

GOALS AND PROBLEMS

Compiled and Prepared for the
SUBCOMMITTEE ON URBAN AFFAIRS
OF THE
JOINT COMMITTEE
CONGRESS OF THE UNITED STATES
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NATIONAL PRIORITY

THE HIDDEN DIMENSION

By EDWARD T. HALL

Professor of Anthropology

Illinois Institute of Technology, 31st and State Streets, Chicago, Illinois

EVOLUTION BY EXTENSION CITIES AND CULTURE

If what is known about animals when they are crowded or moved to an unfamiliar biotope is at all relevant to mankind, we are now facing some terrible consequences our urban "sinks" ("Jungles"). ("Ghettos").

The adjustment of these people (Negroes) is not just economic, but involves an entire way of life.

The lower class of Negro in the United States poses very special problems in their adjustments to "Sink" living which if those problems are not solved may well destroy us by making our cities uninhabitable.

An often overlooked fact is that lower class Negroes and middle class whites are culturally distinct from each other.

Some Negro spokesmen have gone so far to say that no white man could possibly understand the Negro.

They are right if they are referring to the lower class Negro. Only those we have trained do we understand.

THE NEED FOR CONTROLS

Our studies show the relationship of man to the city is the need for enforced laws to replace tribe custom. Laws and Law Enforcement Agencies are presently in cities all over the world, but at times they find it difficult to cope with problem among them and need help. An aid to law and order that has not been good in the fullest extent possible, is the power of custom public opinion in the ethnic "Enclaves," Cooperating preachers, politicians, teachers, etc.

These "Enclaves" perform many useful purposes, one of the most important is that the "enclaves" act as life time reception areas in which the second generation can learn to make the transition to the "sink" (jungle) (ghetto) life.

The main problem for us with the "enclaves" as it is now placed in the "Sink" is that its size is limited. When the Negro population increases at a rate the enclaves is unable to convert them—only two choices remain.

1. Territorial growth (more land) or
2. overcrowding

If the enclave cannot expand and fails to maintain a healthy "density", (overcrowding) a sink develops.

The normal capacities of law and order enforcement agencies are not able to deal with "sinks."

Apart from letting "sinks" run its course "more land" and destroy the city, there is an alternative solution.

Prepack or introduce design features that will counteract our undesired affects of the sink. But most important not destroy the enclave in the process.

A study by Pathologist Charles Southwick discovered that peromyscus mice could tolerate high cage densities.

In animal populations, the solution is simple enough and frighteningly like what we see in our Urban Renewal Programs or sinks.

CONCLUSION 1

To increase density in a rat population and maintain healthy specimen. (a) Put them in boxes so they can't see each. (b) Clean their box (c) and give them enough to eat.

Then you can pile them in boxes up as many stories as you wish. Note: Caged Animals become stupid, from states of flux boredom or fusion which is a risky price to pay for our super filing system of the people.

The question we must ask ourselves is how far can we afford travel down the road of sensory deprivation in order to file these people away in these public housing projects?

Our most critical needs at this time therefore is for ideas, principles design- ing spaces that will maintain a healthy density. A healthy interaction rate, a proper amount of involvement, museums, jobs, games, swimming pools, movies, etc. And a continuing sense of ethnic identification.

The creation of such ideas, principles will require the combined effort of many diverse specialists all working secretly, closely together on massive scale. "Coterie of Experts: City Planners, Architects, Engineers, all types. Economists, Law Enforcement Specialists, Traffic. The _____ Experts, Educators, Lawyers, Social Workers, Political Scientists, Psychologists, Anthropologists, Ethologists and Preachers. As we know _____ the most capable help is Negro enclave specialists, hire _____ can and keep contact. In their presence don't talk, listen and _____. Remember it is important to learn about them in order _____ desired effects.

It is absolutely essential to us that we learn more about _____ the maximum, the minimum, and the density of the Negro enclave that make up our cities.

Through a process of taming, most higher organisms _____ Negro men can be squeezed into a given area provided that they _____ minimum amount of food provided for them, that they are made to feel safe, and their aggressions are under control.

However, if men are made fearful of each other, fear resurrects the fright reaction, fear plus overcrowding produces panic, thus creating an explosive awareness of their need for more land.

We can not allow this to happen. Land will not be allowed them, that as we all know is the most precious of all values.

Our policy must be to entertain, compromise, maximum community control and financing in their sinks, but no aware or awakening to the true values.

CONCLUSION 2

You can't shed culture in the briefest possible sense, the message of this book is that now matter how hard man tries, it is impossible for him to divest himself or his own culture, for it has penetrated to the roots of his nervous system and determines how he preceives the world.

Most culture lies hidden and is outside voluntary control, making up the warp and weft of human existence even when small fragments of culture are elevated to awareness they are difficult to change, not only because they are so personally experienced but because people cannot act or _____.

POLITICAL INTERESTS OF NEGRO
community power are best indicated
in the talk and actions of Negro
leaders.

Of course it is not always easy
to know who is a Negro leader and
who is not, for rarely do leaders
lead everything, or as rarely as
community itself is utterly in a
singular direction.

Further, yesterday, a leader may
not be today's leader.

However with close observation and
sympathetic objectivity you can
identify present Negro leaders with
community power or influence or res-
pect of the people.

The only major precaution which
must be taken is to avoid the
easy mistake of superiority or auth-
ority approach when seeking their
leaders. In other words act and show
exceptional concern, respect, and
friendliness to them ask questions,
unsuspectily and listen.

Our enclave or those in the Negro
community with whom we would prefer
to deal, and whose influence is al-
ready established with our power
structure, may not be leaders at all.

And if they are leaders, then they
may be leaders of interests other than
that of the community interests. This
is why they must be watched very close
and deep thru our enclaves as well as
the many laws which we have at our need.

A Negro leader is one who moves his
community, rather than establish legal
authority in the country.

The popular leadership of the Negro
community is almost unknown to those
in authority outside the community.

Without the involvement of legitimate office
the true Negro leaders are unnoticed by the media
and by public opinions.

When in danger from us they are carefully
guarded by the Negro community itself. The un-
disputable fact remains that there are thousands
of such leaders, each one moving the local community
with a powerful potent force.

Our wisest and most urgent move now should be
to put them in "New Towns in Towns" and let them
have "Community Control" so they will have a
feeling of security. Thus creating self contain-
ment.

HUAC's Internal Security Act
(McCurran Act), Title II

Concentration ("Dention") Camps
should President Proclaim an
"Internal Security Emergency."

Public Law 831 - 81st Congress: Title
II: Sec. 102: 103: & 104 (HUAC's original
Internal Security Act (McCurran))"

"Emergency Detention: In the event of . . .
insurrection . . . the President is author-
ized to make public proclamation . . . of an
Internal Security Emergency. . . and. . . acting
through the Attorney General. . . is . . . author-
ized to apprehend and . . . detain. . . each per-
son as to whom there is reasonable ground to
believe. . . PROBABLY WILL. . . CONSPIRE with
others to engage in acts. . . of sabotage. . .
Persons apprehended. . . shall be confined in
. . . places of detention. . . prescribed by the
Attorney General.

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CHAPTER X

Conclusion

Once the ghetto is sealed off, and depending upon the violence being perpetrated by the guerrillas, the following actions could be taken by the authorities:

- (1) A curfew would be imposed in the enclosed isolated area. No one would be allowed out of or into the area after sundown.
- (2) During the night the authorities would not only patrol the boundary liner but would also attempt to control the streets and if necessary, send out foot patrols through the entire area. If the guerrillas attempted to either break out of the area or to engage the authorities in open combat they would be readily suppressed.
- (3) During a guerrilla uprising most civil liberties would have to be suspended, search and seizure operations would be instituted during the daylight hours, and anyone found armed or without proper identification would immediately be arrested. Most of the people of the ghetto would not be involved in the guerrilla operation and under conditions of police and military control, some would help in ferreting out the guerrillas. Their help would be invaluable.
- (4) If the guerrillas were able to hold out for a period of time then the population of the ghetto would be classified through an officer for the "control and organization of the inhabitants." This office would distribute census cards which would bear a photograph of the individual,

PARTICIPATING FEDERAL AGENCIES

National Security Council Dept. of Justice

*849-899 (?) King of England; directed translation from the Laun of the Anglo-Saxon Chronicle.

Central Intelligence Agency Dept. of Defense
Federal Bureau of Investigation Department of Interior

PARTICIPATING STATE AGENCIES
(Under Federal Jurisdiction)

National Guard Units State Police

PARTICIPATING LOCAL AGENCIES
(Under Federal Jurisdiction)

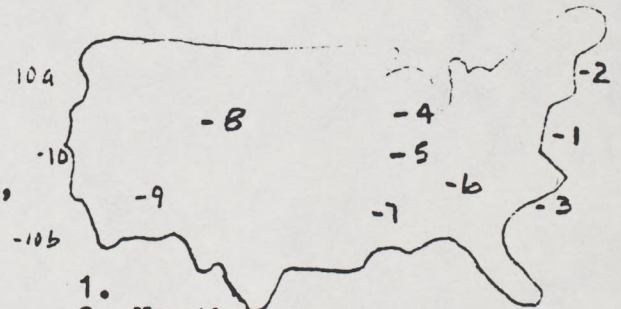
City Police County Police

Even before 1954 when the Supreme Court of the United States of America declared unconstitutional separate educational and recreational facilities, racial unrest and discord had become very nearly a part of the American way of life. But that way of life was repugnant to most Americans. Since 1964 however, that unrest and discord have broken out into widespread violence which increasingly have placed the peace and stability of the nation in dire jeopardy. This violence has resulted in loss of life, limb, and property, and has cost the taxpayers of this nation billions of dollars. And the end is not yet in sight. This same violence has raised the tremendously grave question as to whether the races can ever live in peace among each other. Each passing month has brought new intelligence that, despite new laws passed to alleviate the condition of minority, the Minority still is not satisfied. Demonstrations and noting have become a part of the familiar scene. Troops have been called out in city after city across the land, and our image as a world leader severely damaged. Our enemies press closer, seeking the

advantage, possibly at a time during one of these outbreaks of violence. The Minority has adopted an almost military posture to gain its objective which are not clear to most Americans. It is expected, therefore, that, when those objectives are denied the Minority, racial war must be considered inevitable. When that Emergency comes, we must expect the total involvement of all 22 million members of the Minority, men, women and children, for once this project is launched, its goal is to terminate, once and for all, the Minority threat to the whole of the American society, and, indeed, the Free World.

Chairman, National Security Council

Preliminary Memo: Department of Interior
Under KING ALFRED, the nation has been divided into 10 Regions (See Accompanying map) In case of Emergency, Minority members will be evacuated from the cities by federalized national guard units, local and state police and if necessary, by units of the Regular Armed Forces, using public and military transportation, and detained in nearby military installations until a further course of action has been decided.



- 1.
2. Northeast region
3. Southeast region
4. Great Lakes region
5. South Central region
6. Deep South region
7. Deep South region II
8. Great Plains, Rocky Mountain region
9. Southwest region
10. a,b- West Coast region

No attempt will be made to seal off the Canada and Mexico borders.

Secretary, Department of Interior

Combined Memo: Department of Justice
Federal Bureau of Investigation
Central Intelligence Agency

There are 12 major Minority organizations and all are familiar to the 22 million. Dossier have been compiled on the leaders of the organizations, and can be studied in Washington. The material contained in many of the dossiers, and our threat to reveal that material, has considerably held in check the activities of some of their leaders. Leaders who do not have such usable material in their dossiers have been approached to take Government posts, mostly as ambassadors and primarily in African countries. The promise of these positions also has materially contributed to a temporary slowdown of Minority activities. However, we do not expect these show-downs to be of long duration, because there are always new and dissident elements joining these organizations with the potential power to replace the old leaders. All organizations and their leaders are under constant, 24-hour surveillance. The organizations are:

- 1- The Black Muslims
- 2- Student Nonviolent Coordinating Committee (SNCC)
- 3- Congress of Racial Equality
- 4- Uhuro Movement
- 5- Group on Advanced Leadership (GOAL)
- 6- Freedom Now Party (FNP)
- 7- United Black Nationalists of America (UBNA)
- 8- The New Pan-African Movement (INPAM)
- 9- The National Urban League (NUL)
- 10- Southern Christian Leadership Conference (SCLC)
- 11- The National Association for the Advancement of Colored People (NAACP)
- 12- Committee on Racial and Religious Progress (CORARP)

NOTE: At the appropriate time, to be designated by the President, the leaders of some of these organizations are to be detained ONLY WHEN IT IS CLEAR THAT THEY CANNOT PREVENT THE EMERGENCY, working with local public officials during the first critical hours. All other leaders are to be detained at once. Compiled lists of Minority leaders have been readied at the National Data Computer Center. It is necessary to use the Minority leaders designated by the President in much the same manner in which we use Minority members who are agents with CENTRAL and FEDERAL and we cannot, until there is no alternative, reveal KING ALFRED in all its aspects. Minority members of Congress will be unseated at once. This move is not without precedent in American history.

ATTORNEY GENERAL

Preliminary Memo: Department of Defense

This memo is being submitted in lieu of a full report from the Joint Chiefs of Staff. That report is now in preparation. There will be many cities where the Minority will be able to put into the street a superior number of people with a desperate and dangerous will. He will be a formidable enemy, for here bound to the Continent by heritage and knows that political asylum will not be available to him in other countries. The greatest concentration of the Minority is in the Deep South, the Eastern seaboard, the Great Lakes region and the West Coast. While the national population exceeds that of the Minority by more than ten times, we most realistically take into account the following:

- 1- An estimated 40-50 percent of the white population will not, for various reasons, engage the Minority during an emergency.
- 2- American Armed Forces are spread around the world. A breakout of war abroad means fewer troops at home to handle the Emergency.

3- Local law enforcement officials must contain the Emergency until help arrives, though it may mean fighting a superior force New York City, for example, has a 25,000 man police force, but there are about one million Minority members in the city.

We are confident that the Minority could hold any city it took for only a few hours. The lack of weapons, facilities, logistics- all put the Minority at a final disadvantage. Since the Korean War, this Department has shifted Minority members of the Armed Forces to areas where combat is most likely to occur, with the aim of eliminating, through combat, as many combat-trained Minority servicemen as possible. Today the ratio of Minority member combat deaths in Vietnam, where they are serving as "advisers," is twice as high as the Minority population ratio to the rest of America. Below is the timetable for KIND ALFRED as tentatively suggested by the JCS who recommend that the operation be made over a period of eight hours:

1. Local police and Minority leaders in action to head off the Emergency.
2. Countdown to eight hours begins at the moment the President determines the Emergency to be:
 - A. National
 - B. Coordinated
 - C. Of Long Duration
3. County police join local police 8th hour
4. State police join county and local police 6th hour
5. Federal marshals join state, county, and local police 7th hour
6. National Guards federalized, held in readiness. 5th
7. Regular Armed Forces alerted, take up positions. 4th
- Minority troops divided and detained, along with white sympathizers, under guard
8. All Minority leaders, national and local, detained. 3rd
9. President addresses Minority on radio-television, gives it one hour to end the Emergency. 2nd
10. All units under regional commands into the Emergency. 1st
- 0

"O" Committee Report

Survey shows that, during a six-year period, Production created 9,000,000 objects, or 1,500,000 each year. Production could not dispose of the containers, which proved a bottleneck. However, that was almost 20 years age. We suggest that vaporization techniques be employed to overcome the Production problems inherent in KING ALFRED.

Secretary of Defense

Octubre 6, 1973

Lic Daniel Gonzalez Du Pree
Consul de Mexico
107 Fifth Avenue
San Diego, CA

Respetable Sr. Consul:

El Comite de emergencia que representa a mas de veinte organizaciones (At Hoc Committee and Chicano Rights) en el Condado de San Diego respetuosamente pide a usted una cita para tratarle sobre la ley que fue adoptada recientemente por el Congreso de los Estados Unidos. Nos referimos al limite de veinte mil personas que podran inmigrar por año y que consideramos discriminatoria para Mexico.

En espera de su pronta atencion a lo antes expuesto.

Se despide de usted

Herman Baca
President

HB

DRAFT RECOMMENDATION TO BOARD OF SUPERVISORS RE ALIEN PROBLEM

FROM: HRAB
TO: BOARD OF SUPERVISORS
SUBJ: Alien problems in San Diego County

There are numerous problems associated with the flow of legal and illegal Mexican aliens into and through the County of San Diego.

These problems impact both the alien population and the larger community of San Diego in various positive and negative ways.

Various aspects of these problems fall within the jurisdiction of municipal, county and federal agencies and cross many community lines.

After a limited introduction to this set of problems the HRAB feels that the extent and severity of the problems demands that they receive close scrutiny by all agencies effected and positive remedial action by those same agencies.

It is our recommendation that your board seek to establish a task force to include but not necessarily be limited to the following agencies and community groups:

I.N.S.
SAN DIEGO COUNTY
CITY OF SAN DIEGO
Representatives of other incorporated cities within County
County Health delivery institutions
County Law enforcement and correctional institutions
U.C.S.
AFL-CIO
Chamber of Commerce
Members of Mexican American community who have personal
knowledge of problems
plus other appropriate members

The HRAB recommends that this multi-agency task force be established at the earliest practicable date and that their first charge be to develop a time-table for study and action in early 1974.

United California



Mexican-American Assn.

323 1/2 EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

November 24, 1973

Senator John V. Tunney
United States Senate
Washington, D.C. 20510

Dear Hank:

I apologize for not communicating with you earlier this week but other business kept me away from my office. As I mention to you on our telephone conversation of November 12, 1973, that a tour of the El Centro detention facilities was scheduled for November 13, 1973, at 10:30 a.m. I appeared with the following persons: Peter Schey, Attorney at Law from Legal Aid Society of San Diego, Inc, Carlos Vasquez, Director of C.A.S.A. de Justicia, Rafael Rubio from the San Ysidro Health Care Center, Mario Danilo from Radio KALI Los Angeles, CA.

However, Mr. Phillip Habel, Officer in Charge of the facility refused to let us in and tour the aforementioned facility because the press was presented. Eventhough advance permission was granted by the District Director in Los Angeles. The reason we were denied to enter the facilities was clear because of the representatives of the press and it was understood that they did not want any of their dirty work advertised. We left the facilities 30 minutes later for an interview with Antonio Benitez and Gordon Leger to listen to some of their complaints which I undertand they referred to you personally, where they allege unhuman conduct by the Administration of Glen Pickette and others. I understand that many illegal procedures are being used against the aliens that are deported.

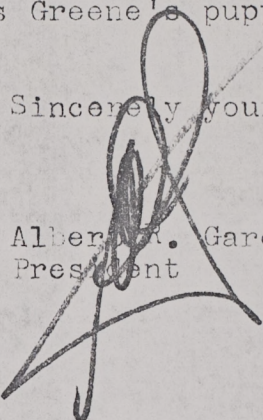
I also understand that illegal sales of bus tickets are conducted in the offices of the detention center, 20% is charge for cashing checks to the illegal aliens. Buses with a capacity of 65 passengers are over loaded up-to 90 passengers or more. Also the aliens were marked with some special ink on their hand like cattle. Medical facilities are not available, also unhuman treatment against Immigration Officers is still being conducted.

Senator John V. Tunney
United States Senate
Page 2
November 24, 1973

Antonio Benitez was forced to resign and was indicted by the U.S. Attorney in San Diego. It is recommended that Senator Tunney and some Community Leaders visit the detention center without advising the local offices of the I.N.S. I will wait for your recommendation to further proceed in this matter and to wait for Senator Tunney to visit this area.

It is very important to look into what the Regional Commissioner has been doing in the Southwest area. Don't forget all these individuals are James Greene's puppets.

Sincerely yours,


Albert M. Garcia
President

ARG:fms

c.c. Senator Edward M. Kennedy
c.c. Senator Alan Cranston
c.c. Congressman Victor V. Veysey
c.c. Congressman Lionel Van Deirlin
c.c. Congressman Bob Wilson
c.c. Congressman Edward R. Roybal
c.c. Congressman Chet Holifield
c.c. Henry Ramirez, President's Cabinet Committee
c.c. Frederick L. Hetter, Attorney at Law
c.c. Herman Baca, County Director, M.A.P.A. ✓
c.c. Luis Natividad, Executive Director, Chicano Federation
c.c. Gilbert Pompa, Associate Director
c.c. White House
c.c. Senator James O. Eastland

U SIDE BLAKE (1) BUNG SUN

Border Patrol Suspends Magana Cas

Officers For 30 Days

By WAYMAN DUNLAP
Staff Writer

SAN PEDRO — Two Border Patrol agents have been suspended for 30 days without pay after a hearing judge found them guilty of misconduct.

The agents, Jon S. Holman of Oceanside and Alvin R. Francis of Vista, assigned to the checkpoint at San Onofre, were found guilty of violating Immigration and Naturalization Service rules in connection with their interrogation of Daniel Magana of Vista on March 7, 1973.

The INS decision, signed by Phillip C. Crawford, assistant regional commissioner for administrative services, was mailed from San Pedro on Wednesday to the two men, and revealed in an interview Friday.

Specifically they were found guilty of "non-compliance with instructions issued by the service" and "conduct prejudicial to the best interests of the service," according to Deputy Regional Counsel Irving A. Chavin.

The suspensions, recommended by Immigration Hearing Judge John Williams as a result of a two-day hearing last December, will go into effect March 11. Both men have 15 days from that date to file an appeal with the civil service commission, Chavin said.

Williams reaffirmed a previous finding by the INS that Francis and Holman should be suspended without pay for their actions at the home of Magana, 43, who lived in a two room house at 105 W. Connecticut in Vista.

Magana complained that the two agents entered his house illegally

about 2 a.m., interrogated him for over an hour and destroyed personal property.

Both men denied the charges, saying only that they had gone to Magana's house, in plain clothes while off duty, to investigate a report from an unidentified citizen that illegal aliens were at the location and causing trouble. No aliens were found.

They said through a spokesman that they had left after a few minutes.

Magana, a Mexican citizen in the U.S. on a work permit, subsequently filed civil suits against the two agents, demanding \$500,000 in damages. Those cases, as well as suits for similar amounts from two Sheriff's deputies who restrained him after he ran from them, are still pending in civil court.

After Holman and Francis were suspended by the Immigration Service the first time, they sought a court injunction prohibiting the suspension from going into effect.

They maintained they were the victims of "kangaroo justice" because they had not been allowed an appeal.

However, the injunction was rendered moot when the INS agreed to hold a new hearing before Williams. Chavin said a "misunderstanding of certain union rules" caused some confusion about the agents' rights. Both men are members of the National Border Patrol Union.

"We agreed to give them a hearing because not to do so might have acted adversely against them in a suit which is currently pending against

them in court (the civil damage case)" Chavin said.

Williams' decision basically reaffirmed the original findings against the two men. Specifically, he found that they "violated service instructions" regarding the search of a private dwelling without notifying superiors and that they had no search warrant or consent to search.

Also, Williams said, their conduct was prejudicial to the service due to the considerable amount of adverse publicity received in the news media "by reason of the unauthorized conduct."

Magana, an agricultural worker who has since moved, said when they began interrogating him, he ran and waved down a passing deputy's patrol car. Since he speaks little English, some confusion resulted but the two

officers drove him back to his residence.

He said later, through an interpreter, that when the patrol car pulled up to his house and the agents and the deputies acted friendly towards each other, he ran in fear. The deputies, who said they thought he might have been an illegal alien, physically restrained him until he was released at the Border Patrolmen's request.

A spokesman for the Border Patrol said the suspensions could cost the two agents in excess of \$1,000 each, figured on a base pay of approximately \$13,000 yearly.

However, he said, due to the large amount of overtime agents normally receive, it could be higher.

ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INITIALS AND NUMBER

United States Department of Justice

TELEPHONE:
(714) 293-5610

UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF CALIFORNIA
UNITED STATES COURTHOUSE
325 WEST F STREET
SAN DIEGO 92101

PKN:sq

December 19, 1973

Edward R. Roybal
Congress of the United States
House of Representatives
Washington, D.C. 20515

Re: Your letter of December 5, 1973

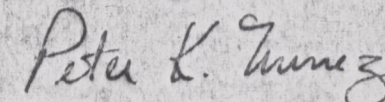
Dear Congressman Roybal:

In response to your request for information concerning the deaths of three Mexican Nationals in this district on October 2, 1973, enclosed please find a summary of the reports of the FBI investigation.

If I may be of any further assistance, please advise.

Very truly yours,

HARRY D. STEWARD
United States Attorney



PETER K. NUNEZ
Assistant U. S. Attorney

Enclosure

SUMMARY

On October 1, 1973, at about 8:00 p.m., Border Patrol agents began tracking a group of persons northbound from the international border at a point south of Boulevard, California. These tracks were followed through the Jewel Valley area. Other Border Patrol agents who were familiar with the apparent route of travel took up surveillance positions near Ribbonwood Road and Interstate 8 and at Live Oaks Springs Road. At approximately 1 A.M. on October 2, a white Cadillac was observed driving into the alleged pick-up area. Other Border Patrol agents were continuing to track a group of people northbound. These tracks were followed across Interstate 8, where the tracks then turned back south again, recrossed Interstate 8 and continued in a southerly direction. The northbound tracks terminated at a location where a Cadillac, California license YOF 478, was located. One person was found in the Cadillac along with approximately 400 pounds of marijuana.

Anticipating that the southbound tracks would lead back to the international border, Border Patrol agents proceeded to the border in Jewel Valley, arriving at approximately 5:00 A.M. During this period of time, Border Patrol agents determined that there were actually ten sets of tracks proceeding both north and southbound. The Border Patrol agents took up positions approximately two to three hundred yards north of the border and waited to intercept the group of ten persons they anticipated would be coming south.

Shortly before 6:00 A.M., Border Patrol agents heard a group of people coming south toward their position. It was still dark. As the first people in the group came to the location of the Border Patrol agents, Border Patrol Agent Barry stepped out of the brush and turned his flashlight on the first subject in the group. Almost instantaneously, three shots were fired at Border Patrol Agent Barry from the group of people coming south. The other Border Patrol agents returned the fire and also observed other shots being fired at them from the group of people. The shooting lasted a few seconds. When it ceased, Agent Barry was determined to have been hit in the back left shoulder area and three individuals, later identified as Cruz Valdovinos Zamora, Elias Acevedo Sanchez and Manuel Acevedo Sanchez were found lying dead in the trail. The other members of the group with whom the

exchange of gunfire had occurred were observed running through the brush back toward Mexico and were not apprehended.

Agent Barry was transported via Coast Guard helicopter to Scripps Memorial Hospital, San Diego, California, where he was treated for a gunshot wound as previously described.

Some time within the next 3 1/2 hours, Tecate police officers took into custody one person whom they had found walking south from the area where the shooting had occurred. This person was armed with a .22 caliber revolver. This individual stated that three people that he had been with in the United States had been wounded.

Officials at Scripps Memorial Hospital report that a .22 caliber bullet was removed from the shoulder of Border Patrol Agent Barry. This bullet was subsequently given to the ballistics experts of the San Diego County Sheriff's Office. A subsequent ballistics check indicated that the .22 caliber bullet taken from Agent Barry's shoulder had been fired from a .22 caliber revolver, Serial Number 331663, which was recovered beside the deceased body of Manuel Acevedo Sanchez. Also found in the left front pants pocket of Manuel Acevedo Sanchez were 17 .22 caliber long rifle cartridges.

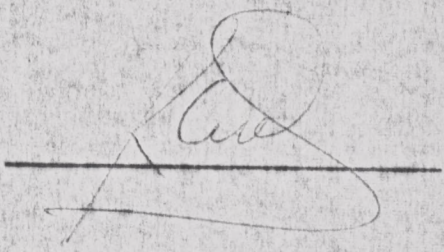
To Whom It May Concern:

I, Ricardo Santana United States Citizen by birth with address at 121 W San Ysidro Blvd, San Ysidro, CA 92073; wish to state and affirm as follows: That on Monday, December 17, 1973, on or about 8:30 a.m. I was detained, harassed, and abused by a U.S. Customs Officer badge #82686, also using foul language in secondary inspection, where I was abusively and illegally detained while my vehicle under-went through a full search by Customs Inspectors.

I was also body searched and the above mentioned inspector took my wallet without my consent and permission, going through my personal documentation and belongings.

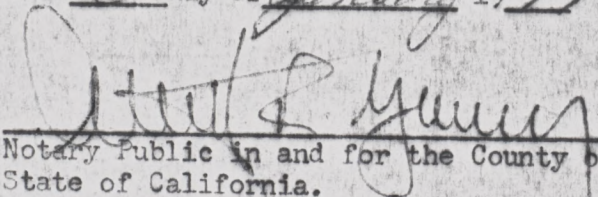
I herewith submit this affidavit for the purpose of requesting that the Regional Commissioner of Customs in Los Angeles, CA; lunge an investigation against the constant abuses by Customs Inspectors of the San Ysidro San Diego port of entry.

I herewith affirm and declare that the foregoing is a true and correct statement of fact.



SUBSCRIBED AND SWORN TO BEFORE ME

this 3 day of January 19 74



Notary Public in and for the County of San Diego,
State of California.



FROM THE DESK OF

ALBERT R. GARCIA

For your information

LA OPINION

DIARIO POPULAR INDEPENDIENTE

Número 118

Los Angeles, California, jueves 10 de enero de 1974

AÑO XLVIII

Oficiales de Migración denuncian arbitrariedades

Los entrevistados dijeron que numerosos mexicanos detenidos como inmigrantes ilegales llegan a los campos de detención padeciendo enfermedades venéreas y de otra índole; algunos heridos con arma de fuego y otros golpeados por sus aprehensores; pero no se les atiende con el esmero y eficiencia que su condición reclama, afirma el reportaje.

CITAN NOMBRES

Señalan a un tal Glen E. Pickett, como jefe del campamento en El Centro, diciendo que Pickett autoriza a los dueños de casas de cambio de moneda a que cobren el 20 por ciento de descuento a los detenidos que llevan cheques y van a ser deportados a México.

Agregan que el pasaje en autobús para los deportados de El Centro al interior de México cuesta diez dólares, "pero a los mexicanos les quitan veinte dólares", dice el periódico.

Agregan que la alimentación es sumamente deficiente y que los dormitorios no reúnen las condiciones elementales de higiene y comodidad. Es tal la desesperación y el descontento entre los detenidos, dice la información, que el 24 de diciembre estuvieron a punto de incendiar 4 barracas donde tenían encerrados a unos 900 individuos; pero los descubrieron a tiempo y se evitó el atentado.

También mencionaron a un tal Daniel Omer, identificado como supervisor de detenciones, de quien afirman que insulta y golpea a los mexicanos por cualquier motivo, sea o no comprobable.

Según el reportaje, los ofi-

GOLPIZAS Y MALOS TRATOS A LOS MEXICANOS DETENIDOS EN EE. UU.

—Por AURELIO GARCIA II—

Corresponsal de LA OPINION

TIJUANA, México, 8 de enero (especial).—Tres oficiales del Servicio de Inmigración y Naturalización de Estados Unidos han revelado que por órdenes de sus superiores, los mexicanos detenidos como extranjeros ilegales siguen siendo víctimas de golpizas, vejaciones y malos tratos. Tales revelaciones, atribuidas a los oficiales Antonio Benítez, Al Gordon y Robert Smith, fueron publicadas en la edición del 5 de los corrientes por El Herald, diario vespertino local. Ricardo Acevedo Ramírez, Je-

fe de Información de ese periódico, dijo haber entrevistado a los tres oficiales en presencia de Alberto R. García, presidente de la Asociación México-Norteamericana de California, en San Ysidro.

El reportaje señala que Benítez, Gordon y Smith dijeron que los mexicanos encerrados en los campos de deportación del Servicio de Inmigración en El Centro y otras ciudades de la frontera con México, "son tratados peor que animales".

Por haberse rebelado contra las órdenes que dice recibía para "golpear, torturar y vejar a mis hermanos de raza", Benítez dijo que fue suspendido por sus superiores y que su caso se está peleando ante la Corte Federal de Distrito en San Diego.

Oficiales dijeron que un hermano del jefe del Border Patrol en El Centro tiene el contrato para levantar cercos a lo largo de la línea internacional y pintar edificios federales. "Pero en lugar de emplear gente libre, se lleva a los detenidos mexicanos y los obliga a trabajar sin pagarles un solo centavo", agrega la información de Acevedo Ramírez.

QUE SON MENTIRAS

El periodista entrevistó después al jefe del Border Patrol en San Ysidro, Allen L. Gerhardt, y dijo que Gerhardt desmintió las afirmaciones de Benítez, Gordon y Smith, alegando que "son

(VÉASE DE LA PAGINA TRES)

puras invenciones de ellos".

El funcionario manifestó que todo el personal de Inmigración tiene instrucciones precisas de tratar correctamente a cualquier persona que se encuentre bajo su custodia y aseveró que es mentira que se permita vejar, maltratar o golpear a los extranjeros detenidos, sean o no mexicanos.

Se tiene conocimiento que este mes estará en Los Angeles y luego vendrá a San Diego y El Centro, el comisionado general del Servicio de Inmigración y Naturalización de EE. UU., a enterarse de las denuncias que existan contra el personal a sus órdenes y a inspeccionar las instalaciones fronterizas.

PASA A LA PAGINA NUEVE

EDWARD R. ROYBAL
30TH DISTRICT, CALIFORNIA

2404 RAYBURN OFFICE BUILDING
WASHINGTON, D.C. 20515

LOS ANGELES OFFICE:
ROOM 7110, NEW FEDERAL P.O. BLDG.
300 N. LOS ANGELES STREET
LOS ANGELES, CALIFORNIA 90012
PHONE: 688-4870

Congress of the United States

House of Representatives

Washington, D.C. 20515

January 8, 1974

COMMITTEE ON
APPROPRIATIONS

SUBCOMMITTEES:
FOREIGN OPERATIONS
TREASURY-POSTAL SERVICE
GENERAL GOVERNMENT
LEGISLATIVE

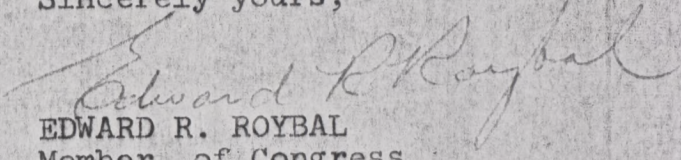
Mr. Albert R. Garcia
President
United California Mexican-American Assoc.
323 $\frac{1}{2}$ East San Ysidro Boulevard
San Ysidro, California 92073

Dear Al:

I am enclosing, for your information, a copy of a letter I have received from the Justice Department in response to my communication regarding the incident which occurred at the San Diego International Airport.

With kindest regards.

Sincerely yours,


EDWARD R. ROYBAL
Member of Congress

ERR/bes

Encl.

JUSTICE DEPARTMENT
Washington, D.C. 20530

DEC 27 1973

Honorable Edward R. Roybal
House of Representatives
Washington, D. C. 20515

Dear Congressman Roybal:

This is in response to your letter enclosing a complaint from Mr. Albert Garcia that he was illegally stopped and questioned as to his citizenship by police authorities in San Diego. I apologize for the delay in this reply.

This Department has recently referred Mr. Garcia's complaint to the Immigration and Naturalization Service for appropriate action. In conjunction with the referral, we have requested an opportunity to confer with the Immigration and Naturalization Service and the Community Relations Service to discuss the procedures and practices by which suspected aliens are identified and detained in the San Diego area. We intend to raise the questions suggested in Mr. Garcia's complaint and identify problems, if any exist, in the exercise of law enforcement responsibilities and the preservation of individual rights.

I hope this information is helpful to you. If you have any questions in regard to this matter, please do not hesitate to contact me.

Your enclosures are returned herewith.

Sincerely,

J. STANLEY POTTINGER
Assistant Attorney General
Civil Rights Division

La Mafia de "Polleros" Explota al Mexicano en E.U. y Culpa a Inmigración

Aclara Puntos el Border Patrol

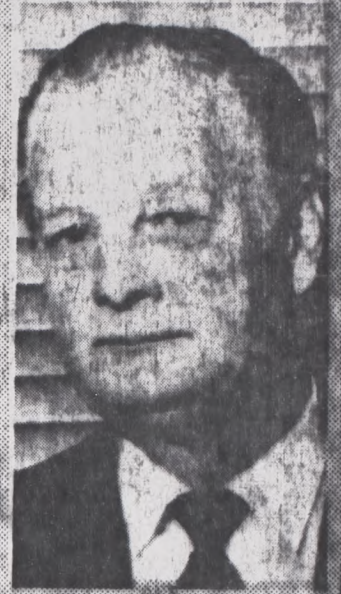
Por Ricardo ACEVEDO RAMIREZ
Jefe de Información

SAN YSIDRO, California.— "Está prohibido para los empleados del Departamento de Servicio de Inmigración y Naturalización de los Estados Unidos, usar la fuerza contra los mexicanos que residen ilegalmente en la Unión Americana, es más, contra ningún extranjero se emplea la violencia, ni el trato inhumano".

En esta forma el jefe del Border Patrol en esta área, señor Allen L. Gerhardt, rechazó las acusaciones lanzadas contra elementos de esa corporación.

EL HERALDO en su edición de ayer publicó las entrevistas con Antonio Benítez, Al Gordon y Robert Smith, quienes

(Pasa a la Pág. 3, Col. 3)



Allen L. Gerhardt

La Mafia de...

Viene de la Pág. 1

como empleados del Departamento de Justicia del Servicio de Inmigración y Naturalización de Estados Unidos, denunciaron una serie de "irregularidades, abusos, injusticias y tratos inhumanos en perjuicio de mexicanos ilegalmente en los EE.UU".

Con relación a esto Gerhardt, expuso que "es mentira todo eso, porque el personal que vigila esta parte de la frontera México-Norteamericana, tiene instrucciones de dar buen trato a cualquier extranjero, sin importar la nacionalidad".

Luego dijo que ignoraba el trato que reciben los mexicanos en los campos de concentración, diciendo que "no puedo hablar de ese tema, pues no está bajo mi jurisdicción. El Corralón está en El Centro, California, aquí nosotros no tenemos; así que no puedo decirle si la alimentación es buena o deficiente o si están abandonados a su suerte".

Lo anterior fue el resultado de una pregunta formulada por el reportero de EL HERALDO, tomando como base que se acusó que en el campo de El Centro, mil mexicanos no recibían servicios médicos y que además eran golpeados, humillados, torturados, etc.

Allen L. Gerhardt, un hombre amable, con 30 años de servicio, no titubeó al responder preguntas de EL HERALDO, menos cuando se le inquirió sobre denuncias de mexicanos balaceados por el personal de Inmigración.

"Es mentira, la única vez fue cuando nos encontramos a unos extranjeros con drogas y ellos abrieron fuego contra mi personal, quien tuvo que responder a la agresión. Un agente resultó herido de un hombro", contestó el funcionario.

Después vino otra explicación: "Fue investigado por el FBI, por el Condado de San Diego y el Consulado Americano en México. Ellos tienen toda la historia de este caso".

Nuestro entrevistado consideró que el problema más grave es la organización perfecta de los "polleros". "por el mes de marzo visité las terminales de autobuses foráneos de Tijuana y allí se cuenta como esos enganchadores se pelean por los clientes; hay cientos de esos "polleros", ofreciendo sus servicios a personas que llegan del sur de México".

"Pero la verdad de todo esto, es observar como los mismos mexicanos explotan a sus hermanos de raza; cuando los "polleros" logran cruzar la frontera con el contrabando de carne humana y advierten que hay vigilancia del Departamento de Inmigración, esconden los carros, llevando mexicanos escondidos en la cajuela y los abandonan en las carreteras; esto es injusto", aseveró.

Siguió dando a conocer otros aspectos: "ha sido muy difícil combatir la organización; es una mafia internacional de "polleros" muy poderosa que utiliza todos los medios para pasar en forma ilegal a extranjeros".

"Pero no comprendo como es posible que esos "polleros" exploten a los de su misma raza. Hay casos que verdaderamente son reprobables", siguió diciendo para dar un ejemplo: "cuando los mexicanos logran llegar a Los Angeles, son instalados en determinadas casas, y en esa forma la mafia tiene control de ellos, pues por el servicio tienen que pagar hasta 500 dólares".

Y continuó "son los mismos miembros de la mafia los que reportan al Departamento, la estancia ilegal de esos mexicanos".

También afirmó que "hay extranjeros que nos retan y provocan nuestro personal, quienes tienen prohibido usar la violencia y el trato inhumano, pues ello va contra la ley".

Allen L. Gerhardt, consideró que tal vez la reanudación del bracerismo permitiría acabar con el problema. "El Departamento de Justicia del Servicio de Inmigración y Naturalización de Estados Unidos, lo viene deseando".

"Hay mexicanos que nada más vienen a trabajar ilegalmente tres o cuatro meses y se regresan a su pueblo, llevándose algún dinero. Esto podría legalizarse, puesto que el mexicano siempre busca trabajar en las pizcas de uva, naranja, etc., lo que no le interesa hacer al norteamericano", manifestó.

Aclaró además que "al norteamericano le gusta vivir del cheque que le paga el Seguro; trabaja cuatro meses y descansa el resto del año. Los mexicanos pueden ser aprovechados para laborar en las cosechas; hemos comprobado que a esos extranjeros no les gusta vivir en los Estados Unidos, sólo están aquí por el trabajo".

"Si se legalizara la estancia temporal del mexicano se acabarían muchos problemas; se daría un golpe a la mafia de "polleros" y se terminarían con las explotaciones", explicó.

LA VIGILANCIA.

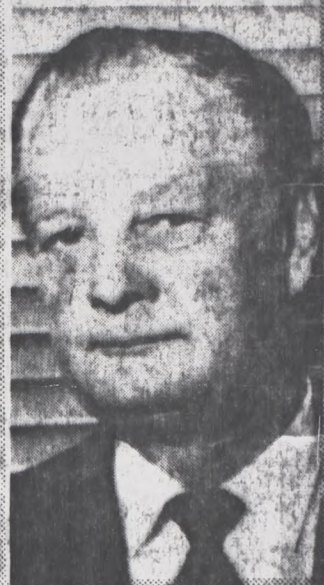
Se refirió a la vigilancia establecida en esta zona fronteriza, afirmando que "más de 100 agentes intervienen en esas labores". Luego se refirió a las detenciones: "varían, tal vez se detienen a un promedio de 75 extranjeros en este sector bajo mi jurisdicción".

"Pero le aseguro que no hay tratos injustos. Lo que ocurre es que la propia mafia, que está siendo lesionada en sus intereses, propaga rumores que en ocasiones resultan falsos. Cualquier extranjero es tratado bien", concluyó.

La Mafia de "Polleros" Explota al Mexicano en E.U. y Culpa a Inmigración

Aclara Puntos el Border Patrol

Por Ricardo ACEVEDO RAMIREZ
Jefe de Información



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La Mafia de... Viene de la Pag. 1-

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El **Heraldo**

AÑO XXXIII, II EPOCA

Número 11,356

DE BAJA CALIFORNIA

MIGUEL RASCON S,
Director Gerente General

Tijuana, Baja California
Sábado 5 de Enero de 1974

LIC. RUBEN TELLEZ FUENTES
Sub-Director

No hay Restricción Para dar Permisos a Residentes Locales para ir a E.U.

Gran Actividad de Inmigración

Por Ricardo ACEVEDO RAMIREZ
Jefe de Información

SAN YSIDRO, California.— El sujeto de Inmigración Anthony Clayton afirmó a EL HERALDO que "no hay ninguna restricción establecida en el otorgamiento de permisos a residentes fronterizos, interesados en internarse a Estados Unidos, más de 25 millas". Luego explicó que "hay datos que lo demuestran; en 1972 se expidieron 29 millones

de estos permisos y en 1973 llegó a los 37 millones".

"Con esto se demuestra la actividad realizada el año pasado y creemos que en 1974, superará la cantidad de 1973" añadió.

El Sr. Clayton, manifestó que el principal problema es la falta de personal en (Pasa a la Pag. 5, Col. 6)



Anthony Clayton

No hay...

Viene de la Pag. 1-A

esta frontera. "Contamos con 30 inspectores y seis supervisores; por lo menos necesitamos 100 empleados para atender las necesidades".

Dijo también que la Aduana cuenta con 120 empleados "tenemos el mismo trabajo; lo cual demuestra que se requiere el aumento de personal". Clayton hizo saber que un promedio de 20 mil personas se atiende mensualmente.

"En ocasiones no podemos atender la demanda con la prontitud que se requiere". El propio Clayton, afirmó también que no existen obstáculos para otorgar pasaportes locales a los residentes de la frontera.

Sobre esto agregó "en esta oficina se entregan entre 80 y 100 pasaportes loca-

les. Esta cantidad es superior al número de formas 13 que entregan las autoridades mexicanas en Tijuana; tengo entendido que expiden entre 60 y 80 documentos; otros años se elevaba a la cifra de 200 diarios".

"No hay nada de restricciones como se ha dicho. Se dan las facilidades en el otorgamiento de permisos", dijo Clayton, quien por cierto además dió a conocer que el lunes próximo tomará posesión como jefe de esa oficina de Inmigración el señor O'Conneir, quien ocupará el lugar del señor Joseph Dupuis, quien obtuvo su jubilación.

"O'Conneir, es un hombre bueno que conoce los problemas de esta frontera. El llegará de El Paso, Texas", dijo.

El **Heraldo**

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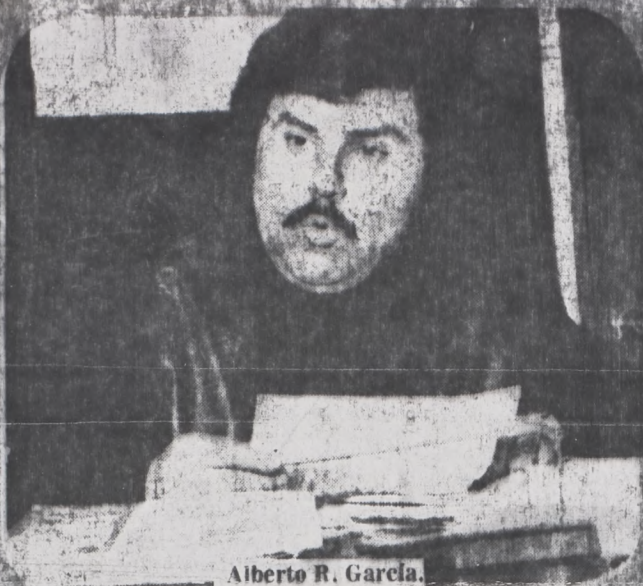
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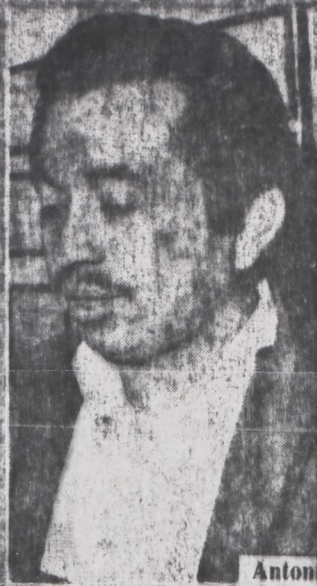
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Alberto R. Garcia.



Antonio Benitez

Grave Denuncia por el Maltrato a Mexicanos Ilegales en EE.UU.

Por Ricardo ACEVEDO RAMIREZ, Jefe de Información

SAN YSIDRO, California — "Da asco pertenecer al Departamento de Servicio de Inmigración y Naturalización de los Estados Unidos".

Así de tajante fueron en sus afirmaciones Antonio Benitez —enemigo nato en estos días— al afirmar

Robert Smith al revelar con lujo de detalles la forma en que son tratados los mexicanos ilegalmente en Estados Unidos.

Ellos son empleados de ese Departamento com-

(Pasa a la Pag. 5, Col. 4)

Se Pide la Intervención Urgente del Comisionado

Por Ricardo Acevedo RAMIREZ, Jefe de Información

SAN YSIDRO, California — "Si el Comisionado Nacional del Departamento de Inmigración y Naturalización de los Estados Unidos general Leonard F. Chapman Jr., no da respuesta a las acusaciones lanzadas contra el personal de esa dependencia, vamos a pedir al gobierno mexicano que apoye el boicot que se piensa decretar para que los mexicanos no compren en el comercio del Condado de San Diego, independientemente a la campaña de desobediencia civil que en señal de protesta hemos proyectado".

Lo anterior fue expresado por el Presidente de la Asociación Mexicano-Norteamericana de San Ysidro, señor Alberto R. Garcia, quien afirmó a EL HERALDO, que hay pruebas irrefutables para com-

(Pasa a la Pag. 5, Col. 1)

el Heraldo

AÑO XXXIII, II EPOCA

Número 11,355

DE BAJA CALIFORNIA

MIGUEL RASCON S. Director Gerente General

Tijuana, Baja California
Viernes 4 de Enero de 1974

LIC. RUBEN TELLEZ FUENTES
Sub-Director



Estos expedientes que se guardan en el archivo de la Asociación México Norteamericana de California, corresponden a acusaciones contra empleados del Departamento de Inmigración y Naturalización de Estados Unidos destacados en la frontera. (Foto Lorenzo Sanchez)

Grave Denuncia...

Viene de la Pag. 1-A

sionados en el campo de concentración de El Centro, California. Ayer estuvieron en esta ciudad a fin de sumarse al movimiento que sostiene la Asociación México-Norteamericana de California, para exigir mejor trato hacia los mexicanos ilegalmente inmigrados.

En sus rostros dibujaban enojo; sus expresiones llevaban un tono de amargura y tal vez de rencor contra sus superiores. Y es que ellos nos exigen que tratemos con la punta del pie a los mexicanos", dijo Smith.

Benítez, de ascendencia mexicana, llevó la voz cantante en la entrevista realizada por EL HERALDO. Vino el relato inicial.

"En el Centro se llegan a concentrar en un sólo día más de mil trabajadores ilegales; y pobre de aquel empleado u oficial del Departamento que se atreva a prestar auxilio a la raza! Algunos al ser internados en esas instalaciones muestran huellas de la barbarie norteamericana. Los hay golpeados, heridos, enfermos y balaceados", dice Benítez.

"A los altos jefes de esos campos de concentración al estilo nazi no les interesa si llegan los mexicanos heridos o enfermos; sus expresiones rayan en lo inhumanas. Cuando queremos interceder, los jefes nos dicen que no debe importarnos, que se nos paga por cuidar animales", agrega el informante.

Benítez, de regular estatura y piel morena, guardaba silencio por instantes, mientras que sus compañeros Al Gordon y Robert Smith, con marcada contrariedad comentaban, en el idioma inglés, otras barbaridades.

Miró a los norteamericanos, suspiró y siguió adelante con sus declaraciones: "Hemos oficiales que nos oponemos a las instrucciones de los altos jefes. Hemos reportado casos de torturas, pero no nos hacen caso. Inclusive hace cuatro meses un hombre joven se ahorcó y nunca se supo en el exterior".

Nuestro entrevistado en ocasiones hablaba atropellado. Con una sola palabra quería expresarlo todo. "Si vieras qué abusos se cometen! Bueno, hasta el principal jefe Glen E. Pickett autoriza a dueños de casas de cambio mexicanas a cambiar cheques a los detenidos, cobrándoles el 20 por ciento. Y es que esos compatriotas necesitan dinero para pagar su pasaje hacia el sur, ya sea en autobús o en avión", decía el entrevistado.

De esto último siguió diciendo que el costo del pasaje es de diez dólares y a los mexicanos les quitan 20.

Luego explicó que de alimento les dan "un plato de agua pintada, un pan y un café, lo que no es suficiente, ni para mantenerse de pie; y es que están totalmente abandonados".

"A los enfermos nos los atienden. Algunos víctimas de enfermedades venéreas. En ese campo de concentración en El Centro, no hay médico de base, se manda llamar a un particular, quien se presenta hasta cinco días después", dice Benítez.

Señaló que se integran listas hasta de 20 enfermos y ni así a los jefes les interesa la presencia de algún doctor.

"Es que ellos dicen que los mexicanos no tienen derecho a ello. Todo este trato inhumano motiva las rebeliones. El pasado 24 de diciembre iban a quemar cuatro barracas 900 mexicanos, pero eso se detuvo a tiempo sin que existiera daño a las instalaciones", explicó.

"Esto causó general disgusto y el superior de detenciones, Daniels Omer, con palabras obscenas, los calificó de mexicanos cochinos, atascados", manifestó para agregar: "Luego ordenó que les dieran de patadas hasta que se murieran".

"Como Pickett trata en forma inhumana a los mexicanos, próximamente, en premio a su labor será ascendido y enviado a otro Estado", puntualizó Benítez.

Habló de las instalaciones: "Son antihigiénicas, sin ventilación, cuatro barracas, dos baños, un comedor y un cuarto para lectura y sólo dos llaves de agua para mil detenidos".

Consideró un martirio lo que ocurre dentro de esas instalaciones. "En el Centro, donde también son concentrados los mexicanos aprehendidos en San Diego, Los Angeles, Chula Vista, etc., en verano el termómetro llega a los 120 grados. Ni los perros o cualquier animal recibiría el trato a que someten a esos desdichados", comentó.

"No les proporcionan agua; muchos caen deshidratados y hay órdenes de no auxiliarlos, al menos que se estén muriendo. Los Altos jefes de la prisión cierran las barracas y sólo dejan un cuarto abierto, en el cual caben 50 personas, pero en ese lugar tratan de introducirse hasta mil individuos en busca de sombra", afirma Benítez.

Aumentaron las acusaciones contra Pickett: "Es un general de la Gestapo nazi, pues que no vea a un oficial del Departamento ayudar a un mexicano porque levantándole falsos lo obliga a renunciar y es que sinceramente hay muchas presiones".

"No conforme con el trato inhumano dentro de la prisión, los explota, mire usted si no es así: Un hermano del jefe del Border Patrol en El Centro tiene el contrato para levantar cercos a lo largo de la línea internacional y pintar edificios federales. En lugar de contratar trabajadores y pagarles, aprovecha la amistad con Daniels Omer para llevarse a los mexicanos en prisión, quienes hacen las labores sin recibir dinero", dijo.

"Se me pasaba...!", expresó para cambiar de tema y volver a tocar el aspecto de las enfermedades.

"Un médico hizo la recomendación que a un muchacho se le tomaran radiografías de los pulmones en forma urgente. El tal Omer no hizo caso y lo dejó abandonado ocho días, la situación del enfermo empeoró, y cuando esto se advirtió, inmediatamente lo mandaron a México. Hay muchos enfermos de gonorrea y sífilis, que claman curación y no les hacen caso", expresó al mismo tiempo que lamentaba el futuro de esos compatriotas.

Hizo referencia a otros ejemplos: "Omer les grita por que él no oye ni entiende bien el español. Estos dos "atributos" lo enfurecen y es cuando golpea a los mexicanos y los corre de su oficina, explica Benítez.

TORTURADOS Y BALACEADOS

"Existen mexicanos que permanecen encerrados hasta 30 días", dijo nuestro informante.

"A mí me han dado órdenes de encerrar mexicanos en un cuarto y esto va contra las Leyes. Luego son torturados; los amarran de las manos y pies; les vendan los ojos para después golpearlos en las partes nobles. Si las víctimas quedan lastimados los mandan a México", dijo.

Hizo otra pausa y expresó dibujando un gesto de contrariedad: "Los he visto sangrar de boca y nariz; revolcarse en tierra semejando a un animal herido, dejando charcos de sangre. Esto es obra y gracia de los que se dicen altos jefes de distritos y Regionales del Servicio de inmigración y Naturalización de Estados Unidos, destacados en California".

A los oficiales y agentes que queremos ayudar a los mexicanos nos llaman los aliados, y existe una guerra interna para eliminarnos.

A mí me han querido cesar, pero mi caso está en la Corte Federal en San Diego y esto me defiende, pues denuncié esas arbitrariedades que comente Daniels Omer, quien a base de levantarme falsos ha tratado de quitarme de El Centro, California, sin conseguirlo hasta ahora", añadió.

Luego se consideró con orgullo "un aliado". Y así como yo hay muchos oficiales y agentes que reclaman mejor trato al mexicano", afirmó.

Y vino otra revelación: "Han llegado a prisión algunos balaceados. Sobre ellos se guarda absoluto hermetismo. Los heridos acusan a los inmigrantes, pero esto no se ha podido comprobar. Tengo entendido que gracias a la intervención del diputado Edward Roybal, agentes del FBI están investigando esa situación".

**GORDON Y SMITH
TAMBIEN HABLAN**

Benitez guardó silencio mirando a hurtadillas a sus acompañantes Gordy y Bob Smith, quienes permanecían a momentos inmóviles dentro de la reducida oficina, que sirvió de reunión con el presidente de la Asociación México-Norteamericana en San Ysidro, Alberto R. Garcia.

Fue Smith, quien interrumpió el silencio reinante. El hombre robusto, pelo blanco, de aproximadamente 50 años de edad, se levantó de la silla y puesto de pie comenzó a relatar sus puntos de vista.

"Considero que los altos jefes como en el caso de Daniels Omer, deben ser personas conscientes, humanas que en realidad controlen sus sentimientos y sobre todo que comprenda "el idioma español", explicó.

Citó un ejemplo: "Omer fue un oficial que ascendió a supervisor de prisión. Esta persona actúa bajo presión de sus altos jefes, como el Director del Distrito de Los Angeles, quien protege a los empleados que utilizan los actos inhumanos contra los mexicanos. Decía que Omer pierde todo control de su temperamento, se enfurece y a puntapiés, bofetadas y majaderías trata a los detenidos.

"Haga usted de cuenta que está viendo a un oficial de la Gestapo de la Alemania Nazi", acusó Smith.

Gordon inquiriere: "Habla de los servicios médicos, los cuales tienen que ser mejorados en un cien por ciento".

Después de ello, Bob continuó con sus declaraciones: Un porcentaje regular del personal comprende la urgente necesidad de darle a esos mexicanos buen trato; pero otro porcentaje más alto no comprende la situación".

"Y es que creen que con tratar con despotismo, groserías y golpes a los mexicanos, en su hoja de servicio, se asentará: ejemplar labor", explicó nuestro entrevistado.

Cuando el reportero de **EL HERALDO**, le preguntó sobre casos de despotismo que afrontan residentes de la frontera, el empleado dijo: "Es lo que le digo, son personas que no comprenden cuál debe ser su conducta".

LA ORGANIZACION

El Departamento del Servicio de Inmigración y Naturalización en Estados Unidos cuenta con un presupuesto anual de 135 millones 944 mil dólares, pero los altos jefes, como el Director del Distrito de Los Angeles, dice que necesita de 300 a 500 millones de dólares para vigilar la frontera con México.

Se habló de que Estados Unidos cuenta con tres principales campos de concentración. "Todos están del lado mexicano, pues en la otra frontera, con Canadá, se trata con finezas a nuestros vecinos. Considero que también así debe tratarse a los mexicanos", dice Gordon.

A través de 30 años —siguió Gordon—, 10 personas han controlado el Departamento, que cuenta con 7,058 empleados, 37 oficinas distritales y cuatro regionales; con 800 investigadores, encargados de comprobar si las "micas" que portan los mexicanos son auténticas o falsas.

"Sabemos que aproximadamente 160, entre agentes y oficiales, se encargan de la vigilancia entre Tijuana y Mexicali. La barbarie está en la frontera con México. En cambio por el lado de Canadá, hay tratos decentes", añadió Gordon.

Luego consideró que San Diego, es una de las ciudades más racistas de la Unión Americana.

"Sabemos que tendremos problemas por las denuncias que hemos hecho, pero es justo que al mexicano no se le trate en forma inhumana", concluyó.



323 1/2 EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

January 8, 1974

Mr. Albert G. Bergesen
Regional Commissioner
Department of the Treasury
Bureau of Customs
P. O. Box 2071
Main Post Office
Los Angeles, Calif. 90053

Dear Al:

I am writing this letter hoping that it will serve its purpose of apprising you of certain existing situations that are taking place and that are in violation of "Operation Cooperation".

Once more, I have been made aware of complaints from individuals who have been unduly and unjustly harassed by Customs inspectors. There have been numerous circumstances where people have been capriciously and excessively questioned without just cause. There have also been other circumstances, sometimes subsequent and in addition to the time consuming and annoying delay of being questioned while in line to cross into the United States, when people have been summoned to move into the inspection area and there have experienced another unwarranted and unjustified delay.

I think the key word in these complaints is "unjustified". In addition to defining these occurrences as nothing other than undue harassment, it provides a harmful connotation on the U.S. law enforcement units as a whole in the minds of those people who have to cross the border on an everyday basis and who do not provide cause for this form of treatment, as in the case of Tijuana Chief of Police, Ernesto Viscaino, which almost caused an international incident.

I am also enclosing in this letter an affidavit of one particular incident involving Ricardo Santana which should provide you with a clearer picture of what is going on.

In addition to the instances aforementioned citing undue delay and harassment, there have also been other incidents in which there has been profane language used and actual physically abusive treatment, also with unjustifiable cause.

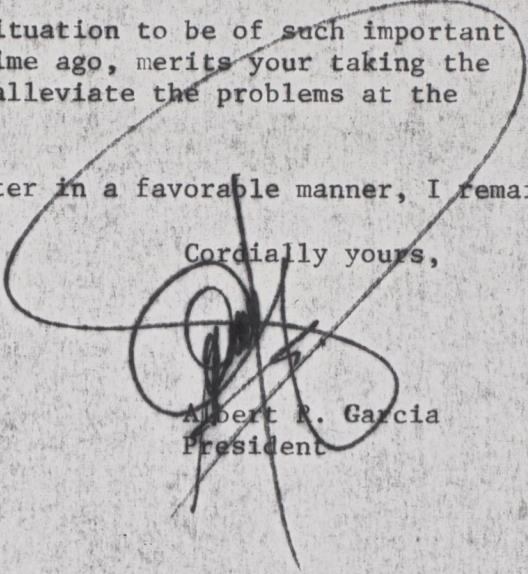
Mr. Albert G. Bergesen
Regional Commissioner
Page Two

I am bringing this matter to your attention, hoping that there will be no further need for pursuing this matter at a higher level. I feel confident that you will agree that this matter deems your immediate attention and subsequent corrective action taken in order to prevent the furtherance of such incidents.

I perceive the resolution of this situation to be of such important magnitude that, as we agreed some time ago, merits your taking the proper investigative procedures to alleviate the problems at the port of entry in San Ysidro.

Hoping that we can resolve this matter in a favorable manner, I remain,

Cordially yours,



Albert R. Garcia
President

ARG/fm

January 30, 1974

*al. Garcia
for John*

FROM: HUMAN RESOURCES ADVISORY BOARD
TO: BOARD OF SUPERVISORS
SUBJECT: MEXICAN ALIEN PROBLEMS IN SAN DIEGO COUNTY

Over the course of the last several months, the Human Resources Advisory Board has become aware that there are numerous persistent and serious problems associated with the flow of legal and illegal Mexican aliens into and through the County of San Diego.

Limited investigation by this Board has revealed that this set of problems includes the following: increased welfare caseloads, both Mexican aliens and non-aliens who are unemployed or displaced by employed aliens; increased demand on County medical facilities; County medical personnel illegally participating in federal immigration matters by confiscating immigration documents (I-186 and I-151 cards); County Port District and city law enforcement officials arbitrarily stopping individuals of Latin American extraction who "look suspicious"; and harassment of Mexican aliens at border crossings;

Federal Immigration and Naturalization Service Officers state that some 10,000 illegal aliens are stopped each month in the city of Chula Vista alone. They estimate that 10,000 is only 10% of the actual flow. Our Board is concerned about the extent of the problems, especially in that two of our 10 members have been harassed personally.

After this limited introduction to the problems surrounding Mexican aliens, the Human Resources Advisory Board feels that the

extent and severity of the problems demand that they receive close scrutiny by all agencies affected and positive remedial action by those same agencies.

It is our Recommendation:

that your Board seek to establish a Task Force to include but not necessarily be limited to the following agencies and community groups:

- U.S. Immigration and Naturalization Service;
- San Diego County
- City of San Diego
- Representatives of other affected cities;
- Chula Vista
- National City
- Health delivery institutions, including University and Mercy Hospitals;
- Law enforcement and correctional institutions;
- United Way;
- AFL-CIO;
- San Diego Chamber of Commerce;
- Chula Vista Chamber of Commerce;
- Representatives of Federal Legislators' offices;
- San Diego Employers Association;
- Representative of city or State in Mexico;
- State office of H.R.D.;
- B.C.A.;
- Mexican American Political Association;
- Casa de Justicici;
- Legal Aid Society;
- San Ysidro Community Health Care Center;
- United California Mexican American Political Association;
- Human Resources Advisory Board;

It is further our Recommendation:

1. that this multi-agency task force be established at the earliest practicable date and that their first charge be to develop a time table for study and action in early 1974;
2. and that it be invested with significant powers and adequate staff to explore these problems and develop a plan of action to remedy them.

The Human Resources Advisory Board offers its assistance to your Board in developing this task force or in otherwise facilitating a resolution to these problems.

CHAIRMAN
HUMAN RESOURCES ADVISORY BOARD



323½ EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

February 4, 1974

Senator Edward M. Kennedy
United States Senate
Washington, D.C. 20510

Dear Senator Kennedy:

I would like at this time to bring to your attention a matter which merits expeditious action.

I had occasion to meet the new Chief of Immigration at the San Ysidro Port of Entry, Mr. Gerald O'Connor, on Monday, January 28th. What I had thought would be a friendly meeting and an exchange of ideas and goals, turned out to be a most disturbing and almost violent episode. I was initially greeted (by him) by being told that if my presence was not officially approved by the Regional Office, I would not be dealt with because "things" were now going to be run "according to the book"! From that point on, the encounter was only made worse by Mr. O'Connor's constant offensive and racist attitudes and expressions. I got the distinct impression that this man represented nothing more in his position as Chief of Immigration than an "executioner" with the ultimate goal of propagating racist attitudes against Mexican-American organizations and towards people of Mexican-American descent in general.

However, the fault in this matter is found more directly at a level higher than his; it lies in the person of the Regional Commissioner's abysmal ignorance of the problems and needs of this area. It seems to me that if persons are placed at this level who are ignorant of the qualifications that must be found in individuals that are placed in positions that have a tremendous impact on meeting the needs of the people they are to serve, then we are faced with the resultant existing situation - one that serves no other purpose than to further embitter discriminatory attitudes that now require, if not demand, immediate investigation!

It is in this respect that we would like to make the following recommendations - We feel that it is imperative that arrangements be made for us to meet with General Chapman at the time of his forthcoming visit to the Los Angeles area on February 11, 1974. Furthermore, we would like the Regional Commissioner replaced by someone who is fully aware of the understanding and foresight that is essentially required in order to alleviate the sometimes intolerable conditions caused by the present system of management within the Department of Immigration and Naturalization Service, i.e. a bilingual, bicultural Administrator from the Southwest.

Senator Edward M. Kennedy
Page Two.

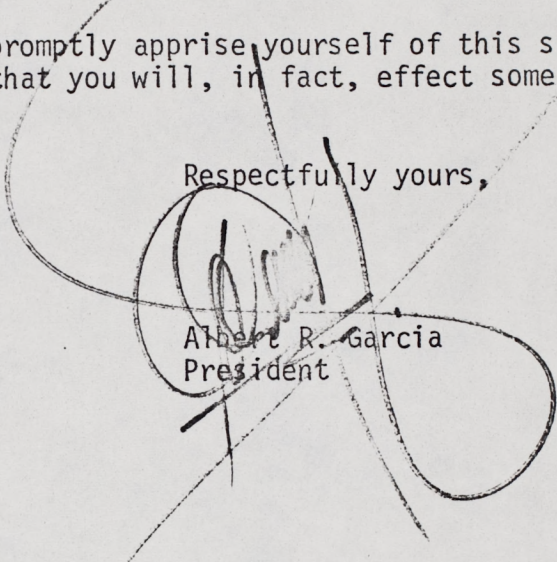
I think it is proper at this point to mention that Mr. Gilman, the Regional Commissioner, was thoroughly investigated during "Operation Clean Sweep" and perhaps the lack of his indictment was only due to the fact that the Department of Immigration and Naturalization Service had to be allowed to "save face" at some point in the legal proceedings, after the shameful expose of illicit practices that "Operation Clean Sweep" brought to light.

It is for this reason that we would like to request that this person be chosen from our compilation of candidates of Mexican-American descent that we desire presented for consideration.

The incident involving Mr. O'Connor merely served to re-emphasize the fact that the presently existing discriminatory attitudes and insufferable racism demonstrated by individuals in similar key positions must be exposed and, thus, merit a direct investigational process - one that, we feel, now falls within your jurisdiction because of the magnitude the problem will reach if this is not done and the levels of management that it involves.

Hoping that you will endeavor to promptly apprise yourself of this situation and the individuals involved and that you will, in fact, effect some remedial action in this matter, I remain,

Respectfully yours,



Albert R. Garcia
President

ARG:cos

Dear Ted:

I would like at this time to bring to your attention a matter which merits expeditious action.

I had occasion to meet the new Chief of Immigration, Mr. Gerald O'Connor, on Monday, January 28th. What I had thought would be a friendly meeting and an exchange of ideas and goals, turned out to be a most disturbing and almost violent episode. I was initially greeted (by him) by being told that if my presence was not officially approved by the Regional Office, I would not be dealt with because "things" were now going to be run "according to the book!" From that point on, the encounter was only made worse by Mr. O'Connor's constant offensive and racist attitudes and expressions. I got the distinct impression that this man represented nothing more in his position as Chief of Immigration than an "executioner" with the ultimate goal of propagating racist attitudes against Mexican-American organizations ~~in direct attack~~ and towards people of Mexican-American descent in general.

However, the fault in this matter is found more directly at a level higher than his; ~~It~~ lies in the person of the Regional Commissioner^{who has remained} ~~tenaciously~~ ignorant of the problems and needs of this area. It seems to me that if persons are placed at this level who are ~~unapprized~~ of the qualifications that must be found in individuals that are placed in positions that have a tremendous impact on meeting the needs of the people they are to serve, then we are faced with the resultant existing situation - one that serves no other purpose than to further embitter discriminatory attitudes that now require, if not demand, immediate investigation!

It is in this respect that ^{we} I would like to make the following recommendations - ~~We~~ I feel that it is imperative that arrangements ^{be} ~~are~~ made for us to meet with General Chapman at the time of his forthcoming visit to the ^{L.A.} ~~San Diego~~ area on Feb 11, 1974. Furthermore, ^{we} I would like the Regional Commissioner replaced by someone who is fully aware of the understanding and foresight that is essentially required in order to alleviate the sometimes intolerable conditions caused by the present system of management within the Department of Immigration and Naturalization Service, *i.e. a bilingual, bicultural Administrator from the Southwest.*

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The incident involving Mr. O'Connor merely served to re-emphasize the fact that the presently existing discriminatory attitudes and insufferable racism demonstrated by individuals in similar key positions must be exposed and, thus, merit a direct investigational process - one that, I feel, now falls within your jurisdiction because of the magnitude the problem will reach if this is not done and the levels of management that it involves.

Hoping that you will endeavor to promptly apprise yourself of this situation and the individuals involved and that you will, in fact, effect some remedial action in this matter, I remain,

United California



Mexican-American Assn.

323 1/2 EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

March 8, 1974

Senator James R. Mills
State Capitol
Sacramento, Calif. 95814

Dear Senator Mills:

Enclosed please find a copy of the letter from Senator John Stull, Thirty-Eight District, which states his intention of proposing legislation to prevent our children from receiving a fair and decent education in our schools while they are in the process of legalizing their immigration status in this country. The mere fact that Senator Stull would even think of introducing such legislation which would further deteriorate the image and common decency of the Mexican-American community, is completely unfair and unjustified.

This organization is therefore recommending that appropriate action from your office should be taken in order to avert this biased and illegal form of harassment to children who are only seeking education with the same right as that of any other American in this country.

Senator Stull does not understand that the reason so many children are lacking the appropriate immigration documentation is due to the fact that in several cases, the immigration authorities are delaying the adjustment of the status of minor children of parents who are legal residents or United States citizens.

He also does not understand that the American Consulate abroad has a waiting list of 18 to 24 months before appointments are granted for issuance of immigration visas.

We therefore strongly recommend the cessation of any legislation in this regard, promoted by Senator Stull in an effort to achieve re-election power, at the expense of sacrificing the Mexican-American community. This type of action should be rejected at any cost. We will not, under any circumstances, permit this outrageous crime to take place in our community.

Your utmost cooperation in taking proper action in this matter, will be greatly appreciated.

Sincerely,

Albert R. Garcia
President

California State Senate

AGRICULTURE AND
WATER RESOURCES
HEALTH AND WELFARE
INDUSTRIAL DEVELOPMENT
LOCAL GOVERNMENT
VICE CHAIRMAN
JOINT COMMITTEE
EDUCATIONAL GOALS
AND EVALUATION



JOHN STULL
SENATOR
THIRTY-EIGHTH DISTRICT
SAN DIEGO COUNTY

February 6, 1974

TO: SCHOOL DISTRICT SUPERINTENDENTS
FROM: SENATOR JOHN STULL

Recently, representatives of a local taxpayers' association contacted me regarding the costs of educating in our public schools children of illegal aliens. It was suggested that perhaps legislation might be developed to deal with the situation, such as requiring the showing of a child's birth certificate at the time of registration for school.

Before introducing such legislation, however, I would like to hear from various districts regarding this problem and learn what steps are presently being taken to prevent taxpayer money from being spent for the education of the children of illegal aliens. Accordingly, your comments are especially invited.

John Stull
JOHN STULL

4617 FAITH AVENUE
SUITE B
LA JOLLA 92041
(714) 402 5070

SAN DIEGO CITY SCHOOLS
ADMINISTRATIVE
SERVICES

FEB 8 9 22 AM '74



323½ EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

May 23, 1974

Victor Villalpando
Mexican American Community Affairs Officer
County Administration Building
1600 Pacific Highway
San Diego, California 92101

Dear Vic:

This is in response to your request regarding my opinion on the procedure being used by the Social Security Administration in San Diego County.

My main concern after reading the documentation of the new rulings of the Social Security Administration is the feeling of nearly hostile and seemingly predisposed accusatory attitudes with reference to Mexican-Americans, especially. Because I can't help but wonder if the word "aliens" will in reality be applied fairly to encompass aliens of all nationalities, or if it is an offensive reaction directed towards persons of Mexican descent. Due to past experiences, I am greatly inclined to believe it is the latter.

My concern is also extended towards those persons who must now be faced with having to submit documents for evidence which are of great personal value to them, due to the effort and, in many instances, money spent in obtaining them. These persons must now relinquish said documents freely and, perhaps carelessly, if they must trust the services of a messenger and in addition, the bureaucratic route of paperwork. In the case of an immigration card, (I-151) if this should be lost, there is an added cost for obtaining a new one; and, in the case of a naturalized citizenship document, (I-179) the loss is irreparable. In both cases, there is the feeling of a harassing, demeaning and denunciatory attitude on the part of the people insisting or, perhaps, demanding the submission of said evidence. There is in addition the loss of any pride or dignity on the part of the requesting party. If they should feel harassed or humiliated by the treatment received by a certain clerk at the time of their application for a Social Security card, they can no longer have the right to protest or simply forget about the matter temporarily, in an effort to retain some dignity they are now faced with a further denunciatory process involving the Immigration & Naturalization Service.

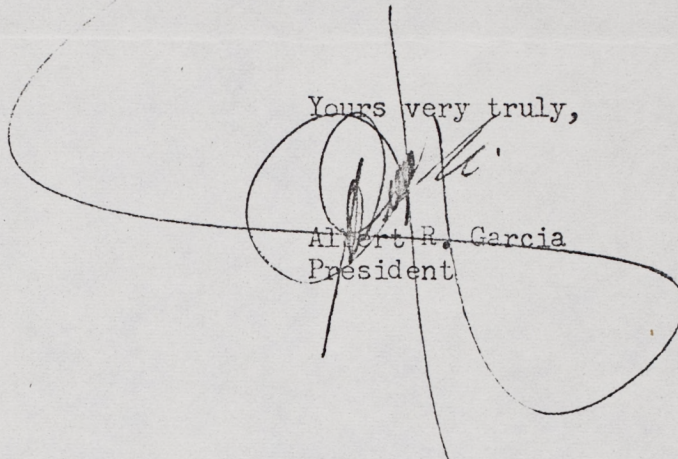
Mr. Vic Villalpando
Page Two.

It seems to me that there is an undercurrent or movement aimed towards stripping Mexican-Americans of their skin or their surname serve as a direct and unjustified implication of guilt, subject to the vexation, annoyance and humiliating burden of proof of their innocence in a matter which for "Americans" (Caucasians) is deemed an expected service from their Government.

My overall feeling in this regard is one of obvious discrimination and intended harassment.

With Best Wishes.

Yours very truly,



Albert R. Garcia
President

ARG:ichr

c.c. E. Kennedy
c.c. J. Tunney
c.c. A. Cranston
c.c. Van Deerlin
c.c. E. Roybal
c.c. S. S. Administration, San Diego
c.c. Herman Baca ✓
c.c. Carlos Vasquez
c.c. S. S. P. A.
c.c. Commission on U.S. Civil Rights

United California



Mexican-American Assn.

323½ EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

May 24, 1974

Senator James R. Mills, President pro Tempore
U. S. Grant Hotel
San Diego, California 92101

Dear Senator Mills:

This is in reference to the Assembly Bill #2701, introduced by Assemblyman Alatorre and Morreti, which is pending before your committee at this time.

The bill in question provides that it shall be a misdemeanor for any person unless he is an attorney or a representative of a charitable organization to provide assistance with immigration or citizenship matters. According to the authors of said bill, the purpose of the law, if the bill is enacted, is to banish from business those individuals who, through fraudulent measures, unscrupulously take advantage of those persons seeking their help in immigration and citizenship related matters.

I feel that the ultimate goal in the enactment of such a bill is justified, since I am also concerned that something needs to be done to avoid the abuses perpetrated on those persons seeking assistance in these matters. However, I am against taking so drastic a measure since it will also prevent consultants, whose primary concern is to provide assistance and helpful advice and orientation gained through meaningful experience and self-taught knowledge of Immigration Law with its endless individual variations and applications, to those persons who, without such supportive services, would certainly be at a complete loss due to insufficient knowledge of the English language, the definitions of certain requirements, or the ignorance of the maze of bureaucratic paperwork that must be traveled in such matters. I feel quite strongly in this matter because it represents an infringement on the rights of the people to work in the type of work they so choose and the right of the people to seek help or advice from the person they so desire; these rights are assured in Article IX of the Constitution of the United States. There is also the disadvantage of having to deal with people working in these Federal agencies who have no empathy or patience with the totally disoriented individuals who seek information from them.

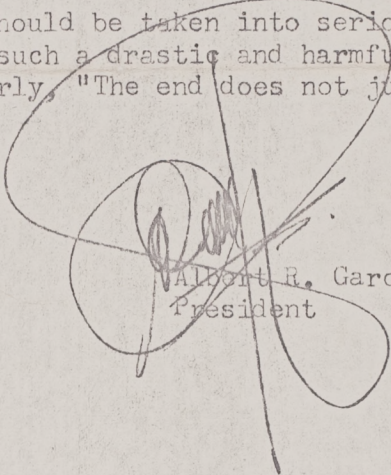
I feel it is only fair to furnish these people with the benefit of their experience in order to obtain their documentation in the most expeditious manner possible.

Senator James R. Mills
Page Two.

They are not denying the stipulation of a fee for such services, but it is a reasonable amount which is fully justifiable by the avoidance of inconveniences, under delays for lack of correct information and any adverse treatment those persons might encounter on their own. It also minimizes by an enormous margin the amount of money they would have to pay should they be faced with attorneys' fees; or the district and procrastination which is a germane and so typical of charitable organizations.

All of the aforementioned points should be taken into serious consideration and investigation before allowing such a drastic and harmful measure to be effected. In this case, particularly, "The end does not justify the means."

With warm personal regards.



Albert R. Garcia
President

ARG:ichr

c.c. Governor, Ronald Reagan
c.c. Bob Moretti
c.c. Richard Alatorre
c.c. Wadie P. Deddeh
c.c. Lawrence Kapiloff
c.c. Ruben Ayala

Read
6-3-74

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

MAY 31 1974

AND REFER TO THIS FILE NO.
CO 287.3-C

Dear Mr. Garcia:

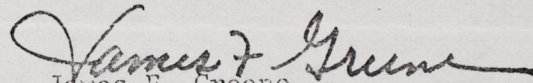
This is in further response to your letter of March 4, 1974 concerning certain alleged acts of misconduct by agents of this Service in the San Ysidro area.

As promised in my initial acknowledgment of your letter, a thorough investigation of this incident has been conducted. Although somewhat hindered by the refusal of several resident witnesses of the San Ysidro area to respond to our inquiries, the matter has now been examined in complete detail. It has been conclusively established that the Service officers associated with the incident in no way exceeded their authority or otherwise violated the policies or instructions of the Service.

All consenting witnesses to the incident were interviewed and no evidence of alleged racial slurs or other derogatory remarks could be developed. Additionally, no one was unnecessarily detained, nor was excessive force exerted.

Your concern over this matter has been appreciated.

Sincerely,


James F. Greene
Deputy Commissioner

Mr. Albert R. Garcia, President
United California Mexican-American Association
323½ East San Ysidro Boulevard
San Ysidro, California 92073

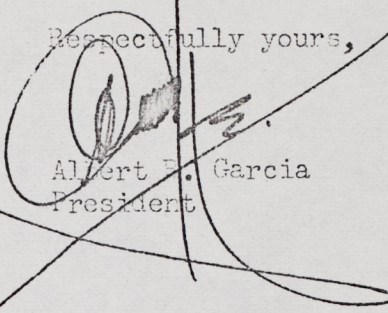
Mr. Leonard Chapman, Jr.
Page Two.

I cannot conceive of any possible justification for such actions. The reply I received from Mr. Greene reinforces my belief that there exists an obvious and determined intent to promote the furtherance of such abuses.

I am relaying this information to you in the hopes that perhaps you might influence the initiation of an earnest and unmitigated searching investigation of these abuses one that will bring about truly positive results.

I will be avidly awaiting your reply in this matter to learn of any results or follow-up data you may have obtained.

Respectfully yours,



Albert P. Garcia
President

c.c. Richard M. Nixon
c.c. Edward M. Kennedy
c.c. Alan Cranston
c.c. John V. Tunney
c.c. James O. Eastland
c.c. Edward R. Roybal
c.c. Lionel Van Deerlin
c.c. Donald W. Regle
c.c. Joseph Montoya
c.c. Henry Ramirez
c.c. Henry Gonzalez
c.c. Jerome Waldie

JAMES O. EASTLAND, MISS., CHAIRMAN

JOHN L. MCCLELLAN, ARK.
SAM J. ERVIN, JR., N.C.
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JOHN V. TUNNEY, CALIF.

ROMAN L. HRUSKA, NEBR.
HIRAM L. FONG, HAWAII
HUGH SCOTT, PA.
STROM THURMOND, S.C.
MARLOW W. COOK, KY.
CHARLES MCC. MATHIAS, JR., MD.
EDWARD J. GURNEY, FLA.

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, D.C. 20510

PETER M. STOCKETT
CHIEF COUNSEL AND STAFF DIRECTOR

April 1, 1974

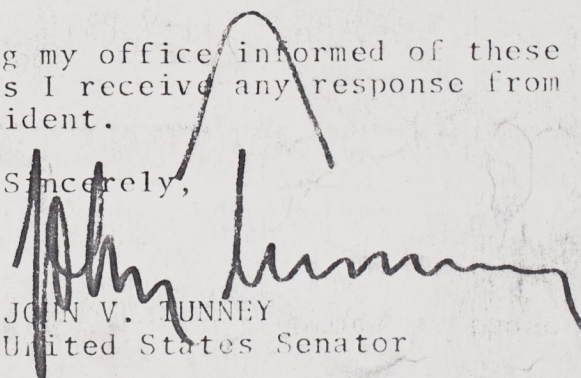
Mr. Albert R. Garcia
President
United California Mexican-American
Association
323-1/2 East San Ysidro Boulevard
San Ysidro, California 92073

Dear Mr. Garcia:

Your letter alleging unlawful activity on the part of an agent of the United States Border Patrol has been forwarded by me to both the Immigration and Naturalization Service and the United States Civil Rights Commission for response and action. I have just had a personal meeting with General Leonard Chapman, Commissioner of the I.N.S., and I reiterated statements which I made during his confirmation hearing last year, to the effect that the I.N.S. had to ensure that its activities comported with the constitutional rights of Americans and aliens alike. If the charges made in your letter are confirmed, I am sure that appropriate action will result on the part of both federal and local officials.

I appreciate your keeping my office informed of these matters. I will let you know as soon as I receive any response from the relevant agencies on this incident.

Sincerely,



JOHN V. TUNNEY
United States Senator

JVT/rfj

FROM THE DESK OF

ALBERT R. GARCIA

For your information.

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
2223 El Cajon Boulevard
San Diego, California 92104

SND 214 F-P

June 1, 1974

Dear Sir:


Several inquiries have been received concerning the circumstances under which a person admitted as a B-2 nonimmigrant visitor (i.e., the holder of a 72-hour border crossing card) may attend school in the United States.

The statute, sec. 101(a)(15) of the Immigration and Nationality Act, defines a visitor as a person, other than one coming for the purpose of study, who has a residence in his native country to which he intends to return and who is visiting the United States temporarily for business or pleasure. A non-immigrant student also is defined at paragraph (F) of the same section as a person who intends to pursue a full course of study at a school approved by the Service for attendance by nonimmigrants.

The Service position in the case of the so-called commuter student (i.e., one who resides in Tijuana and returns thereto daily) depends on the principal purpose of the entry. If the student pursues a full course of studies at a school in this country and thereafter returns to his residence in Tijuana it must be concluded that his studies are his principal purpose for coming to the United States, and, therefore, he must comply with the procedural requirements relating to nonimmigrant students. Any other interpretation would lead to circumvention of the statute by permitting visitors to enter or remain in the United States without regard to their attendance at Service approved schools.

It would be appreciated if you would inform all interested persons that students residing in Tijuana who intend to attend classes at your school during the coming year will be required to present student visas or, in the alternative, establish that their studies will be incidental to the purpose of their visit. Every effort should be made to avoid re-registering Tijuana residents for fall classes unless they have been issued Form I-20 (certificate of acceptance) by your school and been assured that student visas will be issued by the American Consul. With sufficient advance notice to all concerned it is hoped that inspectional problems at the port of entry as well as inconvenience to the individual students may be avoided.

Please be assured of the continuing cooperation of this office in matters of mutual interest.

Sincerely,

R. L. Coffman
Officer in Charge

FROM THE DESK OF

ALBERT R. GARCIA

For your inspiration



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE July 23, 1974

TO: Board of Supervisors

FROM: Human Resources Administrator

SUBJECT: MEXICAN ALIEN TASK FORCE

On March 5, 1974 (110), your Board approved in concept the creation of a Mexican Alien Task Force and referred the matter to the Acting Human Resources Administrator for a report asking for recommendations regarding the implementation of such task force. This multi-government/private citizen task force would report to the Human Resources Administrator and the Human Resources Agency Advisory Board. It would have as its prime responsibility the ascertainment of those socioeconomic problems caused by the effects of the Mexican alien and would cooperatively seek appropriate solutions to such problems. The Task Force was to be composed of the most affected governmental agencies, as well as a substantial degree of citizen participation.

The Human Resources Agency with the participating governmental and citizens' organizations has developed and endorsed the attached proposal for the establishment of the Mexican Alien Task Force.

Accordingly, it is my

RECOMMENDATION: That your Board

Adopt the attached proposal for the establishment of the Mexican Alien Task Force.

Respectfully submitted,

CONCURRENCES:

Human Resources Agency
Advisory Board

RUBEN E. DOMINGUEZ
Human Resources Administrator

FISCAL IMPACT: No direct cost to the County.

ADVISORY BOARD STATEMENT:

RED/VV:ls

MEXICAN ALIEN TASK FORCE

1. The Mexican Alien Task Force (MATF) comprises representation from those agencies and community segments most affected by the impact of Mexican aliens in this community. The MATF is expected to include subcommittees to work in areas requiring specialized attention. The MATF will be initially comprised of the following voting members:

Robert Coffman
Officer in Charge
Immigration & Naturalization

Robert Larsen
Assistant Administrator
Bay General Hospital

Balt Yanez
Equal Opportunity Officer
U. S. Customs Department

Wess Allen
Captain
San Diego City Police

Sheldon King, Director
Hospital & Clinics
University Hospital

Stanley Hay
Sergeant
County Sheriff

James L. Ray
Administrative Assistant
Mercy Hospital

Phil Saenz
Special Assistant
County District Attorney

Scott C. Gray
Assistant Superintendent
San Diego City Schools

Art Madrid
Community Relations Officer
Office of the Mayor

Ward T. Donley
Assistant Superintendent
Sweetwater School District

John French
Chairman
HRA Advisory Board

Pete Schey
Attorney at Law
Legal Aid Society

Felix Rusnak
Assistant Director
County Welfare Dept.

Phil Usquiano
Business Manager
AFL-CIO

Chicano Community
Adele Alvarez
Herman Baca
Alberto Garcia
Carlos Vasquez

2. The MATF shall be staffed by the County Mexican-American Community Affairs Officer (MACAO), who will serve on an as needed basis as a non-voting Executive Secretary, except that the MACAO will vote in the case of a tie.

3. The function of the MATF will be to define problems pertaining to Mexican aliens in the County with respect to their impact on manpower, law enforcement, health, welfare, education, environmental development, population growth and human relations. The MATF will recommend solutions to any problem areas and work with appropriate agencies in efforts to alleviate such problems.

The MATF will further work to develop a research grant proposal that will be used to accomplish a comprehensive study on the entire socioeconomic impact of the Mexican alien on the County of San Diego. A research effort of this sort is believed to be essential to the Task Force if it is going to propose solutions based on the understanding of the total problem. The information to be secured by the study is also believed to be of extreme value to the community in general since it will relate the magnitude of the alien problem to all socioeconomic aspects of San Diego

Approved by the Human Resources Administrator and the HRA Advisory Board.

RUBEN E. DOMINGUEZ

JOHN FRENCH, CHAIRMAN



323½ EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

August 21, 1974

President (Gerald Ford)
White House
Pennsylvania 1600
Washington, D.C. 20500

Dear President Ford:

I am writing to you with regard to a problem which is affecting my organization and many other such organizations involved in helping people seeking to be reunited with their families here in the United States. I find it necessary to address myself to you on the present issue, since I have not had any positive followup response in its regard from the sources which I have contacted through the appropriate channels.

The issue is one of utmost urgency. It involves cases of individuals who are applying for visas for members of their families with whom they wish to be reunited. These individuals must comply with several specific requirements in order to justify their applications for said visas; requirements in the form of tangible proof of employment, if applicable because of the age of the applicant, as well as documented proof of earnings of those family members who are presently legally residing in the United States and who are employed. These are two of the more prominent and essential requirements to meet, in order to prove that family members presently in this country are not or have not been receiving some form of Welfare aid and have become a public charge and, secondly, to further support proof of future self-sufficiency upon the granting of the visa (s) for their additional family member (s).

My untiring grievance in this matter has been that, regardless of the fact that all of the stipulated requirements with sufficient and, in some cases, more than sufficient proof have been met, especially concerning proof of adequate income for the family, these cases are being denied on Section 212 (a) (15) of the Immigration and Nationality Act, as amended. The crux of the problem, as I see it, is that there are presently no clearly defined guidelines for the consular officers to follow, but rather, the ultimate decision of approval or denial in these

President (Gerald Ford)

Page Two.

cases is left solely up to the "discretion" of the officer reviewing the case. The decisions of denials rendered in these cases on a daily basis are completely inequitable and without justification. Since there exist no clearly defined guidelines, these cases cannot be legally appealed on the basis of an officer's mood, discriminatory, or biased attitude in these particular cases. I realize I am making some pretty strong statements regarding the attitude of consular officers in charge of reviewing these cases, but I can assure you that I am not speaking carelessly or without proof. I have been providing such proof to the State Department in the form of examples and specifics of individual cases which have been denied on Section 212 (a) (15) and for which there is no justifiable explanation. More specifically, I have sent letters to Ms. Barbara M. Watson on June 14th, July 6th, August 6th, and August 13th, and have apprized her of a total of 10 cases which are definite examples of these types of absolutely unjustifiable and unreasonable denials. I have only received a reply to my original inquiry, stating that the matter would be looked into, but I have, to date, received no further report of any followup with regard to these cases or to the problem as a whole.

I feel so strongly that this problem is increasing in severity and is becoming a glaring fault, definitely injurious to the image of the United States abroad, that I personally conveyed my grievance to Mr. Julio J. Arias of the State Department (due to Ms. Watson's absence) during my recent trip to Washington on July 22nd. I received a sympathetic ear to my grievance, a commitment that the matter would be looked into, and that guidelines would be developed. However, I have not had any response to my request or appeal regarding the cases which were presented in my letters. You must bear in mind that these cases involve people who are presently separated from their loved ones, who have worked very hard to overcome defeat in their purpose, and who have managed to meet the required economical standards, in order to prove their present self-sufficiency and reasonably assure the continuance of that same status in the future. These people are now desperately anxious for a positive resolution in their cases. They do not understand and should not bear the burden of fault for a problem which in reality is an illogical deficiency in the present system of appraising and reviewing these cases; and, most certainly, are not to blame for the biased and discriminatory attitude of the officers involved in reviewing these cases. However, the latter seems to be the most weighing and decisive factor in the final negative decision rendered by the officers, under the present system.

As a matter of fact, upon my return from Washington, I was faced with even more such denials which now required additional, completely irrelevant and, in some instances, clearly unobtainable data, in order to pursue the case for further review. I can

President (Gerald Ford)
Page Three.

interpret this newly added form of harassment in no other way but as a retaliatory attitude on the part of consular officers for my expose of the situation, in addition to the naming of particular officers who have been excessively at fault, especially with regard to harassing and mistreating persons whose cases are being reviewed.

I will cite you the following case as an example of these unwarranted and unjustifiable denials on Section 212 (a) (15):

SILVIA ANTONIA BARRON QUEVEDO and 4 siblings -

The family members presently in the United States are the father, mother and one daughter. Their combined income amounts to \$402.63 per week (confirmed by paycheck stubs), or approximately \$1600 per month. I feel this income more than justifies the addition and reuniting of the rest of their family without becoming a public charge.

All of the cases which I have brought to the attention of Ms. Watson have been denied on Section 212 (a) (15) and all of them similarly satisfy and justify the required documentation.

Since this problem is uniquely sensitive to the image the United States is trying to project with regard to its foreign policy and since it is even more unique due to its humane and rightful nature, I hope that you will agree that this matter now merits your attention because of its increasing severity and aggravation. I realize fully the extreme excess of your schedule at this time, but I have no further recourse in my effort to elicit a positive resolution of these cases and an effective and productive investigation of the present system; one that will bring about a reformation with just and realistically established guidelines for application requirements, exceptions and appeals clauses, and the deletion of the present contingency factor of rendering final decisions, based on an individual's judgement, rather than factual data presented.

I sincerely believe, however, that this will only be accomplished through your inquiry into the matter and your request for its proper and expedient solution, in order to resolve existing cases and prevent further injustices of this nature.

Hoping to receive an assuringly assenting reply on your part, along with prompt subsequent followup through channels which you may deem appropriate in this matter, I remain,

Cordially yours,

Mr. Albert R. Garcia
President

ARG:cos
Enclosure