

Steve Tisza, President CWA Local 4250

From: "Gene Nelson" <c0030180@airmail.net>
To: <c0030180@airmail.net>
Sent: Tuesday, July 08, 2008 8:56 AM
Subject: More on the Fragomen - Cisco Story

Dear Group: Here's more on the Cisco-Fragomen story from my friend Rob Sanchez. An important 5 minute YouTube video to help put this information in context is here: <http://www.youtube.com/watch?v=TCbFEgFajGU> PERM Fake Job Ads Defraud Americans...
 Gene A. Nelson, Ph.D. (214) 455 - 8065

From: News@JobDestruction.info
 Subject: **Bogus Cisco job ad is bad timing for Fragomen law firm**

<<<<< JOB DESTRUCTION NEWSLETTER No. 1886 -- 7/08/2008 >>>>>

As we all know, employers run bogus job ads so that they can legally reject all qualified Americans who apply. It's all part of the labor certification game that is designed to give employers everything they need to discriminate against higher priced U.S. workers.

It's been business-as-usual in the cheap labor business until an engineer named David Huber applied for a network engineer position at Cisco Systems in response to a job advertisement in the Chicago Tribune newspaper. Cisco never intended on hiring a U.S. citizen so they sent all resumes to an employee of Fragomen, Del Rey, Bernsen & Loewy LLP. The problem for Cisco and Fragomen is that they bungled the job ad because it included the employee's name. Big, big, mistake!

To see the job ad and to understand why it's causing such a stir, go to this web page:

<http://www.jobdestruction.info/ShameH1B/Library/Archives/FragomenCiscoJobAd.htm>

To read more detail on how Huber stumbled onto this fine piece of evidence, read this excellent and revealing blog:

<http://www.networkworld.com/community/node/29473>

Brad Reese on Cisco

The discovery of Cisco's bogus job ad came at a very bad time for Fragomen. That's because the Department of Labor is doing an investigation to see if the Fragomen firm has been giving employers a little too much coaching on how to rig the green card program. The DOL intends to do an audit of all of the green card applications for the Fragomen law firm and that has made many immigration lawyers very angry, and worried. Unscrupulous immigration lawyer-sharks are worried that if the DOL finds something wrong at Fragomen their own law firm may be next. It's a common concern among criminal conspirators.

Fragomen has another big problem: the job ad was saved so they can't deny their culpability. Their first response was to send an edgy letter to the ad agency who posted the ad. Go here to see the letter:

<http://www.ilw.com/immigdaily/news/2008,0707-fragomen.pdf>

It's a nice try by Fragomen but nobody is going to buy it. The Miller Ad agency was just paid to do what they were told, although they probably goofed big time by revealing the Fragomen contact in the job ad. Fragomen blows the problem off on a technical error. It was very bad luck on Fragomen's part that Huber figured out the sham:

While it is unlikely that a reader would identify Fragomen as the point of contact, ... blah, blah, blah ... the firm's Fragomen name does show up in the posting (albeit with no address, email, phone number or method of contacting Fragomen, as well as an incomplete version of the firm's name.

Yes, they are right: it is highly unlikely that someone would figure out their scam, but David Huber did. Bummer for Fragomen!

The Immigration Lawyers Website ILW is trying to cover for their fellow conspirators by resorting to some very cheap character assassination. In the article below they begin by accusing Huber of being a xenophobe. I have talked to Huber several times and he never seemed like an opponent of immigration. He is however opposed to discrimination against American citizens, and is very angry that he has lost jobs to H-1Bs that are usually not as qualified as he. ILW spinners try to make a big deal about the fact that he testified in Congress against the job destruction caused by H-1B. You can read it yourself but you won't find any of the anti-immigrant sentiment that ILW is so paranoid about:

<http://judiciary.house.gov/OversightTestimony.aspx?ID=591>

Testimony Before the House Judiciary Committee, Subcommittee on Immigration, Border Security and Claims

By David Huber, March 30, 2006

The most hilarious part of the article below is that after ILW takes a few swipes at Huber they cop a guilty plea. They admit to everything but try to absolve themselves of guilt by saying that Megan Clarke, who was listed on the job ad, was just a temporary employee of Fragomen. It's a nice try but doesn't change the facts -- and the facts are very damning -- especially now that the job ad is all over the web.

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<http://www.ilw.com/immigdaily/news/2008,0707-fragomen.shtm>

Fragomen Statement And Letter From Ad Agency

Letter from Miller Advertising Agency

FRAGOMEN STATEMENT CONCERNING DAVID HUBER'S ALLEGATIONS

David Huber is a committed opponent of immigration. A year before he ever responded to the advertisement in question, he testified in Congress against permitting foreign workers in the U.S.

These are the accurate facts concerning the ad he has publicly described having responded to:

-- The ad Mr. Huber responded to directed him to send his resume to the employer at the employer's street address. It did not refer to Fragomen or direct resumes to Fragomen.

-- The name "M.E. Clarke" -- who is a Fragomen employee -- was used temporarily by the employer's mailroom to identify a mailstop at the employer's request. There was no indication in the ad of any

connection between M.E. Clarke and Fragomen.

-- M.E. Clarke provided clerical support to the employer's H.R. function, including collecting resumes to ensure that they would be properly and promptly distributed to the appropriate hiring managers for evaluation.

-- Neither M.E. Clarke nor any other Fragomen employee reviewed or evaluated the resumes received to assess the applicants' credentials.

-- No interview was conducted by any Fragomen employee.

-- No hiring decision was made by any Fragomen employee.

-- Mr. Huber's resume was evaluated solely by the employer, and the employer determined Mr. Huber was not qualified for the job.