immigration enforcement policies.

Alabama

Alabama was one of the first states to take advantage of a federal program that allows state police to be trained in immigration enforcement. Now the state, with the strong support of Gov. Bob Riley, is taking the next step and promoting state-based enforcement legislation. Working with State Representative Micky Hammon, three bills are moving through the legislature aimed at barring illegal aliens from receiving most state benefits, requiring Alabama businesses to verify the immigration status of employees in order to qualify for government incentive programs, and barring illegal aliens from receiving business or professional licenses.

Rhode Island

Demonstrating that support for meaningful immigration enforcement cuts across nearly all regional and ideological lines, Rhode Island Gov. Donald Carcieri has moved to bar companies that hire illegal aliens from receiving state contracts. Gov. Carcieri is also proposing that Rhode Island police check the immigration status of all suspects in their custody and share that information with federal immigration authorities. Supporting the Republican governor's efforts, Democratic Representative Peter Palumbo, a sponsor of several of the bills before the legislature, noted that, "We have a crisis on our hands," and that the state needs to act.

Rhode Island also illustrated the gaping chasm that often exists between the politicians who run police forces and the police officers on the streets every day. While the Providence chief of police has resisted implementing Gov. Carcieri's order to report illegal aliens to federal authorities, the union representing rank and file officers publicly broke with the chief and endorsed the governor's order.

Missouri

The Show Me state is set to show that it is serious about protecting the interests of law-abiding residents by implementing sensible immigration enforcement policies. Both Houses of the Missouri legislature have approved legislation authorizing federal immigration enforcement training for State Highway Patrol troopers. The state government will also withhold funding from local jurisdictions that declare themselves sanctuaries for illegal aliens. The bills are certain to be signed by Gov. Matt Blunt. FAIR's southern regional field representative, Joyce

Mucci, a Missouri resident, has worked for many years to create public and political support for state-based enforcement policies.

Border Fence Gets a Helping Hand from DHS

Faced with the prospect of endless reviews and litigation by opponents of the border fence, the Department of Homeland Security issued a pair of waivers on April 1 that permit construction of 470 miles of the security barrier along the southern border to proceed. In authorizing the waivers, Homeland Security Secretary Michael Chertoff noted that there is a compelling national interest to secure these sections of the border. “Criminal activity at the border does not stop for endless debate or protracted litigation,” Chertoff noted.

Ironically, legal challenges to the border security fence were being planned by groups purporting to protect the environment. Carl Pope, the executive director of the Sierra Club, argued that the fence “threatens the livelihood and ecology of the entire U.S.-Mexico border region.” The Sierra Club and other groups seemed to have no such concern about the environmental impact of countless thousands of illegal aliens who traipse across the wilderness each year. A 2006 report by the Bureau of Land Management found that in 2006, alien smugglers had opened 50 new routes across the wilderness and left 530 tons of trash along the way.

The refusal of environmental groups to address the impact of mass immigration — both government mandated and illegal immigration — was a key reason for the formation of FAIR in 1979. Unfortunately, the organizations that raise hundreds of millions of dollars each year to protect the environment and conserve natural resources continue to ignore the impact of immigration driven population growth, or even the obvious environmental damage caused by the human and drug traffickers operating along the border.

Notes From the Field

Virginia Activists Make Sure Local Officials Carry Out Enforcement Policies

The goal of FAIR's national field program is to help committed citizens around the country be effective activists for immigration reform. Sharing strategies that have been successful in one place can help activists elsewhere be more effective advocates for immigration reform.

In Northern Virginia, FAIR worked closely with activists from the Help Save Manassas group in Prince William County in 2007 to institute local immigration enforcement policies. Getting local enforcement ordinances adopted was only the first hurdle.

In 2008, Help Save Manassas is making sure that these policies are carried out, reports Maureen Wood, the group's legislative director. When Prince William County Police Chief Charlie Dean — an opponent of local enforcement policies — joined with the Mexican consul general to hold a community meeting with local illegal aliens on March 27, immigration reform activists turned out as well.

Knowing that activists who helped bring about Prince William's enforcement ordinance were making sure that the will of the people is being implemented, Chief Dean warned illegal residents that he and his department will act when they have reason to believe someone they encounter is in the country illegally.

It is said that 90 percent of life is just showing up. In Prince William County, local activists continue to show up and make a real difference.

In the News | A Corporate Feeding Frenzy

Visas Push Is About Helping Companies Rather Than Workers

By Dan Stein | Published March 25, 2008 in *Opposing View, USA Today*

Today we are watching an amazing spectacle: Many in Congress — including allegedly labor-friendly Democrats — are pushing to increase the importation of foreign labor just as the USA slips into what may be its worst recession in decades.

Why? Because the greed of a handful of multinationals is demanding more and more access to "skilled" foreign labor.

Sure, we hear bogus "studies" that claim garden-variety foreign programmers will save the U.S. economy. But former Federal Reserve Chairman Alan Greenspan recently admitted the real agenda: "Significantly opening up immigration to skilled workers ... would compete with high-income people, driving more income equality." In 2007, he further opined that, "Our skilled wages are higher than anywhere in the world. If we open up a significant window for skilled (foreign) workers, that would suppress the skilled-wage level and end the concentration of income."

Thanks, Alan! Having shipped so many good jobs overseas, we now find that U.S. workers who acquire job skills are overpaid!

Since 1990, Congress has allowed U.S. and multinational businesses to use foreign "nonimmigrant" visa programs to drive down wages and displace American workers. What began as a short-term fix for a supposed "short-term" shortage of programmers has turned into another elitist feeding frenzy for greedy people at the top of the food chain.

The use of foreign workers has exploded at a time of rising economic insecurity. Since 1985, the number of foreign worker admissions has increased by 426%, while the U.S. civilian workforce has only increased by about 29%. This is a "temporary" shortage? The main culprits are the H-1B and L-1B visa programs with meaningless labor protections now filling more than a million jobs.

Sens. Charles Grassley, R-Iowa, and Richard Durbin, D-Ill., are making a valiant effort to curb the excesses. But as with most other bloated immigration programs that become oversubscribed, Congress' first reaction is not to eliminate the loopholes. It's to just raise the numbers.

Don't get me wrong. My organization supports competing to attract the world's best and brightest. Jacking up the level of H-1Bs won't get us there.

Economist Puts a \$346 Billion Annual Price Tag on Immigration at the Federal Level

In an extensive report published by the Social Contract Press, economist Ed Rubenstein concludes that the 37 million legal and illegal immigrants estimated to be living in the U.S. represented a \$346 billion federal liability in 2007. That figure represents only a fraction of the overall cost because many of the direct costs associated with immigration are borne by state and local governments.

Rubenstein examined the impact of immigration on each of the 15 cabinet agencies within the executive branch of the federal government. An expert on government waste, Rubenstein served as a senior economist on the 1980s Grace Commission, which examined extensively government inefficiency. Beyond mere inefficiency, Rubenstein concludes that there is a “deliberate policy of the federal government to suppress the fiscal impact of immigration.”

The report was released at a news conference in Washington, D.C., on April 9 — just six days before the tax filing deadline. While most people have a hard time relating to a figure like \$346 billion, Rubenstein breaks it down to a sum that all taxpayers can understand. The federal fiscal burden for immigration works out to an average of \$9,000 per year for native-born taxpayers.

The Social Contract Press was founded by Dr. John Tanton, who also founded FAIR in 1979. Copies of the report can be ordered through the Social Contract Press web site, www.TheSocialContract.com.

Memorial Day

At age 23, Joseph Tremarco had already accomplished many things. He had found the love of his life and was engaged to be married in July of 2007. He had started his own business out of high school and worked every day to make it successful and had recently bought his first home. A little over a year ago, Joseph Tremarco was brutally and senselessly murdered. The alleged killer, an illegal alien, has since fled the country and has yet to be apprehended and prosecuted for this crime.

Joe was tragically taken from us by someone who was living here illegally. Let us try to forget the evil that took him from this world and remember the love and goodness that Joe left behind. That love will live in our hearts forever.

Joseph Tremarco web site: <http://joeytremarco.com>.

The Tremarcos are not alone. Hundreds of other Americans have similar experiences each year, and the numbers are growing. It is a part of the tragedy of our out-of-control borders that rarely receives the media attention it deserves. FAIR is committed to elevating the public's understanding of this problem in an effort to get officials to take action. Because the U.S. Department of Justice doesn't collect this information, FAIR has compiled data related to violent crimes committed by illegal aliens. You can find this information on our web site, www.fairus.org.

In addition, you can find a copy of our latest publication, *Illegal Aliens and Crime Incidence*, for your review. It is a product of FAIR's nationally-recognized research department. This report concludes that illegal aliens are more than twice as likely to be incarcerated for crimes as the rest of the population. This fact alone underscores the urgent need for action, solutions and a fundamental change in how Washington thinks about this problem.

In honor of the many families like the Tremarco's, FAIR has started a unique tribute program for the purpose of funding our work to highlight this tragic consequence of lack of enforcement. This program is a way of paying tribute to loved ones, friends and neighbors. This Memorial Day season, honor someone you love with a donation or gift membership to FAIR and post a tribute on our website. Making a special gift to FAIR increases the impact of your gift; you honor friends or loved ones while helping to support our efforts to educate policymakers and shed light on the need for enforcement.

Your generous donation in the name of a friend or loved one will help support and expand FAIR's important work across the country!

If you would like to participate in this program, please visit our web site at www.fairus.org or you can send a donation with tribute request through the mail. We will, at your request, also

send notification of the memorial gift to a family member or other individual you have designated.

A Message from Debra Tremarco

published April 13, 2008 in the *New Jersey Star Ledger*

I am the mother of a son who was brutally murdered a year ago this month in Plainfield, N.J., by a person living in this country illegally and has since fled. Our family is still struggling to live in a world without our beloved Joe. After reading the article on immigration reform, it pleases me to know that things are changing in regard to the investigation of illegal immigrants. However, why do we have to wait until they have a criminal record before law enforcement can step in? It took the senseless killings of three innocent students in Newark, to pass a law that possibly could have saved their lives. My heart goes out to these families who have experienced this terrible loss. I always thought that "illegal" meant "unlawful". So, just by being in this country with that status, shouldn't that be considered a crime? Why is it that we must wait until innocent people are harmed or killed before we can take action? If the person that killed my son was not able to gain employment or housing or better yet, health care, maybe my son would still be with us and our hearts would still be whole.

Debra Tremarco