

Committee on Chicano Rights, Inc.

1837 Highland Avenue
National City CA 92050
(714) 474-8195

Come & Hear

HERMAN BACA

Chairperson

Traiga su propia comida

*Conocido por su trabajo por
los derechos chicanos*

TIME: 5 p.m.

DATE: May 1

PLACE: Brinkman Park
1st and L Sts.

En caso de mal tiempo, nos
reuniremos en 3128 S.

I. THANK MATA

II. CINCO DE MAYO

PAINGERS

III. IMMIGRATION - CHICANO PERS

IS NOT THE CAUSE

3 - PERS

RACIST-

LIBERAL-

CHICANO - HISTORICAL

* PLAYERS

* ENEMY'S

* SOLUTIONS

DMS
Douglas



CCR

Committee on Chicano Rights, Inc

For Further Information Call 474-8195

April 29, 1982

FOR IMMEDIATE PRESS RELEASE
SAN DIEGO, CALIFORNIA

The Committee on Chicano Rights today announced that it is calling for an "economic Boycott" of the San Diego Hyatt Islandia Hotel for it's recent "collaboration" and participation with the Immigration Naturalization Service in harrassing and intimidating workers of Mexican ancestry under the I.N.S. "operation cooperation." "We are outraged that the Hyatt Islandia management should presume upon itself the powers and legal stature of an agency of the Federal government in enforcing Immigration laws," stated Herman Baca Chairman of the Committee on Chicano Rights. "That the Hyatt Islandia Hotel should voluntarily cooperate with the I.N.S. in harrassing it's workers of Mexican ancestry is racist, legally questionable, unconstitutional and selective law enforcement of the worst type." Baca was refering to a recent April 14, 1982 I.N.S. operation which was carried out with the total approval of the Hyatt Islandia management (see enclosure) to force all employees of Mexican ancestry to submit to interrogations by the I.N.S. at the Hyatt Hotel under the threat of losing their jobs. Baca also stated "that in response to the call for an "economic boycott" that the

Association of Mexican/American Educators (AMAE) has cancelled a scholarship Dinner/Dance function at the Hyatt Islandia which was scheduled for May 15, 1982, which will cost the Hotel a minimum of "\$5,000."

"The total disregard shown for constitutional rights by the I.N.S. and the Hyatt Islandia is indicative of the quickening slide into a police-state under the Reagan Administration," stated Baca. The Reagan Administration is politically responsible for this inquisition and will be held responsible for it's action. "In calling for the "economic boycott" Baca charged that employers such as the Hyatt Islandia are using the I.N.S. "operation cooperation" to bust unions, to keep wages low and working conditions bad by intimidating the work force in the Hotel/Motel industry. And that the I.N.S. is using the issue of jobs as a "political" ploy to incite nativist hysteria against Immigrants to insure passage of the Simpson/Massoli Immigration Plan which is presently being discussed in the halls of Congress in Washington D.C.

Memorandum


To: ALL EMPLOYEES

From: PAUL FIRTH

Re: DOCUMENTATION OF ELIGIBILITY TO WORK IN THE U.S.

On April 14 and 15, 1982, officials of the United States Immigration and Naturalization Service will be present for the purpose of interviewing all employees as to their citizenship and immigration status.

All aliens will be required by the Immigration Service to present documentation as to their immigration status, e.g. alien registration card.

United States citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certificate, certificate of citizenship, etc.

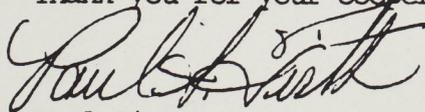
ALL PERSONS are requested to bring some type of identification bearing their photograph, e.g. drivers license or other I.D.

Therefore, you are requested to appear at the Penguin Room between the hours of 7 a.m. and 11 p.m. for the above interview. It should only require a few minutes of your time.

Should the above date be your regular day off, or if you are unable to attend at the above time, Immigration officers will be returning to complete all interviews.

If you have any questions regarding the above matter, we have been advised that you may contact Richard Walker, Investigator, U.S.I.&N.S., San Diego, at telephone number 293-6011.

Thank you for your cooperation.



Paul Firth
Director of Personnel

Mexicans decry roundup of Latin aliens as 'racist'

MEXICO CITY (UPI) — Like a seething volcano about to erupt, Mexican officials, citizens and the nation's press denounced the weeklong roundup of undocumented workers in the United States, some calling it a "Nazi" and racist operation aimed exclusively at Mexicans.

President Jose Lopez Portillo said in the first days of the operation that he was "watching this situation," and noted Mexico had adopted a totally different solution to unemployment, trying to create more jobs rather than depressing the economy and throwing out workers.

The 23 Mexico City daily newspapers were filled with reports and editorial cartoons throughout the week about "Operation Jobs," a crackdown on illegal immigrants holding relatively highly paid employment that resulted in at least 3,500 arrests.

The pro-government newspaper El Dia published seven stories about the operation in its Friday edition, including a front page article from Washington quoting Chicano leaders labeling the Reagan administration "racist."

Many of the newspapers carried horror stories from deported Mexicans returning to their homeland about their treatment by U.S. authorities.

"The agents detained us and piled us into camps in heaps," Everardo Leyva, one of the returnees, told the newspaper Excelsior in one typical report. "Then they gave us what was almost garbage to eat, and there was nothing else to do but return home."

In a separate edition, Excelsior reported from Los Angeles, "The agents always detain persons of Latin appearance, favoring illegals from other nationalities."

The leftist newspaper Ovaciones headlined one front-page story on the roundup with the title "Hitlerian Actions" and said the sweep was similar to "Gestapo actions during the times of Nazi Germany."

Spurred on by such reports, the National Union of Agricultural and Day Laborers denounced the United States for its "bestial treatment" of the detained Mexicans.

Fidel Velasquez, the powerful chief of the largest union in Mexico, the Confederation of Mexican Workers, called "Operation Jobs" an arbitrary crackdown that violated human rights.

He warned, however, that the deportation of thousands of Mexican workers could have a serious effect on the nation's economy.

Three top business leaders said the deportations could affect bilateral commercial relations between Mexico and the United States.

The Mexican Senate issued a petition calling on the United States to respect the human rights of the undocumented.

On Friday, the Mexican Foreign Ministry issued a tough statement saying "this operation seriously worries the government of Mexico" because it has been carried out in regions "characterized by a high concentration of Mexican workers or those of Mexican origin."

There is unlikely to be any direct action by the present Mexican administration, since it goes out of office in December.

Lingering effects of "Operation Jobs," especially if it is resumed, could, however, trigger reactions by the new government early next year.

Arturo Gonzalez, a porter in a Mexico City office building, also saw racism behind the operation.

"The whole thing's bad, because this is against our race, only against the Mexicans," he said.

Andres Garcia Rodriguez, a vendor of fresh fruit juices in Mexico City, was angry at how strict the crackdown had been.

"It's hard," he said. "Well, it's unjust, no. The repression that they have against the undocumented, it's no good."

Ricky Mountain
5/2/82



Committee on Chicano Rights, Inc

April 28, 1982

Mr. Roger Naumann
General Manager
Hyatt Islandia Hotel
1441 Quivera Road
San Diego, Ca. 92109

Dear Mr. Naumann:

This letter is to inform you of the Committee on Chicano Rights' vote to launch a public campaign requesting that persons Do Not patronize the Hyatt Islandia Hotel in San Diego until you and the Hyatt management publicly stops your current illegal and unconstitutional practice of acting in "collusion" with the Immigration and Naturalization Service in harrassing and intimidating workers of mexican ancestry (see enclosure). That you and the Hyatt management would act in "collusion" with the I.N.S. to harrass and intimidate your workers of mexican ancestry is in our opinion unconstitutionally, legally questionable and morally unconscionable and has forced our organization to take the stated action against your hotel.

This current practice as outlined by your memorandum can only be viewed by us as an attack on the rights of the hundred of thousands of U.S. born Chicano/Latinos in San Diego County and on the hundred of thousands of tourists from Mexico.

Therefore, let it be known that because of your actions in this matter our organization has voted to use all of our resources and energies to educate our community to the dangers that your actions represent and to launch a campaign against your Business until such a time as you publicly repudiate your past cooperation with the I.N.S. and refuse to further cooperate with any future I.N.S. inquisitions of our people.

Our organization will be waiting to hear from you on this serious matter.

Herman Baca,
Chairman 1837 Highland Avenue, National City, CA 92050 (714) 474-8195

cc News Media



CCR

Committee on Chicano Rights, Inc.

1837 Highland Avenue
National City CA 92050

Restaurant and Hotel Employers
Council of San Diego
c/o Thomas F. Nieblett
2727 Camino del rey So. Suite #220
San Diego, California 92108

STEVE PALMA INTERVIEWING

ASST. DIST.

HERBERT GRANT
~~ASST.~~ DIRECTOR INVESTIGATIONS

Richard W. WALKER
CRIMINAL INVESTIGATOR

TIME AND PLACE OF INTERVIEW

4/27/82

FROM 10:20 AM TO 12:15

OFFICE OF HERBERT H. GRANT, ASS'T DISTRICT DIRECTOR INVESTIGATIONS

880 FRONT STREET, Rm 255

SAN Diego, Ca 92188

PHONE 293-6011

P = PALMA G = GRANT W = WALKER

NOTE: THE BELOW IS A COMPRESSED VERSION OF THE
TWO (2) HOUR CONVERSATION.

P This program of checking illegal aliens in San Diego
AREA hotels when and how did it start?

W "A suggested memorandum, it's a very old program
started in 1975."

P CAN I HAVE A COPY OF THIS MEMORANDUM?

G WE DON'T HAVE ONE. THERE NEVER WAS A
MEMORANDUM AS SUCH.

P WAS THE WORD SPREAD, LIKE TALK BETWEEN HIGHER-UPS
AND DID IT JUST SORT OF TRICKLE DOWN.

G (LAUGHTER) YOU COULD SAY THAT.

W YOU CAN HAVE COPIES OF OUR EMPLOYER (A)
COOPERATION PROGRAM. AND THE LETTER WE
SEND TO THE EMPLOYER (B), TELLING HIM WE
ARE COMING OUT. WE HAVE NOTHING TO HIDE
FROM YOU.

(CONT)

(CONT)

- P FINE. LETS GET BACK TO HOW THE PROGRAM OPERATES. ANY PROBLEMS?
- W YES, BUT WE'RE NOT BOUND BY ANY STRETCH OF THE IMAGINATION. WE SPEND A GREAT DEAL OF TIME WITH THE EMPLOYER BEFORE THE INTERVIEW.
- P WHAT HAPPENS IF AN EMPLOYER REFUSES TO COOPERATE?
- W "IF AN EMPLOYER REFUSES TO COOPERATE, WE GET A WARRANT OF INSPECTION ISS^{ED} BY THE U.S. MAGISTRATE. I'LL REFER YOU TO THE LITTLE WESTGATE AMERICA. WE SEARCHED EVERY ROOM TWICE.
- P UNDER WHAT AUTHORITY DO YOU GO INTO THE PRIVATE SECTOR TO CONDUCT INTERVIEWS WITH MANAGEMENT COOPERATION?
- W SECTION 287 - AS IMMIGRATION OFFICERS WE HAVE INFORMATION AND CAN CHECK THE HIRING OF ILLEGAL ALIENS. STATE LAW GIVES THE RIGHT TO THE EMPLOYER TO INQUIRE WITH IMMIGRATION AND CITIZENSHIP OF EMPLOYEES.
- W "NOW IN MY OPINION, CORRECT IF I'M WRONG (TO GRANT), IN MY MANY AT LENGTH CONVERSATIONS WITH PETE NUÑEZ, WE ALSO HAVE THE U.S. ATTORNEY'S BLESSING. ALTHOUGH NOT INVOLVED WITH IMMIGRATION, HE DOES HANDLE CRIMINAL MATTERS. PETE NUÑEZ IS VERY SUPPORTIVE."
- G "YES, THAT'S TRUE."

(CONT)

P IS MANAGEMENT PLACED IN A CAPACITY AS AN INS AGENT WHEN YOU CONDUCT INTERVIEWS ON COMPANY PROPERTY WITH ITS PERMISSION?

G "NO, THEY (ARE) NEARLY PROVIDE ROOM OR SPACE FOR THE INTERVIEWS.

W "STATE LAWS MAKE IT PERFECTLY RIGHT FOR EMPLOYERS TO ASK (CHECK) THEIR EMPLOYEES. WE ENCOURAGE EMPLOYERS TO NOTIFY US IF THEY HAVE UNDOCUMENTED WORKERS"

W " WE ENCOURAGE - WE URGE - HOPEFULLY SOMEDAY WE CAN COMPELL - I DON'T THINK THAT WORD IS TOO STRONG, DO YOU (GRANT)? Right, HOPEFULLY SOMEDAY WE CAN COMPELL EMPLOYERS. WITH EMPLOYER SANCTIONS.

P How do both of you feel about the Simpson-Mazzoli Bill?

G "IT'S A STEP IN THE RIGHT DIRECTION"

W "BUT ITS WATERED DOWN ... FAVOR EMPLOYER SANCTIONS."

P How would you COMPELL AN EMPLOYER?

W "EMPLOYER SANCTIONS WILL INSPIRE OTHER EMPLOYERS TO COOPERATE." NOTHING ROUGHER THAN TO TRAIN AN EMPLOYEE, IT TAKES A LOT OF TIME. AND TO HAVE HIM GONE WHEN A CONVENTION IS IN."

P IN COOPERATING, HAS AN EMPLOYER HELD AN EMPLOYEE FOR YOU?

W "I'VE NEVER HAD AN EMPLOYER ARREST AN EMPLOYEE AND HOLD HIM FOR US."

G CITIZENS ARREST I'M SURE DOESN'T FIT HERE.

(CONT PAGE FOUR)

W "THERE IS, (AT THIS TIME) NO REAL pre-employment SCREENING."

P If this is a NATIONAL program what's it for?

W "NO IT'S NOT A NATIONALLY MANDATED program — THE...

G NOTHING CAME OUT IN WRITING, the program is urged to get jobs for U.S. CITIZENS AND legal RESIDENT ALIENS AND EVERYBODY ELSE.

P You mean like a student, if he gets the proper forms?

W "Only, if he's legal."

W "WE GET A LOT OF CALLS FROM legal ALIENS that complain there is a job but they CAN'T HAVE IT BECAUSE AN illegal took it."

P What about VACATION Village? I understand two PERSONS trying to get the UNION IN — disappeared.

G I DON'T KNOW IF WE'VE BEEN THERE. I DON'T KNOW about that.

W "OH WE'VE HAD calls FROM people that say they ARE legal ALIENS. But THERE IS AN illegal that has a job AND he's a real S.O.B. I'll tell them, if the PERSON has a bad personality, THEN that's up to the employer."

P What RECOURSE DOES A U.S. CITIZEN, take me for instance, my NAME IS STEVE PALMA, what IF I REFUSE to COOPERATE AND GET Fired. What recourse do I HAVE?

G I DON'T KNOW

W. I DON'T THINK we've had that happen. I guess you could go thru the COURTS.

To: All Employees

Date:

Fr: (Designated manager)

SUBJECT: Immigration Service Survey

On (date), officials of the United States Immigration and Naturalization Service will be present for the purpose of interviewing all employees as to their citizenship and immigration status.

All aliens will be required by the Immigration Service to present documentation as to their immigration status, e.g. alien registration card.

United States citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certificate, certificate of citizenship, etc.

All persons are requested to bring some type of identification bearing their photograph, e.g. drivers license or employee identification card.

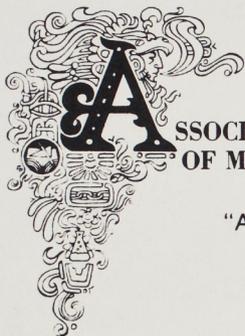
Therefore, you are requested to appear at (room & location) between the hours of (time) for the above interview. It should only require a few minutes of your time.

Should the above date be your regular day off, or if you are unable to attend at the above time, Immigration officers will be returning to complete all interviews.

If you have any questions regarding the above matter, we have been advised that you may contact Richard Walker, Investigator, U.S. I.N.S., San Diego at telephone number 293-6011.

Thank you for your cooperation.

B
PALMA



**ASSOCIATION
OF MEXICAN AMERICAN EDUCATORS INC.**

South Bay Chapter

"ANNUAL SCHOLARSHIP BANQUET DANCE"

Featuring

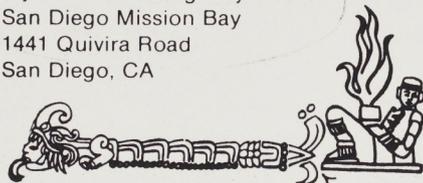
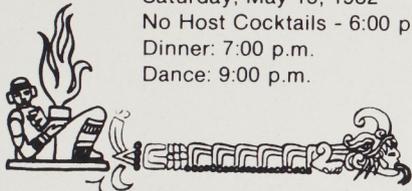
KAHLUA

DONATION: \$20.00



Saturday, May 15, 1982
No Host Cocktails - 6:00 p.m.
Dinner: 7:00 p.m.
Dance: 9:00 p.m.

Hyatt Islandia/Regency Room
San Diego Mission Bay
1441 Quivira Road
San Diego, CA



**STEVE PALMA
FOR
80th ASSEMBLY**

**A RESPONSIBLE LEADER
FOR THE
DEMOCRATIC PARTY**

U.S. Department of Justice
Immigration & Naturalization Service

Richard W. Walker
Criminal Investigator

880 Front Street, Rm. 2S5
San Diego, Ca. 92188

Phone 293-6011

Bertha J. Lopez
William M. Lopez



Actung Jiden

DANIEL E. ESPINOSA

DAVID E. ESPARZA

Arron Jefe Steve Palma

Rosa Maria Bracamontes

Julia S. Bartolome

U.S. Department of Justice

IMMIGRATION & NATURALIZATION SERVICE

HERBERT H. GRANT

ASS'T. DISTRICT DIRECTOR
INVESTIGATIONS

880 FRONT STREET, RM. 2S5
SAN DIEGO, CA. 92188

PHONE 293-6011

would it, without the voice of the occasional cuckoo?"

...and Christians have worshipped there for 1,300 years. On this evening,

...the cathedral, blue-eyed bishop was besieged by admirers.

...much more cut and dried."

sentences for felons
Goldin asserts Navy Yard industrial park is poorly managed

Border Shooting Outrages Mexican-Americans

Special to The New York Times

SAN DIEGO, May 8 — Mexican-American groups here have expressed outrage at the way officials of the Border Patrol and San Diego have handled a case in which a border patrolman shot across the international line into Mexico and wounded a 12-year-old Mexican boy.

A Border Patrol official has said the agency is "standing behind" the agent's action, and the San Diego District Attorney, Ed Miller, announced that he would not prosecute the agent because the shooting was justified. However, a spokesman for the District Attorney's office said, "This is not a judgment that this is a good shooting."

Herman Bacca, chairman of the Committee for Chicano Rights, said, "We're going to proceed with every means necessary in order to correct this inequity, go to Amnesty International, whatever."

Mexico's Ambassador in Washington, Jorge Espinosa de los Reyes, formally asked the State Department to see that the agent was punished and the boy's family compensated.

State Official Intervenes

And the day after the District Attorney's announcement, the State Attorney General, John Van de Kamp, said he would review the local investigation. A spokesman in Mr. Van de Kamp's office said he had been asked to intervene by State Assemblyman Richard Alatorre of Los Angeles, a Democrat.

The shooting occurred April 18 as the Border Patrol agent, Edward D. Cole, and two other agents were arresting Eduardo Carrillo Estrada, 15, on the

United States side of the border. Eduardo's younger brother, Humberto, was in a group on the Mexican side that saw the arrest. The police and witnesses differ about what happened next.

The San Diego District Attorney's office said in a report on the incident that Mr. Cole and two other agents had just taken Eduardo into custody when Mr. Cole crouched, aimed and shot three times at Humberto across the border.

The San Diego police report, however, said Mr. Cole fired two warning shots into the air before firing the shot that struck Humberto.

Eduardo had slipped across the border earlier and was returning to Mexico when the agents apprehended him.

Beating Is Charged

The police and the District Attorney's office have said the shooting was justified because Humberto and his friends "picked up large rocks and lobbed them up into the air from the Mexican side so that they would clear the top of the fence and come crashing down on the American side at or near the position of the agents."

Eduardo and other Mexicans dispute these reports, saying that Eduardo was being beaten by the agents. Some of them say that people on the Mexican side began throwing stones as Eduardo was being beaten; others say the stone-throwing did not begin until after Humberto was shot.

After he was shot, Humberto was carried across the border by a Tijuana man, Francisco Corona Cardenas, 28, who insisted that he be treated in an American hospital. The boy was taken to Mercy Hospital in San Diego, which

said a .38-caliber bullet had entered his left side near the shoulder blade and had broken a rib but missed vital organs. He was released from the hospital and has returned to Tijuana.

Harold Ezell, Western regional commissioner of the Immigration and Naturalization Service, said, "The I.N.S. and the Border Patrol are standing behind what Agent Cole did and had to do." Mr. Ezell said Mr. Cole and the other agents were in "grave danger."

Mexico's Consul General in San Diego, Javier Escobar y Córdova, said that the shooting was "totally unjustified, a brutal use of force against a child, a small boy really, who it is claimed was able to lift a heavy rock and throw it over a nine-foot fence."

The consul said Mr. Ezell's statement "justifying the action" made him "fearful that other agents will feel they can now do this as a matter of policy."

Humberto's mother has filed a civil suit against the Federal Government asking \$3 million in damages.

Boarder Patrolmen Wounded

SAN DIEGO, May 8 (UPI) — A gun battle in the canyonlands near the Mexican border has left a suspected undocumented alien dead and a Border Patrol agent seriously wounded, the authorities say.

Border Patrol officials said the alien, identified Monday as Julio Arroyo Zaragoza, 32 years old, of Mexico City, leaped from behind a bush Saturday night, shot at a Border Patrol agent and was killed by return gunfire from two other officers.

The agent, Fred Stevens, 39, suffered wounds to the wrist, hip and groin.

As a result of Mr. Stevens's wounding, a special squad of agents has been pulled back from the border the authorities said Tuesday.

"We are not abandoning the canyons," according to Bob Burgreen, the assistant police chief. "We just want to find less hazardous ways to do it."

The 11-man group, made up of volunteers from the Border Patrol and the San Diego police officers, will keep a few hundred yards back from the border pending a review of its tactics, Mr. Burgreen said. The group was formed 14 months ago to combat robberies of undocumented aliens who sneak into the United States.

U.S. and San Diego Ask An End to Hiring Goals

Special to The New York Times

WASHINGTON, May 8 — The Reagan Administration and the City of San Diego asked a Federal District Court today to delete numerical hiring goals from an affirmative action plan adopted in 1977 to help women and Hispanic Americans get jobs with the city government.

The Justice Department has made similar efforts to eliminate numerical goals and quotas from court decrees in more than 50 cases around the country. Officials in many of the jurisdictions, including New York State, New Jersey, Miami, Chicago, Boston, Philadelphia and San Francisco, said they opposed the Administration's efforts.

William Bradford Reynolds, the Assistant Attorney General for civil rights, said that San Diego had suggested eliminating the numerical goals in its case more than a year ago.

Mr. Reynolds said that San Diego had met many of the goals and had made "substantial progress" toward the others through recruiting and "good-faith efforts."

The proposed modification of the 1977 consent decree, to eliminate numerical hiring goals, was approved today by Judge Edward L. Schwartz according to

to praise others who have come forward as volunteers.

Beyond this, the campaign has denigrated as selfish and shameful the tactic of public protest, calling it a relic of the Cultural Revolution, the 10-year

married local people in their place of resettlement.

It was not clear how many people would meet the criteria, but at least some of those who took part in the sit-in appeared to qualify.

Peking Tilts Toward Meeting Protesters' Demands

By JOHN F. BURNS

Special to The New York Times

PEKING, May 8 — A week after criticizing as "shameful" the behavior of several hundred men and women

CORRECTION

An article on the front page of Business Day yesterday about the six vision stations being acquired by Rupert Murdoch and Marvin Davis for Metromedia Inc. appeared in several editions with the continuation of page 34. The article is reprinted today on page 34.

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Committee on Chicano Rights, Inc

FACT SHEET ON IMPORTATION OF TEMPORARY ALIEN AGRICULTURAL
WORKERS UNDER THE H2 PROGRAM

AT THE PRESENT TIME THERE ARE 7.7 MILLION U.S. WORKERS UNEMPLOYED NATIONWIDE
ACCORDING TO BUREAU OF LABOR STATISTICS.

Section H-2 of the Immigration and Nationality Act allows for the importation of temporary alien workers only "if unemployed persons capable of performing such labor cannot be found in this country." There is no such shortage in this country.

THE H-2 PROGRAM DEPRESSES FARMWORKER WAGES.

U.S. farmworkers cannot negotiate for higher wages where the threat H-2 exists. In fact, if farmworkers ask for merely one cent more than the "prevailing wages" (which is considerably lower in states which use H-2 workers), the Department of Labor can certify that these workers are unavailable for work and bring in H-2 workers to fill these jobs.

H-2 WORKERS HAVE FEW FREEDOMS OR PROTECTION.

H-2 workers may not change employers. If an H-2 worker complains about working conditions he may be sent home, black-listed, and never allowed to work in the U.S. again. Only those H-2 workers who are extraordinarily hard working and complacent will be allowed to return for employment in future years.

EMPLOYERS WHO EMPLOY H-2 WORKERS DO NOT PROVIDE BENEFITS REQUIRED OF
OTHER EMPLOYERS.

Employers of H-2 workers need not contribute toward social security or unemployment insurance. Even U.S. workers who work for H-2 employers become ineligible for unemployment insurance for that period.

GROWERS PREFER THE H-2 SYSTEM BECAUSE IT PROVIDES THEM WITH A CHEAP,
CAPTIVE LABOR FORCE.

For years, growers have used Jamaican workers to cut sugarcane in Florida and pick apples in New England, Virginia, west Virginia and New York. Growers use a variety of means

(over)

page 2

to circumvent Department of Labor regulations and avoid hiring U.S. workers. Last year, growers refused to hire, or harassed and fired more than 2,000 workers from Puerto Rico, so they could hire H-2 workers.

THE H-2 PROGRAM THREATENS TO EXPAND DRASTICALLY.

Approximately, 15,000 H-2 workers were imported into the U.S. last year. The Carter Administration has stated that as many as 500,000 H-2 workers may be imported in the near future. Already apple growers from Oregon and Colorado, citrus growers from Arizona, and tomatoe growers from Virginia have attempted to import H-2 workers.

IN ORDER TO ASSIST THOSE WHO WILL BE INTERVIEWED BY THE IMMIGRATION SERVICE, WE RECOMMEND THE FOLLOWING STEPS:

1. PRIOR TO ANY INTERVIEW, CONTACT AN IMMIGRATION ATTORNEY FOR ADICE.
2. CONTACT LOCAL LEGAL SERVICES FOR ASSISTANCE/ ADVICE.
3. CONTACT LOCAL ORGANIZATIONS, AGENCIES FOR ASSISTANCE/ADVICE.
4. THOSE PERSONS WHO THINK THEY MEET THE REQUIREMENTS FOR SUSPENSION OF DEPORTATION, SHOULD DEMAND A "DEPORTATION HEARING".

THEY SHOULD NOT ANSWER ANY QUESTIONS, EXCEPT THEIR NAMES AND ADDRESS FOR FUTURE CORRESPONDENCE REGARDING HEARING DATES.

THEY SHOULD NOT SIGN ANY VOLUNTARY DEPARTURE FORMS.

IMMEDIATELY AFTER THE INTERVIEW, CONTACT YOUR ATTORNEY OR ORGANIZATION, AGENCY.

ALL "SILVA" LETTER HOLDERS AND THOSE WHO DO NOT HAVE "SILVA" STATUS, YOU HAVE THE SAME RIGHTS TO A DEPORTATION HEARING. IF YOU THINK YOU HAVE THE REQUIREMENTS OF SEVEN YEARS RESIDING IN THE U.S. , THEN BY ALL MEANS, DEMAND A DEPORTATION HEARING.

IF YOU ARE ARRESTED, DO NOT SIGN ANY FORM OF VOLUNTARY DEPARTURE.

YOU HAVE THE RIGHT TO A TELEPHONE CALL, YOU HAVE THE RIGHT TO KEEP SILENT AND YOU HAVE THE RIGHT TO REQUEST A BOND HEARING FOR YOUR RELEASE. IT CAN BE ON YOUR OWN RECOGNIZANCE OR BAIL CAN BE SET.

U.S. CITIZENS AND LEGAL RESIDENT ALIENS. IF YOU HAVE BEEN QUESTIONED BY THE INS AND FEEL THAT YOUR RIGHTS HAVE BEEN VIOLATED OR IF YOU HAVE BEEN THREATENED BY YOUR EMPLOYER TO COOPERATE WITH THE INS OR FACE DISCHARGE, PLEASE CONTACT YOUR LOCAL UNION OR IF YOU WISH CONTACT COMMUNITY ORGANIZATIONS, AGENCIES OR YOUR ATTORNEY.



Committee on Chicano Rights, Inc

For Further Information Call 474-8195

April 29, 1982

FOR IMMEDIATE PRESS RELEASE
SAN DIEGO, CALIFORNIA

The Committee on Chicano Rights today announced that it is calling for an "economic Boycott" of the San Diego Hyatt Islandia Hotel for it's recent "collaboration" and participation with the Immigration Naturalization Service in harrassing and intimidating workers of Mexican ancestry under the I.N.S. "operation cooperation." "We are outraged that the Hyatt Islandia management should presume upon itself the powers and legal stature of an agency of the Federal government in enforcing Immigration laws," stated Herman Baca Chairman of the Committee on Chicano Rights. "That the Hyatt Islandia Hotel should voluntarily cooperate with the I.N.S. in harrassing it's workers of Mexican ancestry is racist, legally questionable, unconstitutional and selective law enforcement of the worst type." Baca was refering to a recent April 14, 1982 I.N.S. operation which was carried out with the total approval of the Hyatt Islandia management (see enclosure) to force all employees of Mexican ancestry to submit to interrogations by the I.N.S. at the Hyatt Hotel under the threat of losing their jobs. Baca also stated "that in response to the call for an "economic boycott" that the

Association of Mexican/American Educators (AMAE) has cancelled a scholarship Dinner/Dance function at the Hyatt Islandia which was scheduled for May 15, 1982, which will cost the Hotel a minimum of "\$5,000."

"The total disregard shown for constitutional rights by the I.N.S. and the Hyatt Islandia is indicative of the quickening slide into a police-state under the Reagan Administration," stated Baca. The Reagan Administration is politically responsible for this inquisition and will be held responsible for it's action. "In calling for the "economic boycott" Baca charged that employers such as the Hyatt Islandia are using the I.N.S. "operation cooperation" to bust unions, to keep wages low and working conditions bad by intimidating the work force in the Hotel/Motel industry. And that the I.N.S. is using the issue of jobs as a "political" ploy to incite nativist hysteria against Immigrants to insure passage of the Simpson/Massoli Immigration Plan which is presently being discussed in the halls of Congress in Washington D.C.

OBJECTIVE - To shut off the magnet (jobs) that attracts illegal aliens. The Immigration Service is committed to a policy of locating employed illegal aliens, thereby providing job opportunities for United States citizens and legal resident aliens. The benefits to all of us are obvious.

We are operating on the premise that employers, generally, do not knowingly hire illegal aliens, have no desire to do so, and derive no benefit from the practice. The problem is merely one of identifying the illegal aliens and eliminating them from the employment rolls. Our purpose is to educate, guide and assist - not to punish or disrupt.

As a cooperating employer, we ask that you, as soon as possible, undertake the task of screening your present employees, using the procedures outlined, for the purpose of determining their legal status. All aliens should be required to present Alien Registration Cards (Forms I-151) or other acceptable immigration documents. Many aliens are in possession of counterfeit or otherwise fraudulent immigration cards. We do not expect you to be able to detect these fraudulent documents. However, for your protection, we urge you to Xerox all immigration cards presented by your alien employees for inclusion in your files, or record pertinent data appearing thereon.

(CAUTION: Do not Xerox Certificates of Citizenship.) In addition, we would expect that your personnel records be made available to us, upon request.

This point must be emphasized - the program is not anti-Mexican. To the contrary, our experience has demonstrated that the Mexican-Americans and the legal resident Mexican aliens are the principal beneficiaries of the program, through the jobs that are made available to them. Our experience has also shown that many non-Mexican illegal aliens will be discovered.

The program cannot succeed without your wholehearted and continuing cooperation. We will attempt to show you how to make it succeed, but, in the final analysis, it will be up to you to make it work. We do not propose to dictate to you or tell you how to run your shop, but we will be pleased to give you the benefit of our experience and suggestions and provide whatever assistance we can within our manpower capabilities. We fully realize that, in some cases, we are asking you to make a considerable commitment in terms of effort and resources, but we are confident that your efforts will operate to our mutual benefit.

In order to evaluate the effectiveness of the program, some feedback in the form of statistical data is desirable and necessary. We hope this information can be provided on a monthly basis without placing an undue burden on your personnel departments:

- (1) Number of illegal aliens identified by your screening process and discharged from employment.
- (2) Number of job applicants denied employment based on illegal alienage.

You are being provided with some information sheets and reference material which we believe will be helpful. If you need additional information or assistance, please feel free to call us at 293-6011.

1441 QUMIRA ROAD
SAN DIEGO CALIFORNIA 92109
714 224 3541 TELEX 697844

Memorandum


To: ALL EMPLOYEES

From: PAUL FIRTH

Re: DOCUMENTATION OF ELIGIBILITY TO WORK IN THE U.S.

On April 14 and 15, 1982, officials of the United States Immigration and Naturalization Service will be present for the purpose of interviewing all employees as to their citizenship and immigration status.

All aliens will be required by the Immigration Service to present documentation as to their immigration status, e.g. alien registration card.

United States citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certificate, certificate of citizenship, etc.

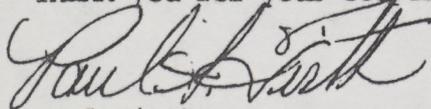
ALL PERSONS are requested to bring some type of identification bearing their photograph, e.g. drivers license or other I.D.

Therefore, you are requested to appear at the Penguin Room between the hours of 7 a.m. and 11 p.m. for the above interview. It should only require a few minutes of your time.

Should the above date be your regular day off, or if you are unable to attend at the above time, Immigration officers will be returning to complete all interviews.

If you have any questions regarding the above matter, we have been advised that you may contact Richard Walker, Investigator, U.S.I.&N.S., San Diego, at telephone number 293-6011.

Thank you for your cooperation.



Paul Firth
Director of Personnel

San Diego County

Los Angeles Times

Tuesday, April 27, 1982

INS Crackdown on Illegal Aliens Nets 43 in L.A. Area

By LARRY STAMMER
and MARITA HERNANDEZ,
Times Staff Writers

About 1,000 people, including 143 in the Los Angeles area, were arrested Monday as the Immigration and Naturalization Service began a nationwide sweep of illegal aliens believed to be competing with Americans for desirable jobs.

The crackdown, dubbed "Operation Jobs," comes at a time when employment is running 9% nationally, 9.4% statewide and 8.6% in the Los Angeles area. Raids were carried out in nine cities: Los Angeles, Fort Worth, Houston, San Francisco, Detroit, Newark, New York, Chicago and Denver.

The raids were characterized by the immigration service as an attempt to free jobs for unemployed

Please see RAIDS, Page 3

Continued from First Page
Americans and legal resident aliens.

Omer G. Sewell, Los Angeles deputy district director of the agency, said: "What we're seeking to do in this period of high unemployment is to open up some of these higher paying jobs. Some of the wage ranges go from about \$3.75 an hour up to \$9 an hour in a variety of different enterprises."

But no sooner had the immigration service launched the sweep than state employment officers and labor union leaders questioned whether the jobs being opened by the arrests will attract American or legal-resident workers.

Others, including legal-service attorneys, charged that the Reagan Administration is attempting to divert attention from the President's economic policies and high interest rates, which, they said, are the real cause of unemployment.

Bert Corona of the National Immigration Coalition, who witnessed one of the raids in Pacoima said, "I think this is absolutely a deceitful effort to thrust the focus of atten-

tion away from the real causes of unemployment, which are the Reagan Administration's policies, high interest rates, inflation, failure to plan and the departure of the plants from this area to other parts of the world."

In Los Angeles, 80 immigration service agents and U.S. Border Patrol officers converged on three companies suspected of employing illegal aliens.

Armed with a search warrant, the agents surrounded the Price Pfister Brass Manufacturing Co. at 11080 Sutter St. in Pacoima and arrested 82 suspected illegal aliens who were earning an average of \$5.71 an hour at the plumbing fixture manufacturing plant.

As immigration agents led a group of workers away from the plant, a group of friends and relatives, who had taken positions on a fence surrounding the loading dock, exhorted the workers not to sign agreements consenting to voluntary departure from the country.

"No firmen! No firmen!" ("Don't sign!"), they shouted.

RAIDS: INS Arrests 143 in L.A. Area

Several other spectators at the plant said they might apply for work today. One, Bill Leon, 42, said he heard about the raid on the radio. "I've been here all my life and I can't get a job. So many people who are citizens are out of jobs," he said.

But he had second thoughts when he was told that the wage is about \$5 an hour.

Agents arrested 55 people at the U.S. Sales Co., also in Pacoima, a mail-order catalog business. Later, about a half-dozen people were seized at Pharmavita, a vitamin manufacturer in Arleta.

Other raids were carried out across the country. In Fort Worth, 268 people were arrested at a steel foundry and two mobile home manufacturing plants. Agents arrested 100 people in Houston.

By the week's end, immigration service said, it expects between 3,000 and 5,000 arrests nationally. Normally, the agency said, it makes an average of 3,700 arrests a week, most of them involving agriculture and service jobs. In this case, the immigration service is concentrat-

ing on higher paying jobs in manufacturing and other blue collar occupations.

The agency said in Washington that it plans to coordinate its raids with state employment officials and labor unions so that people drawing unemployment benefits could be hired to replace the aliens.

However, William Robertson, executive secretary-treasurer of the Los Angeles County Federation of Labor (AFL-CIO), said he doubts that legal residents or Americans will take the jobs.

"We don't feel these people are depriving American citizens of the type of jobs that we in the labor movement advocate," he said.

"By our standards, these are not high-paying jobs, and I think the Reagan Administration is using this as a sham when the answer is that this Administration should be working toward full employment to provide jobs for citizens," Robertson said.

Fred D. Brenner, regional administrator for Southern California of the state Employment Development Department, said he will have difficulty filling the \$3.75-an-hour jobs but might find applicants for jobs paying \$5 an hour.

E.T. 4-27-82



82 APPREHENDED — INS agents load undocumented aliens into vans yesterday after raid at Price-Pfister Brass Manufacturing Co. in Pacoi-

ma, Calif. Eighty-two persons were apprehended in raid, one of two in Southern California, as part of nationwide crackdown on working aliens. — AP

U.S. says 'Operation Jobs' teams to continue alien-worker sweeps

United Press International

The government intends to press its search for undocumented aliens at work sites in nine states through Friday unless there are "diminishing returns," the Immigration and Naturalization Service said today.

Spokesman Duke Austin said unwanted publicity about the "Operation Jobs" sweep that began yesterday could impede the search and send the aliens into the underground to elude INS and Border Patrol agents.

Austin said agents check employees for Social Security cards and Alien Registration cards and conduct "on-the-spot interviews" to determine if the person is in the country legally.

While "there is no exact formula" for deciding which employees to question, "some people just appear foreign" and speak broken English, Austin said — but the agents "try to check all workers."

In Washington and New York, the American Civil Liberties Union said it is monitoring the raids on job sites that resulted in about 1,500 arrests yesterday.

The INS said approximately 400 INS and border patrol officers were participating in the raids in Dallas, Houston, Los Angeles, San Francisco, New York, Newark, N.J., Denver, Detroit and Chicago.

The objective, the INS said, is to remove undocumented aliens from relatively high-paying jobs that could then be filled by unemployed Americans.

In New York City, raids this morning snared 50 more illegals, raising to 250 the number detained in the metropolitan New York area in the first two days.

Relying on early figures, INS officials said 475 undocumented aliens were arrested in Texas, more than 130 in Los Angeles, and more than 200 in Chicago.

In Colorado, officials said they rounded up between 180 and 200 suspected undocumented aliens and deported all but one or two to Mexico.

"It was not our intent to have the operation announced in advance," Austin said. "Some stories leaked out early and the word did get out. Some aliens may go underground because of it."

INS Here Still Seeks Illegal Aliens; Not In 'Operation Jobs'

By JESÚS RANGEL
Staff Writer, The San Diego Union

San Diego immigration officials are continuing two programs aimed at removing undocumented aliens from jobs Americans could hold. This is being done while bypassing participation in a controversial massive crackdown at work sites in at least seven states.

One of the ongoing programs, called "Operation Cooperation," involves enlisting businesses to cooperate in identifying and reporting undocumented workers and arranging interviews of employees to ascertain legal status.

At least 72 county businesses currently are participating in the program.

Another program involves INS agents visiting businesses unannounced to check the legal status of employees. Business owners, if they protest, are then asked to participate in "Operation Cooperation."

Meanwhile, federal agents elsewhere arrested hundreds more suspected undocumented workers yesterday in a weeklong crackdown dubbed "Operation Jobs" by the government, but called "racist scapegoating" by critics.

The raids in at least nine cities including Los Angeles have resulted in more than 2,500 persons being taken into custody.

Robert Mitton, deputy district director of the Immigration and Naturalization Service, said San Diego immigration officials did not participate in Operation Jobs because the ongoing programs have proven successful.

He would not say what type of businesses participate in Operation Cooperation, which he said has opened up "thousands of jobs" during its eight-year existence.

Herman Baca, head of the Committee on Chicano Rights, called Operation Cooperation and Operation Jobs a "political ploy" intended to influence immigration hearings currently being held in Congress and "scapegoats for

the depression brought about by Reagan economic policies."

The committee and at least one other Hispanic organization have scheduled a press conference this morning at Padre Hidalgo Center to announce a boycott of businesses they say are participating in Operation Cooperation.

Mitton said businesses are calling up to participate in the program to ensure they will not be raided and left without employees.

"In other words, if he makes sure his employees are all right, he doesn't run the chance of immigration coming along some day doing a survey and taking away half a dozen of his employees and shutting down his production line," Mitton said. "So its to his advantage to participate."

Under the program, employers arrange interviews with the INS for their employees, Mitton said. The individuals are called in for an appointment and their names are checked in a computer.

"Those employees here illegally as a rule do not show up on that date and we don't chase after them," he added. "Those people with a legal right to be here go back to work and those who don't are arrested."

"That way the employer will know he won't have certain employees returning to work and he can advertise to fill those positions," he added. "And he'll be more careful to try to get Americans."

In the other local program, INS agents, acting on tips, visit a business and request to talk with employees. "If the employer refuses and we have definite information we can base a warrant on, we'll get a warrant," Mitton said.

He added that if owners or managers complain of business being hurt by the raid, they are asked to participate in Operation Cooperation.

"These two types of programs we normally operate in
(Continued on B-10, Col. 1)

INS Here Declines To Join 'Operation Jobs'

(Continued from B-1)

most cities," he said. "The whole idea is to create jobs for Americans."

Mitton would not say which type of businesses participate, saying they run the whole spectrum of industry except one-person shops.

Agents search out those jobs that pay more than the minimum wage, he said.

La Prensa, a weekly San Diego newspaper, reported in its April 16 edition that management of the Hyatt Islandia Hotel is participating in Operation Cooperation.

Roger Naumann, hotel general manager, would neither confirm nor deny the report.

Mitton said the cooperation program was started in 1974 after the INS saw studies showing that undocumented aliens take away jobs wanted and needed by Americans.

"We can attribute the availability of thousands of jobs here in San Diego every year to the two programs," he said.

el mexicano

GRAN DIARIO REGIONAL

Año XXII
Num. 8,075.

Baja California, Miércoles 28 de Abril de 1982.

SERGIO GOMEZ SILVA
Director y Gerente General

La "Operación Trabajos" al Borde del Fracaso

Continuará Hasta el Sábado

*Muy Alto Costo y
los Resultados en
Extremo Limitados*

Por Henry DAVID ROSSO

WASHINGTON, Abril 27 (UPI).- El gobierno piensa proseguir hasta el sábado la búsqueda de inmigrantes ilegales en lugares de trabajo de nueve estados, a menos que la operación rinda "resultados decrecientes", dijo hoy el Servicios de Inmigración y Naturalización.

El vocero Duke Austin indicó que la publicidad desfavorable generada por la "Operación Trabajos", iniciada ayer, podría entorpecer la búsqueda de inmigrantes ilegales y hacer que éstos pasen a la clandestinidad para esquivar a los agentes del SIN y de la patrulla fronteriza. Austin dijo que los agentes solicitaron el número de la seguridad social y las tarjetas de inmigración y realizaron "entrevistas" en los lugares de trabajo para determinar si la persona reside legalmente en el país.

Aunque "no existe una fórmula exacta" para decidir qué empleados son interrogados, "algunas personas tienen aspecto extranjero", y hablan pobremente el inglés, indicó Austin, aunque los agentes "tratan de comprobar la situación de todos los trabajadores".

La Unión Estadounidense de Libertades Civiles dijo en Washington y Nueva York que sigue atentamente el desarrollo de las redadas, que para hoy habían producido la detención de 1,500 personas.

El SIN indicó que aproximadamente 400 de sus agentes y de la patrulla fronteriza participan en las redadas de Dallas, Houston, Los

*Hermán Baca: el
Fondo es Político
Contra los Chicanos*

Por Dora Elena CORTES.

SAN DIEGO, CALIF.- Como consecuencia de las redadas que por la "Operación Trabajo", inició en el vecino país, el Servicio de Inmigración y Naturalización (SIN), la Border Patrol del sector Chula Vista (con jurisdicción en los condados de San Diego, Orange y parte de Riverside), negó ayer que se esté tomando parte en una gran operación contra indocumentados mexicanos", asegurando a la vez, que "nunca los hemos perseguido".

Por su parte, el líder chicano, Herman Baca, aseguró que la mencionada "Operación Trabajos", es una medida política del gobierno de los Estados Unidos "para aplastar la gran fuerza que están obteniendo los mexicanos en este país" y el Consulado General de México en San Diego, definió su papel en este caso, como el de un orientador, "al no poder actuar sino a petición de las partes".

Hermán Baca, del Comité Pro-Derechos de los Chicanos, dijo que "se trata de presionar para la aprobación del proyecto de ley de migración "Simpson-Mazzolli", se maneja a la opinión pública para que apoye este proyecto, haciéndole creer que en realidad los mexicanos indocumentados están realizando trabajos bien remunerados que podrían aprovechar los ciudadanos norteamericanos desempleados".

Dijo que el proyecto de ley "Simpson-Mazzolli", es lo mismo que el "Plan Carter" y la "propuesta Reagan", que busca la militarización de la frontera entre los Estados

Hermán Baca...

(Viene de la 1ª. Pág.)

Unidos y México; el incremento de los efectivos de la patrulla fronteriza; el castigo a los patrones que empleen a indocumentados y otra serie de medidas que pisotearán los derechos humanos de los afectados.

El Plan "Simpson-Mazzoli", vendrá a ser un sistema de explotación y propiciará la creación de ciudades marginadas donde sólo vivan los mexicanos y en las que para entrar o salir se deba presentar una tarjeta. Agregó Baca, que "vendrá a desatar una verdadera cacería de indocumentados, en escuelas, centros de trabajo, hospitales, autobuses, iglesias, etc."

J.D. Green, Asistente del Sub-Jefe de la Patrulla Fronteriza en San Ysidro, negó por su parte que "se esté llevando a cabo una gran operación contra indocumentados", a pesar de que según se supo, cuatro elementos de esta corporación fueron enviados a Washington D.C. para participar en las redadas que se han hecho en 9 grandes ciudades de los Estados Unidos.

Dijo que es preciso aclarar que "la Patrulla Fronteriza, nunca ha perseguido a mexicanos. Cuando actúa, lo hace en base a instrucciones precisas y procede por igual con alemanes, canadienses o centroamericanos que se encuentran sin documentos en nuestro país".

El Cónsul General de México en San Diego, Esteban Morales, dijo a su vez a EL MEXICANO, que estas oficinas están dispuestas a proteger a todos aquellos mexicanos que recurran en demanda de auxilio. Expresó que hasta el momento solo se encuentran a la expectativa y bien informados de lo que sucede "porque no podemos actuar sin petición de los ofendidos".

Aseguró Morales que en la oficina del Consulado en San Ysidro, junto a las oficinas de la Patrulla Fronteriza

"entrevistamos a 150 mexicanos que iban a ser deportados y ninguno de ellos presentó demanda en contra de las autoridades, por esta acción.

Hizo saber que el consulado está pendiente "para actuar en cuanto se presenten denuncias por violaciones de los derechos, por maltrato o por otras arbitrariedades".

Por lo que respecta al comité Pro-Derechos de los Chicanos, su dirigente, Herman Baca, hizo saber que ya se han puesto en contacto con otras agrupaciones similares de los Estados Unidos, para determinar las acciones a seguir contra esta "Operación Trabajo" que consideran violatoria de la ley.

Dijo que otro propósito de la misma, es desviar la atención de los ciudadanos norteamericanos, de los errores que en política administrativa, ha tenido la administración Reagan. Reveló que esta

"Operación Trabajos", así como el proyecto de ley Simpson-Mazzoli", están siendo respaldadas por grupos liberales y racistas que se han unido a los conservadores, porque consideran que los indocumentados son los causantes de todos los males que aquejan a los Estados Unidos.

"A estos- dijo Baca- se les ha mencionado como los causantes del alto índice de criminalidad, enfermedades, tensión entre razas y abusos.

Añadió que "además se está haciendo creer a la opinión pública que el problema racial (entre negros y blancos) no es nada en comparación a lo que será el problema "bilinguístico" ya que se presenta (inglés-español).

Baca, dijo que las ciudades en las que se han realizado las redadas, son Los Angeles, Forth Worth, Houston, San Francisco, Detroit, Nueva York, Chicago, Denver y Newark. Por su parte, tanto el asistente de la Borden Patrol, como el Cónsul General de México en San Diego, negaron que esas acciones se hayan registrado también en el mencionado Condado.

Muy Alto...

(Viene de la 1ª. Pág.)

Angeles, San Francisco, New York, Newark, Nueva Jersey, Denver, Detroit y Chicago. Su objetivo,

dijo el SIN, es retirar a los inmigrantes ilegales de puestos de trabajos relativamente bien remunerados, que podrían ser desempeñados por estadounidenses desempleados.

En Nueva York, las redadas produjeron esta mañana la detención de otros 50 inmigrantes ilegales, elevando a 250 el número de detenidos en la zona metropolitana de Nueva York durante los dos primeros días de su ejecución.

Conforme a estadísticas anteriores, funcionarios del SIN dijeron que 475 inmigrantes ilegales fueron detenidos en Texas, más de 130 en Los Angeles, 268 en Fort Worth, más de 230 en Houston y más de 200 en Chicago.

En Colorado, las autoridades dijeron haber apresado entre 180 y 200 presuntos inmigrantes ilegales y

que deportaron a todos, menos a uno o dos, a México. En los comandos californianos de Napa, Sonoma y Alamenda, cerca de San Francisco, 61 hombres y mujeres, todos ellos mexicanos, fueron apresados el primer día.

Austin dijo que la operación continuará hasta el sábado "a no ser que obtengamos resultados decrecientes y no merezca a pena continuarla por su costo.

"No fue nuestra intención que la operación fuese aireada de antemano", dijo Austin. "Ciertas informaciones se filtraron prematuramente. Debido a ello inmigrantes quizá pasen a la clandestinidad".

Steve Shapiro, abogado de la Unión Estadounidense de Libertades Civiles de Nueva York, dijo que el grupo está estudiando la constitucionalidad de las redadas, y ya fue presentada una petición de interdicto ante un Tribunal Federal de la ciudad, añadió Shapiro.

The San Diego Union

SAN DIEGO, CALIFORNIA

 a Copley Newspaper

TUESDAY MORNING, APRIL 27, 1982

Illegal Aliens Arrested In Job Raids In 9 Cities

From The San Diego Union's News Services

NEW YORK — Swooping in as workers began their shifts, federal immigration agents apprehended as many as 1,000 illegal aliens yesterday at job sites across the nation in what the government said was an effort to recapture higher-paying jobs for unemployed American citizens.

Officials said the aliens were taken into custody in raids in nine major cities, including San Francisco and Los Angeles.

Joseph Salgado, the immigration service's enforcement director, said agents have spent the past few months compiling target lists of workplaces where they believe illegal aliens are employed for wages well above the \$3.35 federal minimum.

"We're not looking for janitors and busboys," Salgado said.

Officials in Los Angeles, where more than 130 aliens were arrested, said the raids — which are to continue through the week — are being conducted in cooperation with state employment offices so people who are out of work can be directed to the vacated jobs.

INS and Border Patrol agents rounded up 82 suspects at a plumbing fixture factory, where wages are between \$3.55 and \$11 an hour, and 55 more at a packing plant near Los Angeles.

(Continued on A-7, Col. 1)

(Continued from A-1)

Several unemployed youths watched the plumbing factory arrests and said they would apply for the jobs left vacant by the raid.

In New York and Newark, N.J., agents raided at least eight companies and arrested about 175 aliens without the blue-lettered "resident alien" cards.

Agents also picked up aliens at sites in and around Detroit, Chicago, Denver, Dallas and Houston. Officials said they expected to apprehend 3,000 to 5,000 illegal aliens this week.

In one raid in New York, about 100 people, virtually all Hispanic, had started the day shift at the G & T Fruit Co. in the Bronx. About a dozen immigration agents carrying search warrants jumped from their unmarked automobiles and ran into the company's large warehouse. The workers, who were repacking potatoes unloaded from nearby boxcars for supermarkets, were lined up and ordered to produce their resident cards.

"They came in here like Jesse James, scaring people half to death," said Anthony Spinale, owner of the company, as he watched agents take away 22 of his workers.

Four young women were huddled in the rear seat of one immigration service car. The workers who were not arrested stood silently on the warehouse loading dock, their eyes darting from one agent to another, until Spinale told them it was time to go back to work.

"If they are trying to open up high-paying jobs to citizens, then this raid is a joke," said Spinale.

"I pay these people the minimum wage of \$3.35 an hour for hard, honest work," he said, "and my books are open to prove it."

In the past, immigration service officials said they often caught illegal aliens working the low-skilled and minimum-wage jobs similar to those at Spinale's company. In most cases, the officials said, those jobs were simply filled again by other illegal aliens.

However, William S. Slatery, chief of special investigations in the immigration service's New York office, said the objective this time was to remove illegal workers from better-paying jobs that would then be available for unemployed citizens in the surrounding community.

The agency estimates there are 3 million to 6 million illegal aliens in the nation and that about half of them hold jobs illegally.

According to immigration officials, the principal targets of their nationwide dragnet are illegal aliens earning at least \$4.50 an hour, with some getting as much as \$7 to \$9 a hour.

Spinale ridiculed their strategy.

"Who else would do this work?" he asked, pointing to the heavy sacks of potatoes that had to be lifted and the monotonous sorting of fruits and vegetables.

"No one else, just these peo-

Illegal Aliens Arrested In Job Raids

ple," he said.

When told of Spinale's charges that low-paid workers were being taken away, Slattery said, "That's bound to happen."

The raids already have

drawn criticism from Hispanic groups. Arnold Torres of the League of United Latin-American Citizens said last week that the raids would help perpetuate the "lie" that illegal aliens

are responsible for high U.S. unemployment because they take jobs from American citizens.

"We're watching them very closely this week. If they violate the due process

Tuesday, April 27, 1982

rights of these people, we may sue them," Torres said yesterday.

Officials said the aliens arrested would be given the

choice of leaving the country voluntarily or being held in custody pending deportation hearings before immigration judges.

Tourist Industry Threatened By INS Harassment!

By Daniel L. Munoz

In a late breaking story La Prensa San Diego has learned that the INS has begun a new program of intimidation and harassment of "Mexican-looking" employees of the local hotel-restaurant industry.

It what appears to be a similar ploy used by the INS to circumvent constitutional and civil rights, guarantees, hotel management has now been "induced" into playing a similar role such as Sheriff Duffy did in the past...i.e. become a surrogate INS agent. It took a ruling from the Justice Department and from the State Attorney General to stop the Sheriff from playing Immigration officer. It may take the same action to stop the current activity.

La Prensa late yesterday came into possession of a private memorandum issued by Paul Firth Director of Personnel of the Hyatt Islandia, located at 1441 Quivira Road in San Diego in which employees are asked to present themselves to the INS for the purpose of certifying their citizenship and immigration status.....a clear violation of the 5th Amendment of the Constitution which prohibits self-incrimination. The hotel, acting as INS agents, are telling their employees that they are "requested" to bring identification bearing their photograph. All employees, the majority of which are Mexican Americans or green card holders are being coerced into appearing at the Penguin Room for interviews.

This represents the first time that hotel-motel management has been enlisted by the INS to coerce their employees into gastapo-like actions.

La Prensa contacted Local 30, the Culinary Workers Union which represents the majority of the Workers. Mr. Marco LiMandri, who recently was elected to the post of Secretary Treasurer informed La Prensa that "their lawyers and Union Representatives were sent to the Hyatt Islandia, to investigate member complaints on this matter."

La Prensa has learned that Local 30 has forced management to give the Union Lawyers a room adjacent to where the INS is holding these so call interviews. "We are advising all our members and other workers to visit our room first," said LiMandri. Our lawyers are there to inform them of their rights and of the protection afforded under their Union contract.

We are there to protect our members and we don't appreciate this harassment of the membership by management and the INS." said LiMandri.

INS personnel, is an obvious attempt to remove the Union from the premise charged LiMandri with "attempting to obstruct Justice." However in a call placed to the Justice Department this did not appear to be the case. The Union continues to stay at the Hyatt Islandia and is working to inform the membership of their legal rights in this matter.

Herman Baca, Chairman of the Committee on Chicano Rights has informed La Prensa that he is

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INS

in contact with their lawyers on the issue. "No one has to respond to the memorandum from the Hyatt management," said Baca. Unless the INS has specific probable cause to enter the premises they are acting illegally. That is the reason they are using

management to carry out this activity," said Baca. "This appears to be collusion between management and the INS similar to what occurred in the fields and vineyards of California, where workers are forceably removed by the INS after they have harvested the crops. The INS deports them and the farmers pocket their unpaid wages. What hotel and restaurant employee is not going to feel coerced if the personnel officer orders him to appear?," asked Baca.

"If there is a single injury caused to any of our members by this action, we will pursue the matter in the courts against management," indicated LiMandri, Secretary Treasurer of the Culinary Union AFL-CIO. "We believe the management and the INS have overstepped their boundaries."

State news

Alien-sweep protests bring hearing

By The Associated Press

This week's crackdown on undocumented aliens holding jobs in the American work place has netted about 3,500 arrests so far, but many are being set free, and a federal judge is holding a hearing on whether to halt the raids.

The raids in nine cities by 400 agents of the Immigration and Naturalization Service also have stirred protests from organizations representing Hispanics, Arabs, Jews and other immigrants.

The manager of a fishery in Santa Rosa, Calif., claimed he can't find American workers to replace the 53 fish cleaners arrested at his establishment, although American job-seekers were lining up at other raided sites.

In Los Angeles, attorneys for an immigrant rights group won a federal court order yesterday barring the imminent deportation of 150 Mexicans. They were among 425 arrested in the Los Angeles area since Monday as part of "Operation Jobs."



FRISKED — Immigration agents search suspected undocumented aliens before loading them into van after raid on plant at Santa Fe Springs, Calif. Many American citizens have been applying for jobs vacated in alien raids under way across U.S. — UPI photo

In Detroit, federal agents have released all but 36 of the 107 arrested. Robert Wagus, assistant director of the INS office in Detroit, said the rest "probably would be deported."

The raids, an attempt to open up jobs for unemployed citizens, also were criticized yesterday at a news conference in Detroit by the League of Latin American Citizens, the

Arab Community Center for Economic and Social Services and the Jewish Community Council of Metropolitan Detroit.

A busload of detainees about to leave Los Angeles

was halted yesterday after U.S. District Judge William Matthew Byrne ordered all aboard to be asked whether they wanted to talk to a lawyer. He ruled the same for another 23 immigrants facing deportation.

"To say INS is really interested in the rights of these people is absurd," Byrne told government attorneys.

Lawyers from four rights groups told Byrne that immigrants are being denied access to counsel, unfairly questioned and pressured into signing voluntary deportation orders.

Their affidavit quoted two aliens as saying INS officials told them a lawyer would cost \$4,000 and that "their fingers would be broken if they refused to provide their fingerprints."

Also protesting were Peter Schey and Carlos Holguin of the National Center on Immigrants Rights, Antonio Rodriguez of the Los Angeles Center for Law and Justice and the National Immigration Law Center.

Chicano Group Asks Hotel Boycott

By MARJORIE MILLER

Staff Writer, The San Diego Union

The Committee on Chicano Rights yesterday called for an economic boycott of the Hyatt Islandia Hotel for participating in "Operation Cooperation," a U.S. Immigration and Naturalization Service program enlisting businesses to screen employees to determine their legal status.

The general manager of the luxury hotel said its management felt they had no choice but to cooperate with the INS, and a spokesman for another large hotel chain said it complied to avoid disruption in its work place.

At a press conference, Ramon Leyba, president of the South Bay Chapter of the Association of Mexican-American Educators (AMAE) said his group has canceled plans to hold its annual scholarship fund-raising banquet at the Islandia on grounds that the hotel collaborated with the INS.

Leyba said his group would have paid the hotel \$5,000 for its banquet there May 15. He said AMAE was looking for a hotel that had not cooperated with the INS. Islandia management confirmed the reservation had been canceled.

"AMAE feels that they could not in good conscience hold the banquet dance in a business that joins in activities that should not be the function of the INS/Border Patrol, much less that of the hotel-restaurant industry," Leyba said.

Herman Baca, chairman of the Chicano Committee, gave reporters copies of a memorandum on Hyatt Islandia stationery announcing to employees that on April 14 and 15 U.S. Immigration and Naturalization Service officials would interview all em-

ployees about their citizenship and immigration status.

"All aliens will be required by the Immigration Service to present documentation as to their immigration status," the memo says. "United States citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certificate, certificate of citizenship, etc."

Roger Naumann, the Hyatt general manager, said he felt hotel management was pressured into cooperating.

"The INS contacted us several times and made it clear we had no choice, that they would check our employees one way or another," Naumann said. "We felt it to be in the best interest of our employees to agree to Operation Cooperation instead of subjecting our employees to a raid. We do not plan such a check again, but we felt it was the humanistic thing to do."

Naumann said he did not know if any of his hotel's approximately 300 employees were arrested or deported as a result of the review, and that he did not know how many employees failed to show up for work on the days of the review.

"It's difficult to say," he said. "People don't show up for work all the time. They disappear, they go to Hawaii. I can't tell how many (absences) were due to the operation."

Naumann added that if the INS wants to check his employees' papers again, "Next time they are going to have to have a warrant."

INS officials could not be reached for comment.

Under Operation Cooperation, an eight-year-old program, employers arrange interviews for the INS with their employees. The workers are called in for an appointment and their names are checked in a computer.

According to INS spokesmen, at least 72 county businesses are participating in Operation Cooperation — an alternative here to the current national crackdown on undocumented workers called "Operation Jobs."

This week's nationwide raids have resulted in about 3,500 arrests, and have led to protests from church groups and organizations representing Hispanics, Arabs, Jews and others.

Asked why the Chicano group was singling out the Islandia for a boycott, Baca said the action was taken because the memo showed the interviews there were carried out with "the total approval" of the management and that it was the only proof of collaboration they had collected.

He said the reviews resulted in harassment and intimidation of workers, and that undocumented workers do not take jobs from Americans.

Asked about reports that thousands of Americans are applying for jobs vacated by undocumented workers after recent sweeps in Los Angeles and other cities, Baca said: "I ask reporters to go back and check a week from now and see who in fact is holding those jobs."

A spokesman for Atlas Hotels, which includes the Town and Country, Hanalei, Kings Inn and Mission Valley Inn and employs about 2,000 workers, said their hotels participated in the program from No-

(Continued on B-6, Col. 1)

Chicano Group Asks Islandia Hotel Boycott

(Continued from B-1)

vember through January because management felt it was prudent to do so.

"We gave them an alphabetized list of the names of all our employees and told them (the workers) to go talk to immigration," said Hank Hoxie, industrial relations manager. "Westgate (hotel) chose not to and for a period they had the Border Patrol looking in their closets and everywhere. That was unacceptable to us. It was a lawful

request the INS was making and we don't want disruption in our work place, we don't want law enforcement coming in.

"We felt it prudent to comply. We had a good example in the hotel that didn't."

Hoxie said his hotels had a higher turnover in employees during the document reviews, but that he did not know if any workers were detained or deported as a result of the program.

Last May, INS agents conducted a room-to-room search of the Little America Westgate Hotel that resulted in the arrest of 11 workers. In June they searched the hotel again, arresting nine suspected undocumented workers, four of whom had been placed in custody in the previous raid.

At the time, INS officials said the Westgate management had been asked on three occasions to allow officers into the hotel under Operation Cooperation, but they refused.

Operation Cooperation was begun in November 1975.

Chicano group in blast at Hyatt Islandia Hotel

By Claude Walbert

Tribune Staff Writer

The Committee on Chicano Rights is calling for an economic boycott against the Hyatt Islandia Hotel because of the hotel's cooperation with Immigration and Naturalization Service agents, the group's chairman said in a press conference today.

Herman Baca, the chairman, said the hotel's cooperation with the INS in seeking out undocumented workers is "racist, legally questionable, unconstitutional and selective law enforcement of the worst kind."

Baca presented a hotel memorandum that requested all employees to report for INS interviews April 14-15. He said the memo showed the hotel's cooperation in an INS program to eliminate undocumented aliens from jobs that could be filled by U.S. citizens or legal aliens.

At the same time, the 80-member South Bay chapter of the Association of Mexican-American Educators

said it had withdrawn its annual scholarship dinner from the hotel.

The dinner, planned for May 15, will be rescheduled in another location, according to Ramon Leyba, chapter president.

Leyba said the group could not "in good conscience" hold its largest fund-raiser "in a business that joins in activities that should not be the function of the INS-Border Patrol, much less that of the hotel-motel industry."

The INS program called "Operation Cooperation" asks employers to screen prospective employees for their legal status in the country and to make personnel records available, according to an INS memo supplied by Baca.

Baca said he didn't know if any undocumented workers had lost jobs at the Hyatt Islandia because of the interviews. He also said other hotels and motels are expected to be added to the boycott list as proof of their cooperation becomes available.

Los Angeles Times

Friday, April 30, 1982

6 Part II/Friday, April 30, 1982 J

2 Chicano Groups Boycott Hotel for Helping INS Screen Aliens

By ROBERT MONTEMAYOR, *Times Staff Writer*

Two local Mexican-American groups Thursday announced a boycott of the Hyatt Islandia Hotel in San Diego because the hotel's management participated in a federal program that encourages employers to screen its employees for illegal aliens.

Officials of the Committee on Chicano Rights and the South Bay Chapter of the Association of Mexican-American Educators (AMAE) charged the Hyatt Islandia with harassing and intimidating employees of Mexican ancestry.

Ramon Leyba, president of AMAE, said his group has canceled a scholarship banquet and dance scheduled May 15 at the Hyatt because of the hotel's participation in "Operation Cooperation," a program of the U.S. Immigration and Naturalization Service.

Leyba told reporters at a press conference Thursday that the banquet-dance is the group's largest fundraiser of the year.

But, he said, "AMAE feels that they could not in good conscience hold the banquet-dance in a business that joins in activities that should not be the function . . . of the hotel-restaurant industry."

'Racist . . . Questionable'

Herman Baca, head of the Committee on Chicano Rights, called the Hyatt's voluntary cooperation in the program "racist, legally questionable, unconstitutional and selective law enforcement of the worst type."

Baca said his group would boycott any other businesses involved in the program.

James O'Keefe, district director of the INS in San Diego, said Operation Cooperation is about 7 years old and that more than 60 local businesses participate in it.

O'Keefe said the INS advises businesses that participate to check employees' citizenship status and informs them when immigration agents are to show up.

He said employers are encouraged to dismiss employees found to be in the country illegally.

O'Keefe said Operation Cooperation is to the employers' advantage because it avoids disruptions to businesses by agents conducting raids.

The program, O'Keefe said, is not designed to single out employees of Mexican ancestry, and employers are told to check all employees.

"It is strictly voluntary," he said. "If they're cooperative, we don't go in and disrupt their business. If they are not under the operation, obviously we'll have to go in and check on them periodically."

Roger Naumann, manager of the Hyatt Islandia, said in a prepared statement, "The INS contacted us several times and made it clear that we had no choice, that they would check our employees one way or another.

'In Best Interest'

"We felt that it would be in the best interest of our employees to agree to Operation Cooperation, instead of subjecting our employees to a raid," Naumann said.

"We do not plan such a check again," he said. "We felt it was the humanistic thing to do."

The Hyatt Islandia's management informed its employees in a memo earlier this month that the hotel was cooperating in the INS program.

In the memo, which Baca produced at the press conference, the hotel management announced that the INS would be at the Hyatt Islandia on April 14 and 15 to

interview "all employees as to their citizenship and immigration status."

The memo said, "U.S. citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your U.S. citizenship, e.g. birth certificate, naturalization certificate, certification of citizenship, etc."

Perceive Threat

But Baca and Leyba charged that the practice clearly affects any person of Mexican ancestry and poses the threat of unemployment for any employee who refuses to cooperate with the program.

"Their idea of cooperation," Baca said, "is coercion. It's like the Mafia asking, 'Do you have insurance?'"

Leyba suggested such practices could lead to teachers being asked to check the citizenship of students in their classrooms.

"This kind of intimidation must stop," he said. "It is for these reasons that AMAE has withdrawn from the Hyatt Islandia in the firm belief that the actions taken by the hotel are morally wrong and are tactics that must be stopped immediately."

O'Keefe said there are no plans to discontinue the program. He said the INS in San Diego has not participated in the recent "Operation Jobs" because of Operation Cooperation's success and because of lack of manpower.

Operation Jobs, a nationwide program, was initiated by the INS earlier this week to search out illegal aliens working in jobs that pay more than the minimum wage.

OBJECTIVE - To shut off the magnet (jobs) that attracts illegal aliens. The Immigration Service is committed to a policy of locating employed illegal aliens, thereby providing job opportunities for United States citizens and legal resident aliens. The benefits to all of us are obvious.

We are operating on the premise that employers, generally, do not knowingly hire illegal aliens, have no desire to do so, and derive no benefit from the practice. The problem is merely one of identifying the illegal aliens and eliminating them from the employment rolls. Our purpose is to educate, guide and assist - not to punish or disrupt.

As a cooperating employer, we ask that you, as soon as possible, undertake the task of screening your present employees, using the procedures outlined, for the purpose of determining their legal status. All aliens should be required to present Alien Registration Cards (Forms I-151) or other acceptable immigration documents. Many aliens are in possession of counterfeit or otherwise fraudulent immigration cards. We do not expect you to be able to detect these fraudulent documents. However, for your protection, we urge you to Xerox all immigration cards presented by your alien employees for inclusion in your files, or record pertinent data appearing thereon.

(CAUTION: Do not Xerox Certificates of Citizenship.) In addition, we would expect that your personnel records be made available to us, upon request.

This point must be emphasized - the program is not anti-Mexican. To the contrary, our experience has demonstrated that the Mexican-Americans and the legal resident Mexican aliens are the principal beneficiaries of the program, through the jobs that are made available to them. Our experience has also shown that many non-Mexican illegal aliens will be discovered.

The program cannot succeed without your wholehearted and continuing cooperation. We will attempt to show you how to make it succeed, but, in the final analysis, it will be up to you to make it work. We do not propose to dictate to you or tell you how to run your shop, but we will be pleased to give you the benefit of our experience and suggestions and provide whatever assistance we can within our manpower capabilities. We fully realize that, in some cases, we are asking you to make a considerable commitment in terms of effort and resources, but we are confident that your efforts will operate to our mutual benefit.

In order to evaluate the effectiveness of the program, some feedback in the form of statistical data is desirable and necessary. We hope this information can be provided on a monthly basis without placing an undue burden on your personnel departments:

- (1) Number of illegal aliens identified by your screening process and discharged from employment.
- (2) Number of job applicants denied employment based on illegal alienage.

You are being provided with some information sheets and reference material which we believe will be helpful. If you need additional information or assistance, please feel free to call us at 293-6011.

PALMA

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Bill of Rights for the Undocumented Worker

Article I: Every immigrant worker shall have the right to establish legal residency by demonstrating a status as wage earner and taxpayer.

Article II: Every immigrant worker shall have all of the Constitutional Rights guaranteed all persons in the U.S. This right shall include but not be limited to: the right to due process, and the right to be free in their persons and possessions from unreasonable searches and seizures; and such rights shall not be violated by raids in factories, residential areas and in public places and shall be free from deportations and other unconstitutional practices.

Article III: Every immigrant worker shall have the right to be reunited with his or her family in country where he or she is a wage earner.

Article IV: Every immigrant worker shall have the right to legalize and adjust their status within the U.S. without having to return to their country of origin.

Article V: Every immigrant worker shall fully enjoy all the rights guaranteed to citizen workers including socio-economic and labor rights.

Article VI: Every immigrant worker, particularly seasonal workers, shall be provided adequate housing, health and safety provisions.

Article VII: Every immigrant worker shall be guaranteed the same rights enjoyed by U.S. citizens especially the right of access to free and adequate social and health services, child-care, and other similar social benefits.

Article VIII: Every immigrant person shall have the right to quality public education in his or her native language, utilizing English as a second language and shall not be restricted from fully practicing the culture of his or her country of origin.

Article IX: Every immigrant worker shall have the right to receive disability insurance (partial or permanent), workers compensation, retirement and death benefits. In the event of a death, the cost of transporting the deceased to his or her country of origin shall be borne by the employer, and any corresponding benefits shall be delivered to the family of the deceased without regard to their place of residency.

Article X: Every immigrant worker shall have a right to organize and to collective bargaining, including the right to join existing unions or form new ones, for the defense of their labor rights and for the improvement of their wages and living and working conditions.

A) The right to collective bargaining shall include agricultural and public service workers in order to protect their right to organize.

Article XI: Every immigrant worker shall have the right to utilize his native language in all legal proceedings, (i.e., to acquire citizenship, in judicial proceedings, etc.) and in all private or public contract agreements.

Article XII: Every immigrant worker shall have the right to exercise their right to vote in their native country's federal elections. This right should be facilitated through consulates and all other places (union halls, schools, etc.) designated by competent authorities.

Article XIII: Every immigrant worker shall have the right to vote in local and state elections from the moment of legalizing their immigration status without having to become citizens. The right is based on their status as taxpayers, workers and residents.

International Coordinating Committee

1st International Conference for the Full Rights of Undocumented Workers

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San Diego County

Los Angeles Times

Tuesday, April 27, 1982

INS Crackdown on Illegal Aliens Nets 143 in L.A. Area

By LARRY STAMMER
and MARITA HERNANDEZ,
Times Staff Writers

About 1,000 people, including 143 in the Los Angeles area, were arrested Monday as the Immigration and Naturalization Service began a nationwide sweep of illegal aliens believed to be competing with Americans for desirable jobs.

The crackdown, dubbed "Operation Jobs," comes at a time when unemployment is running 9% nationally, 9.4% statewide and 8.6% in the Los Angeles area. Raids were carried out in nine cities: Los Angeles, Fort Worth, Houston, San Francisco, Detroit, Newark, New York, Chicago and Denver.

The raids were characterized by the immigration service as an attempt to free jobs for unemployed

Please see RAIDS, Page 3

Continued from First Page

Americans and legal resident aliens.

Omer G. Sewell, Los Angeles deputy district director of the agency, said, "What we're seeking to do in this period of high unemployment is to open up some of these higher paying jobs. Some of the wage ranges go from about \$3.75 an hour up to \$9 an hour in a variety of different enterprises."

But no sooner had the immigration service launched the sweep than state employment officers and labor union leaders questioned whether the jobs being opened by the arrests will attract American or legal-resident workers.

Others, including legal-service attorneys, charged that the Reagan Administration is attempting to divert attention from the President's economic policies and high interest rates, which, they said, are the real cause of unemployment.

Bert Corona of the National Immigration Coalition, who witnessed one of the raids in Pacoima said, "I think this is absolutely a deceitful effort to thrust the focus of atten-

tion away from the real causes of unemployment, which are the Reagan Administration's policies, high interest rates, inflation, failure to plan and the departure of the plants from this area to other parts of the world."

In Los Angeles, 80 immigration service agents and U.S. Border Patrol officers converged on three companies suspected of employing illegal aliens.

Armed with a search warrant, the agents surrounded the Price Pfister Brass Manufacturing Co. at 11080 Sutter St. in Pacoima and arrested 82 suspected illegal aliens who were earning an average of \$5.71 an hour at the plumbing fixture manufacturing plant.

As immigration agents led a group of workers away from the plant, a group of friends and relatives, who had taken positions on a fence surrounding the loading dock, exhorted the workers not to sign agreements consenting to voluntary departure from the country.

"No firmen! No firmen!" ("Don't sign!"), they shouted.

RAIDS: INS Arrests 143 in L.A. Area

Several other spectators at the plant said they might apply for work today. One, Bill Leon, 42, said he heard about the raid on the radio. "I've been here all my life and I can't get a job. So many people who are citizens are out of jobs," he said.

But he had second thoughts when he was told that the wage is about \$5 an hour.

Agents arrested 55 people at the U.S. Sales Co., also in Pacoima, a mail-order catalog business. Later, about a half-dozen people were seized at Pharmavita, a vitamin manufacturer in Arleta.

Other raids were carried out across the country. In Fort Worth, 268 people were arrested at a steel foundry and two mobile home manufacturing plants. Agents arrested 100 people in Houston.

By the week's end, immigration service said, it expects between 3,000 and 5,000 arrests nationally. Normally, the agency said, it makes an average of 3,700 arrests a week, most of them involving agriculture and service jobs. In this case, the immigration service is concentrat-

ing on higher paying jobs in manufacturing and other blue collar occupations.

The agency said in Washington that it plans to coordinate its raids with state employment officials and labor unions so that people drawing unemployment benefits could be hired to replace the aliens.

However, William Robertson, executive secretary-treasurer of the Los Angeles County Federation of Labor (AFL-CIO), said he doubts that legal residents or Americans will take the jobs.

"We don't feel these people are depriving American citizens of the type of jobs that we in the labor movement advocate," he said.

"By our standards, these are not high-paying jobs, and I think the Reagan Administration is using this as a sham when the answer is that this Administration should be working toward full employment to provide jobs for citizens," Robertson said.

Fred D. Brenner, regional administrator for Southern California of the state Employment Development Department, said he will have difficulty filling the \$3.75-an-hour jobs but might find applicants for jobs paying \$5 an hour.

E.T. 4-27-82



82 APPREHENDED — INS agents load undocumented aliens into vans yesterday after raid at Price-Pfister Brass Manufacturing Co. in Paco-

ma, Calif. Eighty-two persons were apprehended in raid, one of two in Southern California, as part of nationwide crackdown on working aliens. — AP

U.S. says 'Operation Jobs' teams to continue alien-worker sweeps

United Press International

The government intends to press its search for undocumented aliens at work sites in nine states through Friday unless there are "diminishing returns," the Immigration and Naturalization Service said today.

Spokesman Duke Austin said unwanted publicity about the "Operation Jobs" sweep that began yesterday could impede the search and send the aliens into the underground to elude INS and Border Patrol agents.

Austin said agents check employees for Social Security cards and Alien Registration cards and conduct "on-the-spot interviews" to determine if the person is in the country legally.

While "there is no exact formula" for deciding which employees to question, "some people just appear foreign" and speak broken English, Austin said — but the agents "try to check all workers."

In Washington and New York, the American Civil Liberties Union said it is monitoring the raids on job sites that resulted in about 1,500 arrests yesterday.

The INS said approximately 400 INS and border patrol officers were participating in the raids in Dallas, Houston, Los Angeles, San Francisco, New York, Newark, N.J., Denver, Detroit and Chicago.

The objective, the INS said, is to remove undocumented aliens from relatively high-paying jobs that could then be filled by unemployed Americans.

In New York City, raids this morning snared 50 more illegals, raising to 250 the number detained in the metropolitan New York area in the first two days.

Relying on early figures, INS officials said 475 undocumented aliens were arrested in Texas, more than 130 in Los Angeles, and more than 200 in Chicago.

In Colorado, officials said they rounded up between 180 and 200 suspected undocumented aliens and deported all but one or two to Mexico.

"It was not our intent to have the operation announced in advance," Austin said. "Some stories leaked out early and the word did get out. Some aliens may go underground because of it."

INS Here Still Seeks Illegal Aliens; Not In 'Operation Jobs'

By JESÚS RANGEL

Staff Writer, The San Diego Union

San Diego immigration officials are continuing two programs aimed at removing undocumented aliens from jobs Americans could hold. This is being done while bypassing participation in a controversial massive crackdown at work sites in at least seven states.

One of the ongoing programs, called "Operation Cooperation," involves enlisting businesses to cooperate in identifying and reporting undocumented workers and arranging interviews of employees to ascertain legal status.

At least 72 county businesses currently are participating in the program.

Another program involves INS agents visiting businesses unannounced to check the legal status of employees. Business owners, if they protest, are then asked to participate in "Operation Cooperation."

Meanwhile, federal agents elsewhere arrested hundreds more suspected undocumented workers yesterday in a weeklong crackdown dubbed "Operation Jobs" by the government, but called "racist scapegoating" by critics.

The raids in at least nine cities including Los Angeles have resulted in more than 2,500 persons being taken into custody.

Robert Mitton, deputy district director of the Immigration and Naturalization Service, said San Diego immigration officials did not participate in Operation Jobs because the ongoing programs have proven successful.

He would not say what type of businesses participate in Operation Cooperation, which he said has opened up "thousands of jobs" during its eight-year existence.

Herman Baca, head of the Committee on Chicano Rights, called Operation Cooperation and Operation Jobs a "political ploy" intended to influence immigration hearings currently being held in Congress and "scapegoats for

the depression brought about by Reagan economic policies."

The committee and at least one other Hispanic organization have scheduled a press conference this morning at Padre Hidalgo Center to announce a boycott of businesses they say are participating in Operation Cooperation.

Mitton said businesses are calling up to participate in the program to ensure they will not be raided and left without employees.

"In other words, if he makes sure his employees are all right, he doesn't run the chance of immigration coming along some day doing a survey and taking away half a dozen of his employees and shutting down his production line," Mitton said. "So its to his advantage to participate."

Under the program, employers arrange interviews with the INS for their employees, Mitton said. The individuals are called in for an appointment and their names are checked in a computer.

"Those employees here illegally as a rule do not show up on that date and we don't chase after them," he added. "Those people with a legal right to be here go back to work and those who don't are arrested."

"That way the employer will know he won't have certain employees returning to work and he can advertise to fill those positions," he added. "And he'll be more careful to try to get Americans."

In the other local program, INS agents, acting on tips, visit a business and request to talk with employees. "If the employer refuses and we have definite information we can base a warrant on, we'll get a warrant," Mitton said.

He added that if owners or managers complain of business being hurt by the raid, they are asked to participate in Operation Cooperation.

"These two types of programs we normally operate in
(Continued on B-10, Col. 1)

INS Here Declines To Join 'Operation Jobs'

(Continued from B-1)

most cities," he said. "The whole idea is to create jobs for Americans."

Mitton would not say which type of businesses participate, saying they run the whole spectrum of industry except one-person shops.

Agents search out those jobs that pay more than the minimum wage, he said.

La Prensa, a weekly San Diego newspaper, reported in its April 16 edition that management of the Hyatt Islandia Hotel is participating in Operation Cooperation.

Roger Naumann, hotel general manager, would neither confirm nor deny the report.

Mitton said the cooperation program was started in 1974 after the INS saw studies showing that undocumented aliens take away jobs wanted and needed by Americans.

"We can attribute the availability of thousands of jobs here in San Diego every year to the two programs," he said.

La "Operación Trabajos" al Borde del Fracaso

Continuará Hasta el Sábado

*Muy Alto Gosto y
los Resultados en
Extremo Limitados*

Por Henry DAVID ROSSO

WASHINGTON, Abril 27 (UPI).- El gobierno piensa proseguir hasta el sábado la búsqueda de inmigrantes ilegales en lugares de trabajo de nueve estados, a menos que la operación rinda "resultados decrecientes", dijo hoy el Servicio de Inmigración y Naturalización.

El vocero Duke Austin indicó que la publicidad desfavorable generada por la "Operación Trabajos", iniciada ayer, podría entorpecer la búsqueda de inmigrantes ilegales y hacer que éstos pasen a la clandestinidad para esquivar a los agentes del SIN y de la patrulla fronteriza. Austin dijo que los agentes solicitaron el número de la seguridad social y las tarjetas de inmigración y realizaron "entrevistas" en los lugares de trabajo para determinar si la persona reside legalmente en el país.

Aunque "no existe una fórmula exacta" para decidir qué empleados son interrogados, "algunas personas tienen aspecto extranjero", y hablan pobremente el inglés, indicó Austin, aunque los agentes "tratan de comprobar la situación de todos los trabajadores".

La Unión Estadounidense de Libertades Civiles dijo en Washington y Nueva York que sigue atentamente el desarrollo de las redadas, que para hoy habían producido la detención de 1,500 personas.

El SIN indicó que aproximadamente 400 de sus agentes y de la patrulla fronteriza participan en las redadas de Dallas, Houston, Los

*Hermán Baca, el
Fondo es Político
Contra los Chicanos*

Por Dora Elena CORTES.

SAN DIEGO, CALIF.- Como consecuencia de las redadas que por la "Operación Trabajo", inició en el vecino país, el Servicio de Inmigración y Naturalización (SIN), la Border Patrol del sector Chula Vista (con jurisdicción en los condados de San Diego, Orange y parte de Riverside), negó ayer que se esté tomando parte en una gran operación contra indocumentados mexicanos, asegurando a la vez, que "nunca los hemos perseguido".

Por su parte, el líder chicano, Herman Baca, aseguró que la mencionada "Operación Trabajos", es una medida política del gobierno de los Estados Unidos "para aplastar la gran fuerza que están obteniendo los mexicanos en este país" y el Consulado General de México en San Diego, definió su papel en este caso, como el de un orientador, "al no poder actuar sino a petición de las partes".

Hermán Baca, del Comité Pro-Derechos de los Chicanos, dijo que "se trata de presionar para la aprobación del proyecto de ley de migración "Simpson-Mazzoli", se maneja a la opinión público para que apoye este proyecto, haciéndole creer que en realidad los mexicanos indocumentados están realizando trabajos bien remunerados que podrían aprovechar los ciudadanos norteamericanos desempleados".

Dijo que el proyecto de ley "Simpson-Mazzoli", es el mismo que el "Plan Carter" y la "Política Reagan", que busca la migración de la frontera entre los Estados

Hermán Baca...

(Viene de la 1ª. Pág.)

Unidos y México; el incremento de los efectivos de la patrulla fronteriza; el castigo a los patrones que empleen a indocumentados y otra serie de medidas que pisotearán los derechos humanos de los afectados.

El Plan "Simpson-Mazzolli", vendrá a ser un sistema de explotación y propiciará la creación de ciudades marginadas donde sólo vivan los mexicanos y en las que para entrar o salir se deba presentar una tarjeta. Agregó Baca, que "vendrá a desatar una verdadera cacería de indocumentados, en escuelas, centros de trabajo, hospitales, autobuses, iglesias, etc."

J.D. Green, Asistente del Sub-Jefe de la Patrulla Fronteriza en San Ysidro, negó por su parte que "se esté llevando a cabo una gran operación contra indocumentados", a pesar de que según se supo, cuatro elementos de esta corporación fueron enviados a Washington D.C. para participar en las redadas que se han hecho en 9 grandes ciudades de los Estados Unidos.

Dijo que es preciso aclarar que "la Patrulla Fronteriza, nunca ha perseguido a mexicanos. Cuando actúa, lo hace en base a instrucciones precisas y procede por igual con alemanes, canadienses o centroamericanos que se encuentran sin documentos en nuestro país".

El Cónsul General de México en San Diego, Esteban Morales, dijo a su vez a EL MEXICANO, que estas oficinas están dispuestas a proteger a todos aquellos mexicanos que recurran en demanda de auxilio. Expresó que hasta el momento solo se encuentran a la expectativa y bien informados de lo que sucede "porque no podemos actuar sin petición de los ofendidos".

Aseguró Morales que en la oficina del Cónsulado en San Ysidro, junto a las oficinas de la Patrulla Fronteriza

"entrevistamos a 150 mexicanos que iban a ser deportados y ninguno de ellos presentó demanda en contra de las autoridades, por esta acción.

Hizo saber que el consulado está pendiente "para actuar en cuanto se presenten denuncias por violaciones de los derechos, por maltrato o por otras arbitrariedades".

Por lo que respecta al comité Pro-Derechos de los Chicanos, su dirigente, Herman Baca, hizo saber que ya se han puesto en contacto con otras agrupaciones similares de los Estados Unidos, para determinar las acciones a seguir contra esta "Operación Trabajo" que consideran violatoria de la ley.

Dijo que otro propósito de la misma, es desviar la atención de los ciudadanos norteamericanos, de los errores que en política administrativa, ha tenido la administración Reagan. Reveló que esta

"Operación Trabajos", así como el proyecto de ley Simpson-Mazzolli", están siendo respaldadas por grupos liberales y racistas que se han unido a los conservadores, porque consideran que los indocumentados son los causantes de todos los males que aquejan a los Estados Unidos.

"A estos dijo Baca- se les ha mencionado como los causantes del alto índice de criminalidad, enfermedades, tensión entre razas y abusos.

Añadió que "además se está haciendo creer a la opinión pública que el problema racial (entre negros y blancos) no es nada en comparación a lo que será el problema "bilinguístico" ya que se presenta (inglés-español).

Baca, dijo que las ciudades en las que se han realizado las redadas, son Los Angeles, Forth Worth, Houston, San Francisco, Detroit, Nueva York, Chicago, Denver y Newark. Por su parte, tanto el asistente de la Borden Patrol, como el Cónsul General de México en San Diego, negaron que esas acciones se hayan registrado también en el mencionado Condado.

Muy Alto

(Viene de la 1ª. Pág.)

Angeles, San Francisco, New York, Newark, Nueva Jersey, Denver, Detroit y Chicago. Su objetivo,

dijo el SIN, es retirar a los inmigrantes ilegales de puestos de trabajos relativamente bien remunerados, que podrían ser desempeñados por estadounidenses desempleados.

En Nueva York, las redadas produjeron esta mañana la detención de otros 50 inmigrantes ilegales, elevando a 250 el número de detenidos en la zona metropolitana de Nueva York durante los dos primeros días de su ejecución.

Conforme a estadísticas anteriores, funcionarios del SIN dijeron que 475 inmigrantes ilegales fueron detenidos en Texas, más de 130 en Los Angeles, 268 en Fort Worth, más de 230 en Houston y más de 200 en Chicago.

En Colorado, las autoridades dijeron haber apresado entre 180 y 200 presuntos inmigrantes ilegales y

que deportaron a todos, menos a uno o dos, a México. En los comandos californianos de Napa, Sonoma y Alamenda, cerca de San Francisco, 61 hombres y mujeres, todos ellos mexicanos, fueron apresados el primer día.

Austin dijo que la operación continuará hasta el sábado "a no ser que obtengamos resultados decrecientes y no merezca a pena continuarla por su costo.

"No fue nuestra intención que la operación fuese aireada de antemano", dijo Austin. "Ciertas informaciones se filtraron prematuramente. Debido a ello inmigrantes quizá pasen a la clandestinidad".

Steve Shapiro, abogado de la Unión Estadounidense de Libertades Civiles de Nueva York, dijo que el grupo está estudiando la constitucionalidad de las redadas, y ya fue presentada una petición de interdicto ante un Tribunal Federal de la ciudad, añadió Shapiro.

The San Diego Union

SAN DIEGO, CALIFORNIA

 a Copley Newspaper

TUESDAY MORNING, APRIL 27, 1982

Illegal Aliens Arrested In Job Raids In 9 Cities

From The San Diego Union's News Services

NEW YORK — Swooping in as workers began their shifts, federal immigration agents apprehended as many as 1,000 illegal aliens yesterday at job sites across the nation in what the government said was an effort to recapture higher-paying jobs for unemployed American citizens.

Officials said the aliens were taken into custody in raids in nine major cities, including San Francisco and Los Angeles.

Joseph Salgado, the immigration service's enforcement director, said agents have spent the past few months compiling target lists of workplaces where they believe illegal aliens are employed for wages well above the \$3.35 federal minimum.

"We're not looking for janitors and busboys," Salgado said.

Officials in Los Angeles, where more than 130 aliens were arrested, said the raids — which are to continue through the week — are being conducted in cooperation with state employment offices so people who are out of work can be directed to the vacated jobs.

INS and Border Patrol agents rounded up 82 suspects at a plumbing fixture factory, where wages are between \$3.55 and \$11 an hour, and 55 more at a packing plant near Los Angeles.

(Continued on A-7, Col. 1)

(Continued from A-1)

Several unemployed youths watched the plumbing factory arrests and said they would apply for the jobs left vacant by the raid.

In New York and Newark, N.J., agents raided at least eight companies and arrested about 175 aliens without the blue-lettered "resident alien" cards.

Agents also picked up aliens at sites in and around Detroit, Chicago, Denver, Dallas and Houston. Officials said they expected to apprehend 3,000 to 5,000 illegal aliens this week.

In one raid in New York, about 100 people, virtually all Hispanic, had started the day shift at the G & T Fruit Co. in the Bronx. About a dozen immigration agents carrying search warrants jumped from their unmarked automobiles and ran into the company's large warehouse. The workers, who were repacking potatoes unloaded from nearby boxcars for supermarkets, were lined up and ordered to produce their resident cards.

"They came in here like Jesse James, scaring people half to death," said Anthony Spinale, owner of the company, as he watched agents take away 22 of his workers.

Four young women were huddled in the rear seat of one immigration service car. The workers who were not arrested stood silently on the warehouse loading dock, their eyes darting from one agent to another, until Spinale told them it was time to go back to work.

"If they are trying to open up high-paying jobs to citizens, then this raid is a joke," said Spinale.

"I pay these people the minimum wage of \$3.35 an hour for hard, honest work," he said, "and my books are open to prove it."

In the past, immigration service officials said they often caught illegal aliens working the low-skilled and minimum-wage jobs similar to those at Spinale's company. In most cases, the officials said, those jobs were simply filled again by other illegal aliens.

However, William S. Slatery, chief of special investigations in the immigration service's New York office, said the objective this time was to remove illegal workers from better-paying jobs that would then be available for unemployed citizens in the surrounding community.

The agency estimates there are 3 million to 6 million illegal aliens in the nation and that about half of them hold jobs illegally.

According to immigration officials, the principal targets of their nationwide dragnet are illegal aliens earning at least \$4.50 an hour, with some getting as much as \$7 to \$9 a hour.

Spinale ridiculed their strategy.

"Who else would do this work?" he asked, pointing to the heavy sacks of potatoes that had to be lifted and then the unloading of fruit and vegetables.

"No one else, just these peo-

Illegal Aliens Arrested In Job Raids

ple," he said.

When told of Spinale's charges that low-paid workers were being taken away, Slattery said, "That's bound to happen."

The raids already have

drawn criticism from Hispanic groups. Arnold Torres of the League of United Latin-American Citizens said last week that the raids would help perpetuate the "lie" that illegal aliens

are responsible for high U.S. unemployment because they take jobs from American citizens.

"We're watching them very closely this week. If they violate the due process

Tuesday, April 27, 1982

rights of these people, we may sue them," Torres said yesterday.

Officials said the aliens arrested would be given the

choice of leaving the country voluntarily or being held in custody pending deportation hearings before immigration judges.

Tourist Industry Threatened By INS Harassment!

By Daniel L. Munoz

In a late breaking story La Prensa San Diego has learned that the INS has begun a new program of intimidation and harassment of "Mexican-looking" employees of the local hotel-restaurant industry.

It what appears to be a similar ploy used by the INS to circumvent constitutional and civil rights, guarantees, hotel management has now been "induced" into playing a similar role such as Sheriff Duffy did in the past...i.e. become a surrogate INS agent. It took a ruling from the Justice Department and from the State Attorney General to stop the Sheriff from playing Immigration officer. It may take the same action to stop the current activity.

La Prensa late yesterday came into possession of a private memorandum issued by Paul Firth Director of Personnel of the Hyatt Islandia, located at 1441 Quivira Road in San Diego in which employees are asked to present themselves to the INS for the purpose of certifying their citizenship and immigration status.....a clear violation of the 5th Amendment of the Constitution which prohibits self-incrimination. The hotel, acting as INS agents, are telling their employees that they are "requested" to bring identification bearing their photograph. All employees, the majority of which are Mexican Americans or green card holders are being coerced into appearing at the Penguin Room for interviews.

This represents the first time that hotel-motel management has been enlisted by the INS to coerce their employees into gastapo-like actions.

La Prensa contacted Local 30, the Culinary Workers Union which represents the majority of the Workers. Mr. Marco LiMandri, who recently was elected to the post of Secretary Treasurer informed La Prensa that "their lawyers and Union Representatives were sent to the Hyatt Islandia, to investigate member complaints on this matter."

La Prensa has learned that Local 30 has forced management to give the Union Lawyers a room adjacent to where the INS is holding these so call interviews. "We are advising all our members and other workers to visit our room first," said LiMandri. Our lawyers are there to inform them of their rights and of the protection afforded under their Union contract.

We are there to protect our members and we don't appreciate this harassment of the membership by management and the INS," said LiMandri.

INS personnel, is an obvious attempt to remove the Union from the premise charged LiMandri with "attempting to obstruct Justice." However in a call placed to the Justice Department this did not appear, to be the case. The Union continues to stay at the Hyatt Islandia and is working to inform the membership of their legal rights in this matter.

Herman Baca, Chairman of the Committee on Chicano Rights has informed La Prensa that he is

Con't INS, pg. 5

Con't from pg. 1

INS
in contact with their lawyers on the issue. "No one has to respond to the memorandum from the Hyatt management," said Baca. Unless the INS has specific probable cause to enter the premises they are acting illegally. That is the reason they are using management to carry out this activity," said Baca. "This appears to be collusion between management and the INS similar to what occurred in the fields and vineyards of California, where workers are forcefully removed by the INS after they have harvested the crops. The INS deports them and the farmers pocket their unpaid wages. What hotel and restaurant employee is not going to feel coerced if the personnel officer orders him to appear?," asked Baca.

"If there is a single injury caused to any of our members by this action, we will pursue the matter in the courts against management," indicated LiMandri, Secretary Treasurer of the Culinary Union AFL-CIO. "We believe the management and the INS have overstepped their boundaries."

LA PRENSA
4-9-82

State news

Alien-sweep protests bring hearing

By The Associated Press

This week's crackdown on undocumented aliens holding jobs in the American work place has netted about 3,500 arrests so far, but many are being set free, and a federal judge is holding a hearing on whether to halt the raids.

The raids in nine cities by 400 agents of the Immigration and Naturalization Service also have stirred protests from organizations representing Hispanics, Arabs, Jews and other immigrants.

The manager of a fishery in Santa Rosa, Calif., claimed he can't find American workers to replace the 53 fish cleaners arrested at his establishment, although American job-seekers were lining up at other raided sites.

In Los Angeles, attorneys for an immigrant rights group won a federal court order yesterday barring the imminent deportation of 150 Mexicans. They were among 425 arrested in the Los Angeles area since Monday as part of "Operation Jobs."



FRISKED — Immigration agents search suspected undocumented aliens before loading them into van after raid on plant at Santa Fe Springs, Calif. Many American citizens have been applying for jobs vacated in alien raids under way across U.S. — UPI photo

In Detroit, federal agents have released all but 36 of the 107 arrested. Robert Wagus, assistant director of the INS office in Detroit, said the rest "probably would be deported."

The raids, an attempt to open up jobs for unemployed citizens, also were criticized yesterday at a news conference in Detroit by the League of Latin American Citizens, the

Arab Community Center for Economic and Social Services and the Jewish Community Council of Metropolitan Detroit.

A busload of detainees about to leave Los Angeles

was halted yesterday after U.S. District Judge William Matthew Byrne ordered all aboard to be asked whether they wanted to talk to a lawyer. He ruled the same for another 23 immigrants facing deportation.

"To say INS is really interested in the rights of these people is absurd," Byrne told government attorneys.

Lawyers from four rights groups told Byrne that immigrants are being denied access to counsel, unfairly questioned and pressured into signing voluntary deportation orders.

Their affidavit quoted two aliens as saying INS officials told them a lawyer would cost \$4,000 and that "their fingers would be broken if they refused to provide their fingerprints."

Also protesting were Peter Schey and Carlos Holguin of the National Center on Immigrants Rights, Antonio Rodriguez of the Los Angeles Center for Law and Justice and the National Immigration Law Center.

"OPERATION INTIMIDATION"

(1) HAVING THE INS ASKING BUS.

TO COOPERATE IS LIKE HAVING THE MAFIA

ASK IF YOUR BUSINESS HAS INSURANCE

(2) SAVING JOBS LIKE THEY DID IN ORANGE COUNTY?
IT HAS ALWAYS BEEN MY UNDERSTANDING THAT
EMPLOYMENT MATTERS ~~ARE~~ ARE THE RESPONS.
OF THE LABOR DEPT. WHAT IS THE INS.
DOING IN THAT AREA?

(3) IF THE INS. WAS REALLY INTERESTED IN
PROTECTING U.S. JOBS THEY WOULD ARRESTING
+ DEPORTING REAGNOMICS WHICH IS ^{THE} RESPONSIBLE
FOR THE ^{CAUSE} CAUSES OF U.S. ^{UN}EMPLOYMENT - WHICH ^{IS} ARE
HIGH INTEREST RATES, INFLATION, + THE RUN-AWAY
BUSINESS OF PLANTS FROM THE U.S. TO OTHER PARTS
OF THE WORLD.

(4) SO MUCH FOR THE REAGAN ADMINISTRATION
POSITION THAT THEY ARE GOING TO KEEP GOVT
OF BUS. BACK

(5) WHAT BUS. WILL BE NEXT? IS THE INS.
GOING TO RAID JAC MURPHY STADIUM?

(5) SAME SCAPGOATHS THAT THE ICS
HAS BEEN USING SINCE THE ECONOMIC
DEPRESSION IN 1930 AGAINST THE
"OKIES" THAT WERE COMING TO CA
TO SUPPLY STEEL JOBS FROM CAL

114th YEAR

SAN DIEGO, CALIFORNIA, FRIDAY MORNING, APRIL 30, 1982

Chicano Group Asks Hotel Boycott

By MARJORIE MILLER
Staff Writer, The San Diego Union

The Committee on Chicano Rights yesterday called for an economic boycott of the Hyatt Islandia Hotel for participating in "Operation Cooperation," a U.S. Immigration and Naturalization Service program enlisting businesses to screen employees to determine their legal status.

The general manager of the luxury hotel said its management felt they had no choice but to cooperate with the INS, and a spokesman for another large hotel chain said it complied to avoid disruption in its work place.

At a press conference, Ramon Leyba, president of the South Bay Chapter of the Association of Mexican-American Educators (AMAE) said his group has canceled plans to hold its annual scholarship fund-raising banquet at the Islandia on grounds that the hotel collaborated with the INS.

Leyba said his group would have paid the hotel \$5,000 for its banquet there May 15. He said AMAE was looking for a hotel that had not cooperated with the INS. Islandia management confirmed the reservation had been canceled.

"AMAE feels that they could not in good conscience hold the banquet dance in a business that joins in activities that should not be the function of the INS/Border Patrol, much less that of the hotel-restaurant industry," Leyba said.

Herrera, chairman of the Chicano Committee, gave copies of a memorandum on Hyatt Islandia to employees announcing to employees that on April 14 and 15, Immigration and Naturalization Service officials will interview all em-

ployees about their citizenship and immigration status.

"All aliens will be required by the Immigration Service to present documentation as to their immigration status," the memo says. "United States citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certificate, certificate of citizenship, etc."

Roger Naumann, the Hyatt general manager, said he felt hotel management was pressured into cooperating.

"The INS contacted us several times and made it clear we had no choice, that they would check our employees one way or another," Naumann said. "We felt it to be in the best interest of our employees to agree to Operation Cooperation instead of subjecting our employees to a raid. We do not plan such a check again, but we felt it was the humanistic thing to do."

Naumann said he did not know if any of his hotel's approximately 300 employees were arrested or deported as a result of the review, and that he did not know how many employees failed to show up for work on the days of the review.

"It's difficult to say," he said. "People don't show up for work all the time. They disappear, they go to Hawaii. I can't tell how many (absences) were due to the operation."

Naumann added that if the INS wants to check his employees' papers again, "Next time they are going to have to have a warrant."

INS officials could not be reached for comment.

Under Operation Cooperation, an eight-year-old program, employers arrange interviews for the INS with their employees. The workers are called in for an appointment and their names are checked in a computer.

According to INS spokesmen, at least 72 county businesses are participating in Operation Cooperation — an alternative here to the current national crackdown on undocumented workers called "Operation Jobs."

This week's nationwide raids have resulted in about 3,500 arrests, and have led to protests from church groups and organizations representing Hispanics, Arabs, Jews and others.

Asked why the Chicano group was singling out the Islandia for a boycott, Baca said the action was taken because the memo showed the interviews there were carried out with "the total approval" of the management and that it was the only proof of collaboration they had collected.

He said the reviews resulted in harassment and intimidation of workers, and that undocumented workers do not take jobs from Americans.

Asked about reports that thousands of Americans are applying for jobs vacated by undocumented workers after recent sweeps in Los Angeles and other cities, Baca said: "I ask reporters to go back and check a week from now and see who in fact is holding those jobs."

A spokesman for Atlas Hotels, which includes the Town and Country, Hanalet, Kings Inn and Mission Valley Inn and employs about 2,000 workers, said their hotels participated in the program from No-

(Continued on B-6, Col. 1)

Chicano Group Asks Islandia Hotel Boycott

(Continued from B-1)

ember through January because management felt it was prudent to do so.

"We gave them an alphabetized list of the names of all our employees and told them (the workers) to go talk to immigration," said Hank Hoxie, industrial relations manager. "Westgate (hotel) chose not to and for a period they had the Border Patrol looking in their closets and everywhere. That was unacceptable to us. It was a lawful

request the INS was making and we don't want disruption in our work place, we don't want law enforcement coming in.

"We felt it prudent to comply. We had a good example in the hotel that didn't."

Hoxie said his hotels had a higher turnover in employees during the document reviews, but that he did not know if any workers were detained or deported as a result of the program.

Last May, INS agents conducted a room-to-room search of the Little America Westgate Hotel that resulted in the arrest of 11 workers. In June they searched the hotel again, arresting nine suspected undocumented workers, four of whom had been placed in custody in the previous raid.

At the time, INS officials said the Westgate management had been asked on three occasions to allow officers into the hotel under Operation Cooperation, but they refused.

Operation Cooperation was begun in November 1975.

Chicano group in blast at Hyatt Islandia Hotel

By Claude Walbert

Tribune Staff Writer

The Committee on Chicano Rights is calling for an economic boycott against the Hyatt Islandia Hotel because of the hotel's cooperation with Immigration and Naturalization Service agents, the group's chairman said in a press conference today.

Herman Baca, the chairman, said the hotel's cooperation with the INS in seeking out undocumented workers is "racist, legally questionable, unconstitutional and selective law enforcement of the worst kind."

Baca presented a hotel memorandum that requested all employees to report for INS interviews April 14-15. He said the memo showed the hotel's cooperation in an INS program to eliminate undocumented aliens from jobs that could be filled by U.S. citizens or legal aliens.

At the same time, the 80-member South Bay chapter of the Association of Mexican-American Educators

said it had withdrawn its annual scholarship dinner from the hotel.

The dinner, planned for May 15, will be rescheduled in another location, according to Ramon Leyba, chapter president.

Leyba said the group could not "in good conscience" hold its largest fund-raiser "in a business that joins in activities that should not be the function of the INS-Border Patrol, much less that of the hotel-motel industry."

The INS program called "Operation Cooperation" asks employers to screen prospective employees for their legal status in the country and to make personnel records available, according to an INS memo supplied by Baca.

Baca said he didn't know if any undocumented workers had lost jobs at the Hyatt Islandia because of the interviews. He also said other hotels and motels are expected to be added to the boycott list as proof of their cooperation becomes available.

Los Angeles Times

Friday, April 30, 1982

6 Part II / Friday, April 30, 1982 J

2 Chicano Groups Boycott Hotel for Helping INS Screen Aliens

By ROBERT MONTEMAYOR, *Times Staff Writer*

Two local Mexican-American groups Thursday announced a boycott of the Hyatt Islandia Hotel in San Diego because the hotel's management participated in a federal program that encourages employers to screen its employees for illegal aliens.

Officials of the Committee on Chicano Rights and the South Bay Chapter of the Association of Mexican-American Educators (AMAE) charged the Hyatt Islandia with harassing and intimidating employees of Mexican ancestry.

Ramon Leyba, president of AMAE, said his group has canceled a scholarship banquet and dance scheduled May 15 at the Hyatt because of the hotel's participation in "Operation Cooperation," a program of the U.S. Immigration and Naturalization Service.

Leyba told reporters at a press conference Thursday that the banquet-dance is the group's largest fundraiser of the year.

But, he said, "AMAE feels that they could not in good conscience hold the banquet-dance in a business that joins in activities that should not be the function . . . of the hotel-restaurant industry."

'Racist . . . Questionable'

Herman Baca, head of the Committee on Chicano Rights, called the Hyatt's voluntary cooperation in the program "racist, legally questionable, unconstitutional and selective law enforcement of the worst type."

Baca said his group would boycott any other businesses involved in the program.

James O'Keefe, district director of the INS in San Diego, said Operation Cooperation is about 7 years old and that more than 60 local businesses participate in it.

O'Keefe said the INS advises businesses that participate to check employees' citizenship status and informs them when immigration agents are to show up.

He said employers are encouraged to dismiss employees found to be in the country illegally.

O'Keefe said Operation Cooperation is to the employers' advantage because it avoids disruptions to businesses by agents conducting raids.

The program, O'Keefe said, is not designed to single out employees of Mexican ancestry, and employers are told to check all employees.

"It is strictly voluntary," he said. "If they're cooperative, we don't go in and disrupt their business. If they are not under the operation, obviously we'll have to go in and check on them periodically."

Roger Naumann, manager of the Hyatt Islandia, said in a prepared statement, "The INS contacted us several times and made it clear that we had no choice, that they would check our employees one way or another.

'In Best Interest'

"We felt that it would be in the best interest of our employees to agree to Operation Cooperation, instead of subjecting our employees to a raid," Naumann said.

"We do not plan such a check again," he said. "We felt it was the humanistic thing to do."

The Hyatt Islandia's management informed its employees in a memo earlier this month that the hotel was cooperating in the INS program.

In the memo, which Baca produced at the press conference, the hotel management announced that the INS would be at the Hyatt Islandia on April 14 and 15 to

interview "all employees as to their citizenship and immigration status."

The memo said, "U.S. citizens will not be required to present documentation as to their citizenship. However, if you feel that it will be helpful or necessary, you may wish to bring evidence of your U.S. citizenship, e.g. birth certificate, naturalization certificate, certification of citizenship, etc."

Perceive Threat

But Baca and Leyba charged that the practice clearly affects any person of Mexican ancestry and poses the threat of unemployment for any employee who refuses to cooperate with the program.

"Their idea of cooperation," Baca said, "is coercion. It's like the Mafia asking, 'Do you have insurance?'"

Leyba suggested such practices could lead to teachers being asked to check the citizenship of students in their classrooms.

"This kind of intimidation must stop," he said. "It is for these reasons that AMAE has withdrawn from the Hyatt Islandia in the firm belief that the actions taken by the hotel are morally wrong and are tactics that must be stopped immediately."

O'Keefe said there are no plans to discontinue the program. He said the INS in San Diego has not participated in the recent "Operation Jobs" because of Operation Cooperation's success and because of lack of manpower.

Operation Jobs, a nationwide program, was initiated by the INS earlier this week to search out illegal aliens working in jobs that pay more than the minimum wage.

150,000 March To Show Support For Soviet Jewry

NEW YORK (AP) — Thousands of people carried signs and chanted yesterday to demonstrate their support for Jews waiting to emigrate from the Soviet Union.

A crowd estimated by police at more than 150,000 marched from 56th Street down Fifth Avenue and across to Dag Hammarskjold Plaza near the United Nations for a rally attended by Mayor Edward I. Koch, Moshe Arens, the Israeli ambassador to the United States, actors Gregory Peck and Tony Randall, and others.

Greeting the demonstrators, Seymour P. Lachman, chairman of the Greater New York Conference on Soviet Jewry, told the crowd, "This is the largest human rights event in the world."

Lachman said that the Soviet Union had clamped down on emigration, "cutting it by over 90 percent."

"Less than 300 Jews were permitted to leave the Soviet Union in April of 1982, compared to 4,300 in April of 1979," he said.

According to the Greater New York Conference on Soviet Jewry, sponsor of the 11th annual Solidarity Sunday for Soviet Jewry, 500,000 Jews have filed to emigrate but are still waiting to leave the Soviet Union.

Shouting emotionally into the public address system, Koch told the crowd, "There are 3 million Jews who want to leave, and we say to the Soviet Union, 'Let our people go!'"

Sen. Alfonse D'Amato, R-N.Y., said if the Soviet Union wants to discuss arms control, grain imports, buying of high-technology oil-drilling equipment, the United States should link these talks with human rights for Soviet Jews.

"This is the only language that the Kremlin understands," D'Amato said.

A letter addressed to the gathering from President Reagan and read by Lachman brought boos from many of the demonstrators.



United Press International

Supporters of Soviet Jews jam Dag Hammarskjold Plaza in New York.

In the letter, Mr. Reagan expressed his concern for the plight of Soviet Jews and said the Soviet government's actions "are an affront to all of us who cherish individual liberty."

He said his administration "remains committed to do everything possible" to help Jews and others who wish to leave the Soviet Union.

Arens said that "the exodus has become a trickle" because Jews who seek to leave the Soviet Union are "hounded, persecuted, imprisoned."

Jeane Kirkpatrick, U.S. ambassador to the United Nations, told the rally that many international agreements guarantee "the right to leave any country."

She said Soviet prisons, labor camps and mental hospitals are "filled with people who have sought to exercise their legitimate rights to leave."

Meanwhile, police reported that a group of about 30 demonstrators, who identified themselves as members of the Jewish Defense League, gathered in front of the Fifth Avenue office of the Soviet airline Aeroflot and chanted slogans for about 30 minutes.

Police said three people were arrested for throwing red paint on the building and were charged with criminal mischief, disorderly conduct and resisting arrest.

THE TRIBUNE

Monday, May 3, 1982

Mexican press denounces 'Operation Jobs' as racist

*From Tribune Wire
and Local Reports*

The Mexican press is denouncing "Operation Jobs" — the round-up by the United States of thousands of undocumented workers — as a racist operation reminiscent of "Nazi Germany."

The 23 Mexico City daily newspapers have been filled with reports and editorial cartoons throughout the week about the crackdown that resulted in at least 3,500 arrests.

And in Tijuana, the INS sweeps made front-page news Wednesday through Friday last week, with headlines saying, "Aggression — the Hunting of Undocumented," and, "Pursuit of Undocumented as Criminals in the United States."

The pro-government, leftist newspaper *El Dia* published seven stories about the operation in its Friday edition, including a front-page story that quoted Hispanic leaders in Washington labeling the Reagan administration "racist."

Many of the Mexico City newspapers carried horror stories from deported Mexicans returning to their homeland about their treatment by U.S. authorities.

"The agents detained us and piled us into camps in heaps," Everardo Leyva, one of the returnees, told the newspaper *Excelsior*. "Then they gave us what was almost garbage to eat, and there was nothing else to do but return home."

Excelsior reported from Los Angeles, "The agents always detain persons of Latin appearance, favoring illegals from other nationalities."

The newspaper *Opciones* headlined one front-page story on the round-up with the title "Hitlerian Actions," and said the sweep was similar to "Gestapo actions during the times of Nazi Germany."

President Jose Lopez Portillo said in the first days of the operation he was "watching this situation."

Fidel Velasquez, the powerful chief of the largest union in Mexico, the Confederation of Mexican Workers, called "Operation Jobs" an arbitrary crackdown that violated human rights.

He also warned the deportation of thousands of Mexican workers could have a serious effect on the nation's economy.

On Friday, the Mexican Foreign Ministry issued a tough statement, saying "this operation seriously worries the government of Mexico" because it has been carried out in regions "characterized by a high concentration of Mexican workers or those of Mexican origin."

There is unlikely to be any direct action by the present Mexican administration since it goes out of office in December.

However, lingering effects of "Operation Jobs" could trigger reactions early next year by a new government anxious to show its independence from the United States.

From Mexicali, the state capital of Baja California, newspapers reported the condemnation of the raids by the state legislature, and from Mexico City, they reported the critical remarks of former Mexican Ambassador to the United States Hugo Margain, currently a candidate for senator from the Federal District.

Margain charged that the sweeps were an unfair measure.

National City Star-News

EDITION

Sunday Edition

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National City, California, Sunday, May 2, 1982

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Chicanos oppose hotel alien checks

A San Diego luxury hotel has been targeted for an economic boycott by two local Mexican-American organizations for its cooperation with the U.S. Immigration and Naturalization Service.

The Hyatt-Islandia Hotel on Mission Bay participated in a voluntary federal program which encourages employers to screen employees for illegal aliens. In a memo earlier this month, the hotel informed employees that INS agents would be in to interview all workers regarding their citizenship and immigration status.

THE HOTEL'S

cooperation with the INS raised the ire of both the Committee on Chicano Rights and the South Bay Chapter of the Association of Mexican-American Educators.

Association President Ramon Leyba said at a press conference this week that his organization has canceled its annual scholarship banquet scheduled May 15 at the Hyatt.

"AMAE feels that they could not in good conscience hold the banquet dance in a business that joins in activities that should not be the function of the INS-Border Patrol,

much less that of the hotel-restaurant industry," said Leyba.

INS OFFICIALS said "Operation Cooperation" has been in existence for eight years and more than 60 local businesses participate.

Under the program, businesses are encouraged to check employees' citizenship, inform them when the immigration officials are conducting checks, and dismiss employees found to be illegal aliens.

Participation in the program prevents surprise INS checks which would normally disrupt business, said immigration officials.

Management of the Hyatt-Islandia said avoidance of those raids was the reason for their participation in the program.

"We felt that it would be in the best interests of our employees ... instead of subjecting our employees to a raid," said Hyatt general manager Roger Naumann.

THE HOTEL does not plan another check, he said, adding that the INS will need search warrants to again check his employees' papers.

Herman Baca, chairman of the Committee on Chicano Rights, charged the hotel management with harassment of employees of Mexican descent. He promised his group would boycott any of the other businesses involved in Operation Cooperation.

CV agents aid INS crackdown

Four Border Patrol agents from Chula Vista have been participating in Operation Jobs in Los Angeles.

Operation Jobs, a project of the Immigration and Naturalization Service (INS), is a crackdown on illegal immigrants holding high paying jobs the INS says would be attractive to U.S. citizens.

Over 400 INS investigators and Border Patrol agents are involved in the 10-city dragnet. Operation Jobs will by-pass the San Diego area because of the success of Operation Cooperation.

Over 2,500 persons have been taken into custody this week as a result of the raids.

The five-day campaign is the first time the INS has directly targeted sites where investigators are reasonably sure illegal immigrants are employed in heavy and light industry, factory and computer work.

The INS has not targeted farm labor jobs because they are low paid and not attractive to U.S. citizens.

The raids have been the subject of protest by various Hispanic groups including the Mexican-American Legal Defense Fund (MALDEF).

MALDEF claims the timing of the raids may unfairly influence U.S. senators who are scheduled to complete work on immigration legislation next week. MALDEF also expressed fears the crackdown will have a negative effect on the Hispanic community and create problems for legal residents who might be caught up in the raids.

Better Late Than Never

San Diego officials and members of city council can hardly be accused of taking overly hasty action to stem the tide of gang-related crime and violence.

Nearly two years have passed since city officials formed a task force to study the problem, and to propose appropriate remedial action. More than 14 months have passed since that task force delivered its recommendations to City Manager Ray Blair and to the council's Public Services and Safety Committee.

Last month, council finally approved a \$195,000 appropriation for an anti-gang violence pro-

gram consisting essentially of hiring six youth counselors and a secretary.

Meanwhile, the incidence of gang-related crimes up to and including murder has risen steadily. This year to date, it is up by almost 18 percent over the first four months of 1981.

Still, late is better than never, and we can hope that the counselors now being hired will prove effective in reducing the level of criminal activity attributed to gang members in the target areas — Logan Heights, South Bay, and Southeast San Diego.

But the experience of other cit-

ies shows clearly that conventional approaches emphasizing law enforcement and counseling are doomed to only partial success at best unless they are buttressed by community involvement. Specifically, a successful gang violence program depends on mobilizing neighborhood residents, including the parents of gang members, to redirect youth activity along constructive paths.

Unless a greater effort is made to enlist those actually living in neighborhoods where gang violence is prevalent, our guess is that an already alarming rate of gang violence will continue to rise.

SD Union 5-3-82

Cranston Demands Immediate End to INS Raids

Fears Racial and Ethnic Conflict in California

By JACK JONES,
Times Staff Writer

U.S. Sen. Alan Cranston (D-Calif.) called Thursday for an immediate halt to federal immigration service raids on factories, saying the arrests of illegal aliens are stirring racial animosity in California.

Protests mounted over the nationwide "Operation Jobs" campaign, staged in a purported effort to open up jobs for citizens and legal residents.

Many organizations claimed that the Reagan Administration is simply trying to shift the blame for the nation's economic troubles.

There were two more Southern California raids on Thursday—both in Orange County, where nearly 200 workers were arrested at two plants and hauled away to accept deportation.

Immigration and Naturalization Service or fight it.

On Thursday, U.S. District Judge William M. Byrne, who on

Wednesday ordered the INS not to deport 150 illegal aliens without informing them of their right to counsel, extended that order to all detainees from now on.

Cranston wired U.S. Atty. Gen. William French Smith that "There is evidence that the raids are sowing dangerous seeds of racial and ethnic conflict in California" and argued that there is "very little convincing evidence that the INS raids actually produce jobs for American citizens and permanent resident aliens."

To the contrary, Cranston said, "the evidence shows that the jobs are refilled by the same workers who were driven out by INS raids."

The senator complained that the raids "have no purpose other than to cause the maximum amount of disruption to employers, workers

and communities. . . ." Thus, he said, he agrees with those who call the raids "terroristic."

He called the raids a Reagan Administration effort to make illegal aliens "scapegoats for the Administration's failed economic policies."

The INS raided a furniture manufacturing plant in Santa Ana and a rubber goods factory in the city of Orange.

Those two raids brought to more than 600 the number of people taken into custody in Los Angeles and Orange counties in the raids this week.

Agents reported picking up 130 illegal aliens at the BP John Furniture Co., 2001 E. Dryer Road, Santa Ana, where 50 U.S. Border Patrol agents surrounded the plant about 9 a.m.

"They gave us no warning," said

the company personnel manager, Alex Sitnik. "They served the warrant and by the time we looked at it they had surrounded the place."

Sitnik said the plant normally employs about 350 people and pays between \$3.35 and \$4 an hour.

Another company official said BP John had advertised for workers through Orange County employment offices, but had not had any success.

As the agents loaded the detainees on buses and vans, three or four protesters waved placards reading, "No firme. Pida Abogado." ("Don't sign. Ask a lawyer.") The INS asks illegal aliens to waive their rights to hearings and to accept voluntary deportation.

But Alfonso Rivera, 29, a foreman, said he doubted many of the aliens would pay much attention to

the signs. "They don't want a lot of trouble," he said. "They'll just go back to Mexico and try to come back."

The other raid Thursday was at the West American Rubber Co. plant, 750 N. Main St. in Orange, where 58 people were picked up.

"So there are now 58 jobs paying \$4 an hour at that plant," an INS official said.

In New York, the American Civil Liberties Union fired off a letter to President Reagan, Atty. Gen. Smith and Immigration and Naturalization Commissioner Allen C. Smith, complaining that the Administration "is playing with people's lives to score a public relations victory."

The ACLU said "it is no coincidence" that the raids are being staged while Congress is debating a bill that would impose penal sanctions on employers who knowingly hire undocumented workers.

Please see CRANSTON, Page 1

CRANSTON: Halt INS Raids, Senator Demands

²³¹
Continued from Third Page

The raids, it said, "are apparently designed to garner public support for the employer-sanction section of this ill-advised legislation."

Representatives of organizations protesting the "Operation Jobs" raids held news conference in Los Angeles and Santa Ana on Thursday to press their complaints that the INS is trampling the rights of both illegal aliens and legal residents.

Coercion Charged

"Coercion has been used to force people to waive their rights," insisted attorney Peter Schey, executive director of the National Center for Immigrants' Rights, during a Los Angeles meeting with reporters.

Schey said that detainees were being told by INS agents that attorneys would do them no good and that bail would amount to \$5,000 apiece if they chose to resist deportation.

He said bail in such cases normally is \$500.

He also said that detainees have been threatened "that their families would be arrested and that they would not be able to apply for lawful immigration for seven years" (unless they waived their rights).

INS Deputy District Director

Times staff writers contributing to this story were Charles Maher, Beverly Moore, Pete King and Randy Limbird.

Omer G. Sewell termed the accusations "untrue statements" and said that those arrested were being treated in compliance with the law.

Sewell insisted that detainees who are determined to be legal residents are released immediately and that illegal workers who refuse to sign waivers are given information about free attorneys.

But, he said, Mexican nationals are offered the right to return voluntarily to Mexico and "the ma-

jority accept it."

In Orange County, representatives of a dozen church and civil rights groups held a news conference in front of the INS office in Santa Ana to denounce the campaign as racist and politically motivated.

The Rev. Allan F. Deck, of the Hispanic Ministry Diocese of Orange County, charged, "These paramilitary raids are directed in a blatantly discriminatory fashion against one ethnic group. They are racially inspired."

Sewell denied that, too, declaring that blacks and whites have been questioned and that arrestees have included Central and South Americans.

Constitutional Rights

During the Santa Ana press conference, Nativo V. Lopez of the American Friends Service Committee said that detained workers are being urged "to fully exercise their constitutional rights" and not to waive those rights by signing voluntary departures.

By refusing to leave without exhausting legal appeals, participants in the news conference said, the system could be jammed up and the INS would have to halt the raids.

THE TRIBUNE

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A Copley Newspaper

San Diego, California, Monday, May 3, 1982

(2) *

Telephone 299-3131

Page B-6

Immigration raids cause protest

OPERATING WITH paramilitary precision, Immigration and Naturalization Service agents swooped down on factories in American cities last week and took into custody about 6,000 undocumented workers. The targets of "Operation Jobs" are aliens without working papers who earn salaries above the minimum wage. The purpose: to free jobs for unemployed Americans. The result: publicity for the government's efforts to ease unemployment, protests from legal and ethnic groups, and hundreds of new people lining up to apply for the jobs. Even if tens of thousands were arrested, it is doubtful that INS raids could significantly reduce the nation's 9 percent unemployment rate.

The recession raids pinpoint both pressures on the INS and problems the agency faces in enforcing immigration law. More than 9.9 million Americans are now unemployed. That is the highest percentage of unemployment in this country since 1975, and it continues to rise. In San Diego, 86 out of every 1,000 workers are jobless. Men and women waiting in the lines for unemployment compensation gaze at factories and wonder: "Are Mexicans in there doing a job I could do? Are they pushing down wages so I can't afford to do the work?"

The resentments are harsh, and so are the realities facing immigration law enforcers. To work without papers is not a crime for either employer or employee. The undocumented alien who is caught is given the choice of being sent back across the border or being held in detention pending an immigration hearing. The employer is slapped on the hand

and told not to hire illegals again. The INS frees up jobs that, in some cases, are immediately filled by other undocumented workers. The game erodes confidence in the law and encourages more aliens to take the immigration gamble.

Crackdowns also rekindle nightmares of police brutality of the past and provoke criticism of government policy. Senator Alan Cranston wrote to Attorney General William French Smith: "There is evidence that the raids are sowing dangerous seeds of racial and ethnic conflict in California." The Committee on Chicano Rights here called a boycott Thursday of the Hyatt Islandia Hotel for cooperating with the INS. Bert Corona, of the National Immigration Coalition, said the raids are "a deceitful effort to thrust the focus of attention away from the real causes of unemployment, which are the Reagan administration policies ..."

Do illegal immigrants sharpen unemployment? The labor movement says yes. The average undocumented worker is in his early 20s, will work without legal or health protection and take substandard pay. A generation ago, migrants from Mexico worked as pickers in farms in places like the Imperial Valley. Today, many still are stoop workers. But other Mexicans have moved to factories in San Diego and Los Angeles. The shift from rural to urban jobs has created direct competition with American factory hands, the unions say. An estimated 500,000 illegal immigrants come to America each year. How many of them will take jobs that would go to Americans?

The INS raids are a desperate attempt to enforce an antiquated immigration law. They call up an image of harshness that stems from impotence, as the American worker tries to strike back. The ills of the recession should not be laid on poor, undocumented immigrants, who are fleeing even worse conditions in Mexico. But Americans should have first choice of jobs in this country. A new immigration law is needed to insure Americans get jobs first. It must be based on employer sanctions, not on employee raids.



5-3-82
E.T.

Thousands hit Reagan stand on emigration of Soviet Jews

NEW YORK (UPI) — More than 100,000 demonstrators waving poster portraits of “refuseniks” — Jews denied emigration visas from the Soviet Union — booed President Reagan’s statement of support, demanding action instead of talk.

The protest rally yesterday near the United Nations to show solidarity with Soviet Jews was attended by U.N. Ambassador Jeane Kirkpatrick, Mayor Edward Koch, New York’s senators, and entertainers including actor Gregory Peck and singer Paul Simon.

Reagan’s message to the demonstrators said, “My administration remains commit-

ted to do everything possible to assist the emigration of Jews and others who wish to leave the Soviet Union, and to bring before the eyes of the world the Soviet government’s continued refusal to grant its citizens the basic human rights to which men and women everywhere justly aspire.”

The statement was roundly booed and countered with chants of “We want action.”

Among the names repeated by the speakers and blazoned on the posters of the protestors were Anatoly Shcharansky, Ida Nudel and Vladimir Flepak.

The 11th annual protest sponsored by the 85 organizations of the Greater New York Conference on Soviet Jewry condemned an apparent Soviet crackdown that has allowed the least number of Jews to leave the Soviet Union in a decade.

Kirkpatrick said that emigration of Jews from the U.S.S.R. had ground to a virtual standstill. Only 900 Jews have been allowed to emigrate to Israel in the first three months of this year, compared with 3,500 allowed during the same period last year, she said.

A conference spokesman said only 9,500 Jews were allowed to emigrate last year, compared with 51,000 in 1979.

“There are 3 million people who want to leave the Soviet Union,” Koch said. “And we say let our people go.”

The San Diego Union

SAN DIEGO, CALIFORNIA

 a Copley Newspaper

WEDNESDAY MORNING, MAY 5, 1982

A-14 THE SAN DIEGO UNION

②

Wednesday, May 5, 1982

INS: 'Operation Jobs' Succeeded; Employers: It Failed

United Press International

The Immigration and Naturalization Service said yesterday its week-long sweep of illegal aliens from U.S. jobs was a success, but one employer called the nine-city operation "a laugh."

The government's "Operation Jobs" was meant to open up employment for American citizens by removing illegal aliens from sites in New York, Newark, N.J., Houston, Dallas, San Francisco, Los Angeles, Chicago, Detroit and Denver.

Immigration spokesman Verne Jervis said last week's sweep resulted in the arrests of about 5,500 illegal aliens. He said preliminary reports from field offices indicate there have been "long lines of people applying for jobs, specifically in Los Angeles and Chicago. It is our impression there are a lot of people interested in these jobs."

Jervis said "Operation Jobs" was "a success to the point that we did remove people from jobs that appear to be attractive to American citizens."

But some employers at businesses raided in New York and California indicated the sweep failed to meet its goal.

Nick, vice president of Plated Plastic Industries Inc. of New York City, said 16 of the 23 illegals arrested at his electroplating firm "are back on the job today." He said seven new persons were hired for the jobs that pay \$3.35 to \$3.45 an hour.

He said those who returned did so the day after they were arrested.

"They lost a day's pay and I lost a day of production," Anis said.

William Slattery, chief of special investigations for the immigration service, said 110 of approximately 500 arrested in raids at 55 firms in New York last week still are in custody.

He said between 50 and 100 of those rounded up were repatriated. About half chose to post bond and await hearings expected in four to eight weeks, he said.

More than 800 workers were arrested in Southern California, but several employers said many returned to their jobs; other vacancies created by the raids may not be filled.

"If they did this to create jobs, that's a laugh," said Walter Gibson, controller of Carolyn Shoes in Monterey Park, east of Los Angeles.

Agents arrested 80 of the company's 240 workers, forcing the plant to halt production, Gibson said.

"We had to lay off 30 people today and we're going to have to lay off more tomorrow," he said. "Rather than open up jobs, they have disrupted production. Instead of creating jobs, 160 people are getting no paychecks or partial paychecks for one or two days a week."

At Price Pfister Brass Manufacturing Co., in the San Fernando Valley city of Pacoima, 80 workers were ar-

rested, but a company spokesman said 50 returned to work when they showed the necessary documents. Peter Gold said 1,000 people applied for jobs after the highly publicized arrests, but none of the remaining 30 positions may be filled.

"We're in the midst of a recession," Gold said. "We haven't hired for a year and a half. It's questionable whether the value received (from the raids) justified the amount of money expended."

At Acme Lighting and Manufacturing Co., in Industry, officials said no decision has been made to fill vacancies created by the arrest of 20 workers.

Alex Sytnyk, personnel manager of B.P. Furniture Co., said about one-third of the 130 workers arrested Thursday were in the United States legally and returned to work. The company hired 60 people, including 40 "Mexican or Spanish-speaking" workers in this country legally.

INS officials in Texas said 943 persons were taken off jobs in Houston. Of that number, 26 were released on their own recognizance, 37 were detained for future proceedings and the rest sent home to Mexico.

Of the 992 picked up in Dallas, five were released, 15 were detained and the rest sent home.

In Mexico City, a prominent businessman told the daily newspaper *Excelsior* that the Mexican government should retaliate for the raids by deporting Americans working illegally in Mexico.

Aurelio Tamez Garcia, president of the Sales and Marketing Executives group, said Mexico should not tolerate the U.S. immigration sweeps. The Mexican government must act equally "against undocumented Americans who work illegally in the country," Tamez told the newspaper.

Alien Voting Eyed

SAN FRANCISCO — The U.S. attorney's office has launched a probe of non-English speaking persons in nine Northern California counties who have requested bilingual voting information for the coming election.

Civil rights groups have protested the investigation, details of which were revealed this week.

U.S. Attorney Joseph Russoniello explained that the purpose of the action was to keep aliens who are in the country illegally and permanent alien residents not eligible to cast ballots out of the voting booths next June.

Revelations of the probe triggered threats of legal action by civil rights groups and the resignation of the chief U.S. elections officer in San Francisco.

Amanda Metcalf, 34, assistant U.S. attorney in charge of enforcing voting rights in Northern California, said Monday she had resigned in protest over the probe, launched April 19 by her boss Russoniello, as well as "other issues involving minorities."

"The investigation is diametrically opposed to the spirit and intent of the Voting Rights Act," said Metcalf.

Latin Americans Are Siding With Argentina

From The San Diego Union's News Services

Latin Americans have identified with Argentina in its conflict with Britain over the Falkland Islands, but some find the barren South Atlantic archipelago not worth the lives being lost.

A sampling of opinions ranged from strong support for Argentina to disbelief that the two countries have actually come to blows. Thousands of Peruvians reportedly have volunteered to fight for Argentina, others called the conflict absurd, and some criticized the United States for taking Britain's side.

"It is unbelievable that the world should be locked in a major crisis — involving loss of life — for some barren islands full of sheep," said the English-language Daily Journal of Caracas, Venezuela.

Some governments in the region have moved to materially aid Buenos Aires. Venezuela reportedly is supplying parts for Argentina's French-built warplanes, and Brazil has sold it two military aircraft.

Airport and dock workers in Peru have begun boycotts of British

planes and ships, while telephone and postal workers announced similar steps in support of Argentina.

"Everyone who comes here to buy something says that the United States is a traitor to (Latin America)," said a Lima newspaper vendor.

In Mexico City, beauty shop owner Leticia Ramirez said an informal poll of her customers showed that most felt Argentina was a victim of American and British force.

Meanwhile, in Washington, a wave of anger against the United States swept through the Organization of American States, with some delegates suggesting that the United States be expelled from the OAS or that the organization's headquarters be moved from Washington.

The OAS dealt officially yesterday only with routine matters. But at the end of the two-hour session, there had been these critical reactions to the U.S. decision to side with Britain against Argentina in the Falkland Islands crisis:

— Bolivian Ambassador Alberto Quiroga, called for — and the delegates observed — one minute of si-

lence in honor of the "young Argentines who have lost their lives defending the great Latin American fatherhood."

— Argentine and Nicaraguan diplomats circulated to other delegates notes protesting the American action in taking the British side over the Falklands.

— Saul Arana, Nicaragua's delegate to the OAS, told a reporter that the hemispheric organization should consider expelling the United States.

— The Costa Rican delegation reminded delegates that its president, Rodrigo Carazo, had written other Latin American presidents to suggest that "the partiality of the United States" for Britain showed that the OAS should be removed from Washington.

— Argentine diplomats said the military junta in Buenos Aires is seriously considering whether to call for another emergency session of OAS foreign ministers to seek military assistance or sanctions against the British under the Rio Treaty.

Official Says Illegal Alien Raids Opened Jobs No One Wants

By BENJAMIN SHORE

Copley News Service

WASHINGTON — The 5,506 illegal aliens rounded up last week at jobs the government hoped would prove financially attractive to Americans were being paid an average hourly wage of just under \$5, administration officials said yesterday.

One official noted the \$10,400 annual income of a worker making \$5 an hour for a 40-hour week is only slightly above the federal poverty line for a family of four.

The official also said that because the cities where the illegal aliens were seized are expensive and the jobs they held considered "undesirable or at least dead-end," he doubted that many Americans eligible for welfare and unemployment benefits would seek the jobs.

"If those jobs are filled by Americans, give credit to the recession and unemployment, not the 'attractiveness' of the jobs," he added.

Immigration and Naturalization Service officials declined to comment yesterday. Joseph Salgado, associate INS commissioner for enforcement, was scheduled to brief reporters on "Operation Jobs" today.

INS raids were conducted in nine cities last week in a long-planned operation involving some 400 immigration agents.

The cities and the number of illegal aliens arrested were Chicago, 1,300; Houston, 1,100; Dallas, 950; Los Angeles, 800; San Francisco, 435; New York, 400; Denver, 324; Newark, N.J., 165, and Detroit, 32.

An administration official said in an interview the number of illegal aliens arrested does not reflect the extent of illegal employment in the cities, but rather the scope of the INS effort to locate the illegal aliens in jobs the government considers good.

"These are all jobs that Americans are performing elsewhere in the country," the official said.

The highest average hourly wage among the apprehended aliens was \$5.50 in Detroit; the lowest was \$4.50 in New York. Other pay averages were \$4.80 in Los Angeles and \$5.19 in San Francisco. The federal minimum wage is \$3.35 an hour.

The illegal aliens were found working in such places as produce warehouses, chicken packing plants, plating factories and construction sites.

Garment districts, known for employing illegal aliens for low wages and long hours, were not raided, nor were hotels and restaurants where illegal aliens fill some of the lowest-paying, least-desirable jobs, one official said.

The INS estimates that between 1.5 million and 3 million illegal aliens are working in the United States.

It is not against federal law to employ an illegal alien. However, legislation pending in Congress would make it a crime punishable by fines and jail. The proposal has wide public and congressional support.

The publicity of the raids has generated job applications at some of the sites, an official said.

The INS now is contacting each employer to see how the jobs were filled.

There were reports in New York that some of the illegal aliens released by the INS pending deportation hearings returned to their employers and were back at work the next day. They held minimum-wage jobs for which, the employers insisted, no Americans applied for.

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5-6-82

THE TRIBUNE

Tuesday, May 4, 1982

● **THE BORDER PATROL** is walking the beat in downtown El Paso, Texas, with members of the local police department, and authorities say the double-team patrols are having a chilling effect on crime. El Paso, with a population of 400,000, is separated from Ciudad Juarez, Mexico, by the Rio Grande. Juarez boasts nearly 1 million residents.

— New York jobs go begging

NEW YORK (AP) — Americans did not rush to fill job vacancies left in New York by last week's roundup of undocumented aliens, so many of the aliens are back at work, the New York Times reports.

"I can't recall one American coming in here and asking me for a job," Anthony Spinale, president of the G & T Fruit Co. in the Bronx, told the Times, adding that of the 22 aliens arrested at his warehouse, all but four or five are back at work.

The Immigration and Naturalization Service arrested 523 aliens at about 50 companies in the New York area and an official said the raids "created 500 jobs for unemployed Americans, some of them paying \$5 an hour or better."

But the Times reported that many of the jobs paid the minimum wage of \$3.25 an hour and quoted a Brooklyn plastics factory official, Nick Amish, as saying that "aliens are the only people who will work for the minimum wage."



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Senate

(Legislative day of Monday, February 22, 1982)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. TAURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray:

Gracious God, our heavenly Father, as the Senate moves more deeply into its demanding legislative agenda, strengthen its unity. We are one as humans, one as Americans, one in leadership and purpose. Our goals are one. We differ in the means by which those goals are to be achieved. Let not the differences dominate and destroy the oneness. Help us to see that diversity is of the essence of unity, the raw material out of which the fabric of democracy is woven.

Grant O God, the will to unity. In the awareness that "without a vision the people perish," give us a fresh vision of the United States of America. Help us to see afresh the power in unity with diversity; unity among ourselves in respect, honor, and love for one another. Help us to appreciate the importance of each individual in this large Senate family. Help us to appreciate our need of each other that we may be an effective, productive team. Help there to be unity between Congress and the White House. Give us all the grace to find the "better way" for all the people. Deliver us from unrighteousness in our private and public lives. Free us from selfishness and greed and pride. We ask this in the name of Him in whom all virtue came together. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, under the order previously entered a series of Senators will be recognized on special orders for not to exceed 15 minutes each after the expiration of the time or the yielding back of the time allocated to the two leaders under the standing order, to be followed by a period for the transaction of routine morning business of not more than 15 minutes in length in which Senators may speak for not more than 5 minutes each as ordered on last evening.

At the expiration of this time the Senate will resume consideration of S. 391, at which time the Chafee amendment will be the pending question.

Mr. President, there is an order in my favor among those listed in the provisions of special orders. I ask unanimous consent that the time allocated to me on special order this morning be assigned to the distinguished Senator from Maryland (Mr. MATHIAS) which will be in addition to the time allocated to him on special order.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I have no immediate need for any further time under the standing order. I am prepared now to yield it to the minority leader if he wishes.

Mr. ROBERT C. BYRD. Mr. President, I thank the majority leader. I will accept the time and I yield the time, that the distinguished majority leader has just yielded to me, if he has no need to have it back at some point, to Mr. BAUCUS.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I also yield the time under my order, 10 minutes of it to Mr. BAUCUS and 5 minutes of it to Mr. PROXMIRE.

The PRESIDING OFFICER (Mr. SPECTER). The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I thank the Chair and I thank the majority and minority leaders.

It is my understanding that this is the time allotted under special orders for Senator MATHIAS and myself.

May I inquire of the Chair if that is correct?

The PRESIDING OFFICER. The first special order is for the Senator from Wyoming (Mr. SIMPSON).

The leadership time of some 15 minutes is available to Senator BAUCUS at this moment for use as he may choose.

Mr. BAUCUS. Mr. President, I yield the time allotted to me at this point to the Senator from Wyoming with the understanding that subsequent to the time taken by the Senator from Wyoming that the Senator from Montana and the Senator from Maryland (Mr. MATHIAS) may then proceed to their special orders.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR SIMPSON

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Thank you, Mr. President.

I thank my good colleague and my neighbor from Montana, Senator BAUCUS. I enjoy very much working with him in the Senate.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

S. 2222—IMMIGRATION REFORM AND CONTROL ACT OF 1982

Mr. SIMPSON. Mr. President, our present immigration law and enforcement procedures no longer serve the national interest. They no longer promote the well-being of the majority of the American people. Indeed, immigration to the United States is out of control. This fact is very clearly perceived not only by the American people but by people all over the world.

It is my judgment that uncontrolled immigration is one of the greatest threats to the future of this country.

I assure my colleagues that—while having just a bit of a Western propensity to exaggerate—in this instance I do not. I deeply feel that there is much to be lost through uncontrolled immigration, much potential harm to our country—to American values, traditions, institutions, and to our way of life. In contrast controlled immigration has been one of the finest traditions of our remarkable heritage. We have no desire to terminate that.

Mr. President, let me present a few statistics. When I served on the Select Commission on Immigration and Refugee Policy and when I took on the task as chairman of the Subcommittee on Immigration and Refugee Policy, I hoped that we would never reach that point where we talked so much about "numbers," since behind every number is a very real human being. But, unfortunately, we must.

In the last 5 years total legal permanent admissions to the United States increased from a little over 450,000 in 1976 to 800,000 in 1980—if the 135,000 Cubans and Haitians entering that year are counted that is the figure. As recently as 1965 the total was under 300,000. During the same 5-year period, the category of "immediate relatives" of U.S. citizens has grown 40 percent—from 114,000 to 152,000. Please keep in mind that under present law there are no numerical limits on this type of family reunification.

In this same period, refugee admissions have ranged from 5,000 in 1977 to over 200,000 in 1980, four times the 50,000 level specified as the normal flow in the Refugee Act of 1980. A salient fact: The United States today is taking in more legal immigrants and refugees for permanent resettlement than the rest of the world combined—perhaps twice as many.

In addition, hundreds of thousands of illegal immigrants now cross our borders each year. Some estimate the net annual inflow at 500,000. The present inflow is probably substantially higher than it was 10 years ago. At least some indication of this can be found in the dramatically increased number of apprehensions. In 1967, the number was 162,000. In 10 years it had increased to over 1 million. Those are people apprehended.

Just 4 years ago applications for asylum, that is those who are refugees who apply for asylum here instead of in their country, was 5,000. That was

several years ago. And today that backlog is over 106,000. That system is in total disarray and has been severely gimmicked.

The number of illegal aliens already in the country is unknown. The Select Commission on Immigration and Refugee Policy used the figure of 3.5 to 6 million as the number for 1978. Obviously there are more now.

Immigration—legal plus illegal—now appears to be accounting for 30 to 50 percent of our annual population growth of about 2 million.

Mr. President, I am certain that some of my colleagues are thinking "Why should any of that concern us?" Let me try to explain why all Americans should be concerned.

At the present time, net immigration—that is legal plus illegal—probably exceeds 750,000 per year. A net annual immigration of 750,000 would lead to a U.S. population in 100 years of 300,000,000, even if it is assumed that the fertility rate of the existing population remains at its present low level—which is unlikely—and the fertility rate of the new immigrants immediately declines to that of the present population as a whole—which is even more unlikely. One-third of this 300,000,000 would consist of immigrants arriving after 1980 and their descendants.

Indeed, these figures actually underestimate the impact of immigration, which is concentrated in only a few regions of the country.

For example, under the same assumptions, and assuming continuance of existing settlement patterns, the population of California would double by 2080.

The problems which may be caused by excessive population growth are well known and I shall not discuss them here.

Not only do we observe this high total number of legal and illegal immigrants, but only a small fraction of them are individually admitted for qualities which are likely to benefit the Nation as a whole, and this is limited only to an analysis of job market impact. Less than 5 percent even of new legal immigrants are certified by the Labor Department as not causing unemployment or adversely affecting the wages and working conditions of U.S. workers.

As a result of this and of the fact that the present labor certification process is probably of limited effectiveness, I believe there are serious adverse job impacts, especially on low-skilled Americans.

Although population and job market impacts are of great significance, I think most would agree with me that the national interest of the American people also includes certain even more important and fundamental aspects—such as preservation of freedom, personal safety, and political stability, as well as the public—and I emphasize the word "public"—cultural qualities

and the political institutions which are their foundation.

Let me here say that I wish to reemphasize my deep personal belief that no individual applying to this country lawfully in search of freedom and opportunity, and desiring to integrate fully into American society, should be discriminated against because of race, color, or religion—which we have certainly sometimes done in our past. I say this to you because I realize that what I am about to say is directed to a most sensitive and complex issue and there is every risk of misunderstanding.

If immigration is continued at a high level, but a substantial portion of these new persons and their descendants do not integrate fully into the society, they may well create in America some of the same social, political, and economic problems which exist in the countries from which they have chosen to depart. Furthermore, if language and cultural separatism rise above a certain level, the unity and political stability of the Nation will—in time—be seriously eroded. Pluralism within a united American nation has been our greatest strength. That unity comes from a common language and a core public culture of certain shared values, beliefs, and customs, which make us distinctly "Americans."

Mr. President, I and my fine colleague, RON MAZZOLI, who is chairman of the House Immigration Subcommittee, intend to do our utmost to achieve the type of reform of U.S. immigration law and enforcement procedures which the American people desire and deserve—and upon which America's future depends. It is not our intention to seek to isolate the United States from the rest of the world. Immigration can continue to benefit the United States if the law is reasonably amended to be appropriate for present conditions—and if the law can be enforced.

Today Congressman MAZZOLI and I are introducing in our respective Houses a bill intended to bring immigration to the United States back under the control of the American people. The bill contains what we feel are the minimum features required to meet the most serious deficiencies in present law and enforcement procedures.

Let me review with you the major provisions of the bill. I ask unanimous consent that a more detailed summary of the bill be printed in the RECORD after the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SIMPSON. Most importantly, the bill will contain provisions intended to reduce the problem of illegal immigration.

Intense illegal immigration pressure on the United States will decline only if (a) the availability of U.S. employment is eliminated, (b) the disparity in

wages and working conditions is reduced—either through improvement in the Third World or deterioration in the United States.

I will say, too, we should do all in our power to assist development in the Third World. But we must remember that the achievement of substantially higher living standards is a long-term prospect at the very best. Since deterioration in the United States is certainly not an attractive resolution, only one approach remains: prohibiting the knowing employment of illegal aliens.

In order to protect both employers and members of minority groups legally in this country, particularly Hispanic-Americans, we will require a secure system to enable employers to verify that job applicants are authorized to work in the United States.

It is claimed by some that a new verification system would pose a threat to privacy and civil liberties.

I have given much sincere thought as to how, say, changing the form of the social security card, which is one of the available alternatives, could pose risks to our liberty.

I have asked that question of many—from the ACLU to the chairman of the Civil Rights Commission, but no one has yet given a satisfactory answer. Others—never known for their neglect of civil and human liberties—agree with me, including Father Ted Hesburgh, former chairman of the Select Commission on Immigration and Refugee Policy and of the U.S. Commission on Civil Rights; my great colleague from Massachusetts, Senator TED KENNEDY, who is the ranking member of the Senate subcommittee which I chair; and let me at this point thank the members of that subcommittee—Senator KENNEDY, and the minority staff director, Jerry Tinker, have been most helpful, most supportive; TED KENNEDY chaired this subcommittee for 15 years in this body and brought a depth of understanding and experience to our work that is critically important, and I thank him for his serious interest; and Senator CHUCK GRASSLEY, who has spent many hours, who has sat through many hearings, and who has learned much, and who has earned my great admiration; and STROM THURMOND, the chairman of the Judiciary Committee, so very helpful, available for counsel and advice and guidance, a fine chairman and a gentleman; and DENNIS DECONCINI of Arizona, participating thoroughly, joining in the process, attentively assisting—his efforts are appreciated; so indeed then, we see the editorial writers of the New York Times, the Washington Post, the Los Angeles Times-Mirror, the Boston Globe, the Chicago Herald-Tribune, and other major newspapers around the country embracing the critical aspects of a universal employment authorization verification system.

The bill also provides, of course, sanctions or penalties against employ-

ers who knowingly employ illegal aliens, and also penalties against persons who knowingly recruit or refer for employment such illegal aliens.

The bill provides if employers and those who recruit or refer for employment can show that they have in good faith followed the procedures outlined in the bill with respect to a particular job applicant, they will not be subject to any penalties. Tough criminal penalties are provided for the production, sale, or use of fraudulent documents. We will bring that virulent cottage industry under control.

The bill requires the executive branch within 3 years to design and implement a new and secure system to verify work authorization. I want to emphasize that that system will not be available for any purpose other than verification of eligibility to work. If, for example, the system were to utilize a card, it would not be one required to be carried on the person, it would not be required to be kept in one's home, it would not be an internal passport or national worker ID card. It would have to be presented only for the sole purpose of verifying eligibility to work in the United States.

The core bill also contains significant improvements in our exclusion and asylum adjudication procedures. It provides a summary exclusion proceeding without an appeal for those who enter the country without documents and who are not claiming asylum. For asylum cases, the bill provides for a hearing before a specially trained administrative law judge and one administrative appeal to an independent immigration board outside of the Immigration and Naturalization Service.

The bill streamlines the adjudication procedure for both deportation and exclusion.

The bill further provides that it is a criminal offense knowingly to transport an alien to the United States other than in accordance with prior authority.

We fully realize and recognize the possibility that a substantial adverse economic impact might occur on certain employers who have quite lawfully become dependent upon illegal foreign workers. We have attempted to deal with this problem in several ways.

First, the employer sanctions program would not apply to illegal aliens hired before the bill is enacted.

Second, the legalization program, which I discussed and will discuss later when my complete remarks are entered into the RECORD, will legalize many current illegal workers.

Third, the existing labor certification, which must be obtained for certain job-related immigrant visa categories, will be modified to allow a more efficient and accurate determination of when a foreign worker is needed.

Finally, the bill streamlines the H-2 program in order that employers who demonstrate a genuine need for a foreign worker for temporary services or

labor will receive an approval within a reasonable period of time.

In addition to reducing illegal immigration, the bill is intended to bring legal immigration under control, as well.

Although immediate relatives of U.S. citizens would continue to be exempt from numerical limitations, the number available for other family reunification categories could be determined by subtracting the number of such immediate relatives admitted in a prior year from the figure of 325,000. A similar approach is provided for immigrants admitted under the economically related categories, using a base figure of 109,000. The effect of these changes is that for the next decade, at least, the total of all new immigrants excluding refugees, will not exceed 425,000, which I remind you is approximately the current level.

The bill makes changes in the current system of allocating immigrant visas:

The family preference categories will not include what is now referred to as the fifth preference, that is the brothers and sisters of adult U.S. citizens—although those who have already received fifth preference status and are in the pipeline will be protected; the second preference will be narrowed somewhat to cover spouses and minor children of permanent residents.

The independent categories will include as one additional category investors creating jobs in high unemployment areas.

The bill also will provide special immigrant visas for certain children of American servicemen—American children—in Korea and Indochina, and for certain children and widowed spouses of employees of international organizations such as the U.N. and the World Bank, if they have resided in the United States for a certain number of years.

Finally, the bill allows the Attorney General and the Secretary of State to establish a pilot visa waiver program to waive the requirement of a visitor's visa in a certain country. It will allow for user fees on aliens who utilize the entry system. It will reform the law completely in regard to legal and illegal immigration.

Last, but not least—certainly not least in the controversy department—we come to the subject of legalization or amnesty.

We seek three major goals there:

The first is to avoid wasteful use of INS's limited enforcement resources.

The second goal is to allow dependent employers to continue lawfully hiring from this pool of labor.

The third is to eliminate from our society the illegal and fearful subclass now present in our society and afraid to use our police system, afraid to use our hospital system, unless, of course, it is for a birth, which then gives rise to a new American citizen, and afraid

to go to their employers who say, "If you do that, I will report you to the INS."

The final issue on legalization, which I guess to me is a pragmatic rascal, is the question, "If you could not find them coming in, how are you going to find them to get them out?"

The bill provides for two categories of legalization.

First, illegal aliens who have continuously resided in the United States since January 1, 1978 will qualify for permanent resident status.

Second, those who have continuously resided in the United States since January 1, 1980 or who are in the Cuban/Haitian "entrant" status, will qualify for a temporary residence status, which may be adjusted to permanent status after 2 years. Aliens in the temporary status will not be eligible for most forms of public assistance with certain exceptions for aged, blind, disabled, and those requiring emergency medical care.

Certain aliens will not be eligible for either category of legalization, including persons convicted of certain crimes; those who have persecuted others; those who would endanger the welfare, safety, or security of the United States; Communists, anarchists, and those seeking to overthrow the Government.

I will leave you with a final thought.

As has been frequently pointed out, the pressure of immigration is just beginning. The low economic and high population growth rate of the Third World—neither of which is under the control of the United States—present a dismal prospect, as does the fact that many developing countries of the world are only a walk or a short boat trip away.

As mortals, we live in a world of limits—and, tragically, that must include limits to our charity. Each man and woman here faces daily in his or her life the moral dilemma posed by other human beings in need: each must decide where to draw the line in helping others. It is tough—but we all have done that or we would not be here today.

If we in Government or politics are not able to bridle our compassion for the less fortunate people of other lands sufficiently to protect our national interest, then not only will we have failed in our primary official duty, including our duty to the least advantaged in our own Nation, but there is a substantial risk that in the long run the American people will be unable or unwilling to respond at all. I refer to this potential unwillingness to respond as "compassion fatigue." The signs are all around us that this is already developing.

So this legislation, Mr. President, should well serve as a symbol of fair reform and one without the repugnant aspects of racism, which has most unfortunately characterized most other reform attempts in our past.

Let me conclude by saying again—what a rich privilege it has been to work with my friend, RON MAZZOLI and his fine staff of Harris Miller, Skip Endres, Gene Pugliese and Ed Grossman of the House Subcommittee. And, I want to commend the fine staff of the Senate Subcommittee. Dick Day, chief counsel and staff director, the principle drafter and counsel Arnold Leibowitz, special counsel Chip Wood and special counsel Donna Alvarado. They brought much of themselves into this legislation.

I commend the measure to my colleagues.

EXHIBIT 1

IMMIGRATION REFORM AND CONTROL ACT OF 1982

1. The Bill contains provisions to increase control over illegal immigration.

A. EMPLOYER PENALTIES

Penalties against persons who:

Knowingly hire, recruit, or refer for employment in the U.S., an alien who is not authorized for such employment;

Knowingly continue to employ unauthorized aliens (except those hired before the date of enactment);

Knowingly hire, recruit, or refer for employment any person (whether a citizen or alien) without complying with the minimal verification procedures.

It is an affirmative defense against a charge of unlawful hiring, recruitment, or referral if the verification procedures have been followed in good faith.

Transitional (first 3 years) verification procedure: person who hires, recruits, or refers must attest, under penalty of perjury, that he has examined documents which establish both (a) eligibility to work, and (b) identity (showing that the individual presenting proof of eligibility to work is not presenting documents relating to another individual). A U.S. passport would establish both. Otherwise one document of each type would be presented: (a) Social Security card or birth certificate, and (b) INS-issued card, drivers license, other State-issued I.D. card, or other document approved by the Attorney General.

President is directed to develop and implement a new, secure system to verify work eligibility within 3 years. Such system would not be available for any other law enforcement purpose and, if it were to involve the use of a card, such card would not be required for any purpose except verification of work eligibility.

Penalty for failure to follow verification procedure: \$500 civil fine per individual (whether citizen or alien).

Penalties for substantive violation:

First 6 months (education period): no penalty;

Second 6 months: warning for first offense;

First offense (after warning during second 6 months): \$1,000 civil fine for substantive violation;

Second offense: \$2,000 civil fine;

After 2 offenses: criminal misdemeanor penalty of up to \$1,000 fine, 6 months imprisonment, or both;

Pattern or practice of knowingly continuing to hire: Attorney General may seek injunction.

Felony penalty (up to \$5,000 fine or 5 years imprisonment or both) for activities involving the use, manufacture, or sale of counterfeit or altered identification documents.

B. INCREASED BORDER AND OTHER ENFORCEMENT; USER FEES

Creates new criminal misdemeanor for bringing an alien to the U.S., knowing, or in reckless disregard of the fact, that the alien had not received prior official authorization to enter.

States the sense of Congress that resources for border patrol and other enforcement activities should be increased.

States the sense of Congress that the Attorney General should use his present authority to impose fees for the use by aliens of border and other INS facilities and services in an amount commensurate with cost.

C. ADJUDICATION PROCEDURES AND ASYLUM

Summary exclusion of alien entering without documents unless he asserts some reasonable basis for entering the U.S. or claims asylum, in which case he shall have a hearing before a specially trained asylum adjudication officer and by the newly established U.S. Immigration Board (see below).

Exclusion (other than summary exclusion) and deportation cases, and cases involving an asylum claim by a legal nonimmigrant, to be adjudicated by a specially trained administrative law judge with an appeal to the 6 member Immigration Board:

Board would be appointed to 6 year term by the President with advice and consent of the Senate, and would operate in panels of 3.

ALJ decisions would be reversible by the Board if not supported by substantial evidence.

No judicial review in exclusion cases (except to the extent of the constitutional right of habeas corpus).

No judicial review with respect to issue of asylum.

Judicial review of deportation cases is available in circuit Court of Appeals.

D. ADJUSTMENT OF STATUS

Adjustment of status procedure would not be available to aliens who have violated the terms of their nonimmigrant visa.

II. The Bill reforms legal immigration in order to better serve the national interest.

A. IMMIGRANTS

Annual ceiling:

"Immediate relatives" of U.S. citizens and "special immigrants" remain numerically unlimited in accordance with our historical commitment;

The ceiling on numerically limited family reunification immigrants is 325,000, minus the number of "immediate relatives" in prior year. For various categories and allocations, see chart attached;

The ceiling on numerically limited independent immigrants is 100,000, minus the number of "special immigrants" in prior year. For the various categories and allocations, see chart attached;

The present total of aliens issued immigrant visas or adjusting their status to lawful permanent resident (excluding refugees) is approximately 425,000. Therefore, no reduction of the current level of legal immigration will occur.

Except for our contiguous neighbors, Mexico and Canada, the "per-country ceiling" for a country will remain 20,000, minus the number of "immediate relatives" and "special immigrants" admitted from such country in the prior year in excess of 20,000. For Mexico and Canada, each country will have a quota of 40,000 and either country will be entitled to the unused visas of the other country from the prior year.

New family reunification preference categories, along with their share of the total ceiling for such categories, are as follows:

(a)(1) unmarried adult sons and daughters of U.S. citizens (present first preference) 15%;

(a)(2) spouses and minor children of lawful permanent residents (present second preference, minus adult sons and daughters) 65%;

(a)(3) married adult sons and daughters of U.S. citizens (present fourth preference) 10%;

(a)(4) brothers and sisters of adult U.S. citizens whose visa petition has already been approved (the present fifth preference backlog as of March 1, 1982) 10%;

New independent preference categories, along with their share of the total ceiling for such categories, are as follows:

(b)(1) aliens of exceptional ability (similar to present third preference) will be allowed up to the ceiling;

(b)(2) skilled workers needed in the U.S. (part of present sixth preference), numbers unused in (b)(1);

(b)(3) investors of \$250,000 in a new enterprise creating at least ten jobs in high unemployment areas, numbers unused in (b)(1) and (b)(2);

(b)(4) unskilled workers needed in the U.S. (part of present sixth preference), numbers unused in (b)(1)—(b)(3);

(b)(5) nonpreference workers (present nonpreference), unused in (b)(1)—(b)(4).

Labor certification will be granted on the basis of nationwide job market data, instead of on a case by case basis. Certification must include a finding that sufficient U.S. workers could not be trained within a reasonable time.

Relief provisions provided for certain Amerasian children.

Relief provisions are provided for certain children and widowed spouses of employees of international organizations.

B. NONIMMIGRANTS

Special procedure established for H-2 seasonal workers in agriculture:

The employer need not apply more than 80 days in advance of need;

The Secretary of Labor must provide a decision on the certification no later than 20 days in advance of need (otherwise the application for certification is deemed approved);

If the Secretary of Labor determines that a certain number of qualified U.S. workers will be available at the time needed, but at the determined time those workers are not qualified and available, an expedited 7-day procedure to determine continued need would be available.

After the INS has implemented an automatic data processing system to properly track the entry and exit of nonimmigrants, the State Department may establish a pilot visa waiver program for 5 countries which provide a similar benefit to the U.S. if the visa refusal and visa abuse rates for the nationals of such countries are minimal, and if the visitor has a nonrefundable, nonrefundable roundtrip ticket.

Adjustment of status will not be available to a nonimmigrant student until he has returned and resided in his home country for two years, unless such a student is an "immediate relative" of a U.S. citizen, in accordance with the purpose of these educational programs for foreign students.

III. Legalization:

Immediate permanent resident status (not citizenship) for aliens who have continuously resided in the U.S. since January 1, 1978.

Temporary legal status for (a) aliens who have continuously resided in the U.S. since January 1, 1980, and (b) "Cuban/Haitian entrants" who were previously given special legal status;

Persons receiving temporary status will be able to adjust to permanent resident status two years from date of enactment;

Federally funded public assistance (other than medical care, aid to aged, blind, or disabled, and public health) will not be available to those in the 2 year temporary status (other than "Cuban/Haitian entrants").

Persons will not be eligible for legalization who:

Have been convicted of a felony or 3 misdemeanors committed in the U.S.;

Have assisted in political persecution;

Have been convicted of a crime involving moral turpitude, or 2 or more offenses for which sentences aggregating 5 or more years were imposed;

The government has reason to believe seek to enter for activities inimical to the welfare, safety or security of the U.S.;

Are, or have been, anarchists, Communists, or who advocate the overthrow of the government;

Are Nazis;

Would engage in subversive activities.

Have been convicted of a drug violation, other than simple possession of 30 grams or less of marijuana;

Was a nonimmigrant exchange alien subject to a two year foreign residency requirement.

Existing law

Core bill

Immediate relatives of U.S. citizens: Unrestricted
Special immigrants: Unrestricted
Preference categories:

- (1) (Unmarried adult sons and daughters of citizens): 20 percent of 270,000
- (2) (Spouses plus unmarried sons and daughters of perm. res.): 26 percent of 270,000 plus unused in (1), (2)
- (4) (Married adult sons and daughters of citizens): 10 percent of 270,000 plus unused in (1), (2)
- (5) (Brothers and sisters of adult citizens): 24 percent of 270,000 plus unused in (1), (2), (4)
- (3) (Exceptional ability in arts, sciences plus profns): 10 percent of 270,000
- (6) (Needed workers): 10 percent of 270,000

Nonpreference: Not needed by (1)-(6)

Per country ceiling:
Imm. res. and spec. imm. Unrestricted
Preference immigrants: 20,000 per country

Ratio of family to independents: [None]

Labor certification:
Case by case
No training requirement

Unrestricted
Unrestricted

- A1 (Same): 15 percent of (325,000 minus imm. res. in prior year) plus unused in A2
- A2 (Excl. adult sons and daughters): 65 percent of (325,000 minus imm. res. plus unused in A1, A2)
- A3 (Same): 10 percent of (325,000 minus imm. res. plus unused in A1, A2)
- A4 (Existing 5th pref. backlog): 10 percent of (325,000 minus imm. res. plus unused in A1-A3)
- B1 (Exceptional ability): Up to 100,000 minus spec. imm.igrants
- B2 (Needed skilled workers): (Not needed by B1)
- B3 (Investors): (Not needed by B1, B2) (not to exceed 10 percent)
- B4 (Needed unskilled workers): (Not needed by B1-B3)
- Nonpreference (needed workers): (Not needed by B1-B4)

Unrestricted
20,000 (40,000 plus unused for Mexico and Canada) minus excess of immediate relatives and spec. imm. over 20,000 in prior year
3.25 to 1.

Nationwide labor market analysis
Training requirement

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may respond for 3 minutes to the able Senator from Wyoming on this subject.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I wish to take this opportunity to commend the able Senator from Wyoming for the great work he has been doing on the subject of immigration. I do not know of a Member of the Senate who has worked harder and in a more dedicated manner to meet a very important responsibility of our country, of this Senate, and of the Judiciary Committee than the able Senator from Wyoming. He has spent many days, long days; he has made many trips; he has held many conferences, and he

has done a fine job on this immigration bill.

Upon assuming the chairmanship of the Judiciary Committee, I realized that immigration was one of the most important responsibilities of this committee. In looking over the membership, I particularly selected him for this assignment because I knew of his expertise, his interest in this particular work, and I felt that no one would perform a better job on the question of immigration than the Senator from Wyoming.

I feel that we are on the right track. I hope that the Senate will back this bill and will expedite it to get it through. It is badly needed.

Mr. President, the legislation introduced today by the Senator from Wyoming reflects, as I have stated, the countless hours of work that has gone into this difficult area of the law. Certain subjects in the bill are, and will

continue to be, controversial. Employer penalties for those who hire aliens not authorized for employment has many in the business community concerned.

A legalization program that would permit the adjustment of status for aliens in the United States prior to January 1, 1978, is also an issue which will be debated thoroughly during consideration of this legislation.

On the whole, however, I support the thrust of the Simpson-Mazzoli bill. It places an overall ceiling of approximately 425,000 on annual admissions. It permits summary exclusion of undocumented aliens and minimizes many of the legal impediments of the Government to deport nonimmigrants. A modified H-2 worker program is established that seeks to protect U.S. jobs, while permitting seasonal workers into the United States to take jobs

immediate way to bring down costs in an equitable manner would be through supply controls.

In researching the history of the U.S. dairy support program, I find that supply controls have been discussed in the past. In 1963, then Secretary of Agriculture Orville Freeman proposed a milk supply control program. Almost 10 years later, in 1972, the National Milk Producers Federation considered and authorized for discussion a supply management program. During both of these periods, the supply imbalance changed before legislative action was taken.

During my review of our domestic dairy policy, I came across two major studies. A Department of Agricultural Economics report from Cornell University dated September 1963 (A.E. Ext. 267) concludes that—

Some type of mandatory supply management program appears to offer the most effective means of reducing current program costs by significant amounts without a sacrifice in producer incomes. Lower levels of support prices would curtail support purchases and reduce government costs, but at a cost in producer incomes.

The report evaluates other alternatives and concludes that—

Some producers would still find it advantageous to expand with a two-price program, particularly if expansion resulted in lower unit production cost and did not require added capital expenditures.

A 1955 U.S. Department of Agriculture report on the operation of the dairy support programs, "A Study of Alternative Methods for Controlling Farm Milk Production and Supporting Prices to Farmers for Milk and Butterfat," also concludes that a mandatory supply management program offers more potential for short-run supply reduction than any alternative program. The same report also found that any gradual reduction in support levels would not result in quick production adjustment because of the slowness of response to price changes. Eventually, this report concludes, adjustments in resource use would accelerate but at a cost in farm income.

Another area that must be addressed when proposing changes in domestic dairy policy is the ability to trade dairy products on the world market. While it is true that we must do a better job to develop these markets, we cannot rely on these foreign outlets for disposing of our excess produced dairy stocks. This is true not only because the United States is a party to international dairy trade agreements such as the General Agreement on Tariffs and Trade (GATT) and other agreements made during the Multilateral Trade Negotiations (MTN), but also because world markets are relatively small and account for less than 5 percent of world dairy production. As a number of reports have concluded, the volume of world trade remains marginal to world milk supply and its growth and character remain heavily influenced by the domestic support policies of the developed countries,

Western Europe, North America, and Japan. The world market offers only limited outlets and is well supplied.

The legislation which I am introducing today is designed to meet this difficult overproduction situation head on. Other proposals will be made. I am convinced, however, that my bill represents our best chance of meeting two very essential objectives: Eliminating the burden of the dairy program on taxpayers, while allowing dairy farming to remain viable in the various production regions of the United States.

Under my bill, dairy farmers would select one of the two options in a national referendum. The first option would be to simply cut prices to a clearinghouse level, to dispose of the surplus stocks and force reduced production. The consequences of this would be, in my view, potentially disastrous, but it is a decision which can and should be made by dairy farmers themselves.

The second option is being referred to, for want of a better description, as a base plan.

The base plan would work as follows. A base support price would be established at the traditional minimum, 75 percent of parity. Parity is the theoretical fair price for farmers to receive for their milk, computed by a complex formula. However, that support price would only apply if any individual farmer's production did not exceed what he produced the year before. For any production in excess of that, the farmer would get a support price of only half the base price. This would obviously be a very strong disincentive for increased production. The plan, if adopted, would remain in effect for 2 years.

There are other features of the base plan. The first is an automatic contribution by each farmer, of 5 cents per hundredweight, for a program to promote milk sales. Any individual farmer who objects to this could request, and receive, a refund. The other feature is creation of a milk board which would have the job of disposing of surplus milk, with emphasis on exports to other nations.

I should point out that other, alternative bills will be considered as well, including a plan prepared by the National Milk Producers Federation. This plan is similar to that used in European nations, and its effectiveness is in question because those nations have had overproduction problems in recent years. I also question it because it may reinforce our current problem, and may not be equitable.●

IMMIGRATION REFORM AND CONTROL ACT OF 1981

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. MAZZOLI) is recognized for 5 minutes.

● Mr. MAZZOLI. Mr. Speaker, today I am introducing the Immigration Reform and Control Act of 1982, the

most fundamental reform of our immigration laws in over 30 years. The bill is complex, but its purposes are simple: To reform outmoded and unworkable provisions of the present immigration law and to gain control of our national borders.

This is an historic occasion, not only because of the significance of the bill itself, but also because an identical bill is being introduced in the Senate by Senator ALAN K. SIMPSON, of Wyoming, chairman of the Senate Subcommittee on Immigration and Refugee Policy.

It is rare when a House and a Senate subcommittee chairman agree to introduce an identical bill. It is extraordinary when the chairmen are introducing such an identical bill on one of the most controversial subjects of our times. It is even more extraordinary when the chairmen are from different parties, and different regions of the country.

We have reached this point for two reasons:

First, the issue of immigration is so important to our Nation and the need to reform our laws is so pressing that all party and regional loyalties, as well as differences, must be transcended. As elected Representatives, we must reflect the interests and concerns of those who elected us. But, we cannot also forget that on certain fundamental issues—national defense, foreign policy, crime, drug abuse, and, now, immigration—the importance of the subject requires a totally objective, nonparochial approach.

The second reason we have come to this point in immigration reform is ALAN SIMPSON. He is an unusual man and an unusual Senator. He and his very capable staff have been a joy and a pleasure to work with during the past 13 months as we have studied this issue together.

Before assuming the chairmanship last year, as you all know, Senator SIMPSON served as one of the members of the Select Commission on Immigration and Refugee Policy, chaired by my good friend, Father Theodore M. Hesburgh, president of Notre Dame, my alma mater.

Since becoming chairman of the Senate subcommittee, he has been extremely helpful to me and my staff and has been thoroughly cooperative as we have worked on this issue.

For the first time in 30 years, our two subcommittees held joint hearings on the subject of immigration reform. We have traveled together to study immigration problems, most recently earlier this month to the State of Florida. We have traveled what I have termed the equivalent of the borscht circuit of immigration putting on our Immigration Today show at conferences, such as one at Williamsburg sponsored by the Rockefeller and Ford Foundations, and the conference at San Diego sponsored by the San Diego City Club.

For these last few weeks, we have had extensive, detailed meetings on all aspects of the bill we are introducing today, with a true dialog, so that today we have a joint venture of which we are both proud.

What we are introducing today is a fair and equitable and workable and balanced bill. Neither of us is happy with each and every one of its provisions, but we believe that, as a whole, it is the type of package that people who study this issue carefully, will agree is the best approach to that most nettlesome of moral, social, economic, and political of issues—immigration.

Senator SIMPSON and I have traveled a long road to reach this point. Both of us have given exhaustive study to this issue. Right now, I want to pay tribute to the six other members of my subcommittee—SAM HALL of Texas; PAT SCHROEDER, of Colorado; BARNEY FRANK, of Massachusetts; HAM FISH, of New York; DAN LUNGREN, of California; and BILL MCCOLLUM, of Florida—who have participated in endless hours of hearings and meetings, and acquired a firm understanding of this matter. Without them, the product we have before us today would not have been possible.

I wish also to thank my professionally competent and personally devoted subcommittee staff—Harris Miller, Skip Endres, Peter Regis, Gene Pugliese, and Bonnie McGuire—for their fine help.

Also I want to thank Chairman PETER W. RODINO, JR., of the full committee; ranking minority member, Congressman ROBERT MCCLORY; and committee staff director, Garner Cline, for their consistent support.

Let me review briefly what has transpired leading to the development of this legislation.

First, the most recent three administrations have proposed major immigration reform. Presidents Ford and Carter, and now President Reagan, have recognized the importance of immigration. And all three proposed strikingly similar packages to deal with it. All elements of earlier formulations are in the bill I am introducing.

The Attorneys General who served under the three Presidents I cited—especially our present Attorney General, William French Smith—deserve special commendation for their interest in immigration.

Frankly, as I told Attorney General Smith when he came before our subcommittee:

When they were wooing you to leave sunny California to come to Washington, I doubt that anybody bothered to advise you that the nettlesome immigration question would be sitting there in the middle of your desk as the first of your many hot potatoes.

But, to the Attorney General's credit, he has plunged into this issue with full dedication. I hope he and the President will give their full and influential support to the bill Senator SIMPSON and I have drafted.

Another element which helped produce our bill on immigration reform was the Select Commission on Immigration and Refugee Policy, which was established 4 years ago by Congress and which, just 1 year ago, issued the most comprehensive report and set of recommendations on immigration since 1911.

That Commission was chaired by Father Hesburgh, as I noted, one of the most talented individuals of our age. Having chaired my own subcommittee in the study of this multifaceted issue for the past year, I appreciate even more the talent of Father Hesburgh who was able to bring together so many diverse points of view—from eight Members of Congress, four members of the previous administration, and four public members—into one comprehensive set of recommendations.

The work of that Select Commission has been invaluable to Senator SIMPSON and me in putting together our bill. Just as I believe that Presidents Ford, Carter, and Reagan will see a lot of what they recommended in our bill, so do I believe that Father Hesburgh and the other Commissioners will see a lot of their dedicated work reflected in our measure.

Since becoming chairman of the House Subcommittee on Immigration, Refugees and International Law last February, I have spent more time on the immigration issue than on any other policy issue since my arrival in the House over 11 years ago.

My subcommittee held 12 days of extensive hearings on all aspects of immigration reform, including, as I noted earlier, 4 days of joint hearings with Senator SIMPSON's subcommittee.

We have heard from witnesses from all walks of life. We have heard the pros and cons articulated on every element of this bill. Even one who had never heard anything about immigration reform, but took the time to read our hearings would quickly become a reigning expert on the issue.

Senator SIMPSON and I have not only learned from our hearings directed specifically to immigration reform, but also from more generalized hearings on the operations of the Immigration and Naturalization Service, on the consular operations of the Department of State, on our refugee program, and on other related immigration problems.

Several of the problems dealt with in my bill were on private immigration bills, highlighted in hearings I have conducted. My subcommittee members and I have taken several major subcommittee investigative trips to places such as southern California, Florida, Mexico City, Southeast Asia, and Europe. Reports of these trips have been published so others could obtain a more personal feeling for the issues before us. Finally, we have had many private meetings with individuals concerned about immigration who have

brought us information and insights which have proven invaluable.

In sum, I do not think that anybody can say that we have not done our best to learn and understand. I believe our bill reflects that.

The details of the bill Senator SIMPSON and I have prepared follow my remarks.

Also to follow is a copy of a letter I addressed to the Attorney General today dealing with the detention of Haitians at the Krome facility in Miami.

Suffice it now to say, Mr. Speaker, that I believe this bill to be fair, balanced, workable, and equitable. It should be enacted into law.

IMMIGRATION REFORM AND CONTROL ACT OF 1982—A BRIEF SUMMARY

(See longer summary of Act for more details.)

EMPLOYER SANCTIONS

Makes it unlawful to knowingly hire, recruit or refer any alien unauthorized to work.

For 3 years, an employer can rely on three forms of identifiers in screening prospective employees (i.e. U.S. passport; social security card or birth certificate plus an identifier carrying vital statistics and/or picture).

Creates an affirmative defense for employers to have complied with verification procedures (i.e. attest to documentation examination).

Requires a secure employment eligibility system to be in place after three years.

Establishes a graduated penalty structure—fines for first two offenses, \$1000 and \$2000 per alien, criminal misdemeanor charge for third offense. Provides no penalties during first six months of program, with a warning for first violation during second six months of program.

Requires an extensive outreach program to inform employers, unions and general public of requirements under the legislation.

Makes it illegal to produce and use fraudulent documents to obtain valid U.S. document or to obtain employment.

IMMIGRATION BOARD

Establishes an independent U.S. Immigration Board (USIB), five members plus chairman appointed for 6 year term by President with advice and consent of Senate.

Main Function: To review decisions of Administrative Law Judges.

Chairman of USIB will appoint Administrative Law Judges from Civil Service list.

Precludes review by Attorney General of USIB decisions; no exclusion matter reviewed by courts; deportation cases may be brought to U.S. Circuit Court.

ASYLUM

Provides for summary exclusion of aliens seeking to enter without documents unless alien applies for asylum immediately.

Prohibits reconsideration of a denied asylum application unless there are changed circumstances in home country.

Requires asylum determinations to be made by specially-trained Administrative Law Judges, who are separate from INS.

Provides that asylum hearings will be open, with right to counsel and cross-examination and complete record of proceedings.

Allows review by USIB of negative asylum decisions.

LEGAL IMMIGRATION

Establishes total annual immigration ceiling of 425,000 (including present unrestricted-

ed immediate relative of U.S. citizen category).

Two categories: Family reunification, 325,000, independents, 100,000.

20,000 per country ceiling per year (except from Mexico and Canada, for which the number will be 40,000 with unused numbers transferred from one country to another).

Labor certification, with some modification, remains for independent category.

AMERASIANS

Provides special immigrant visas for Amerasians (children fathered by U.S. servicemen in Korea, Laos, Vietnam, and Kampuchea) and permits 2,000 such admissions per year for 5 years.

G-4 VISA HOLDERS

Provides special immigrant visas for certain children and surviving spouses of International Agency officials (e.g. World Bank).

TEMPORARY WORKERS

Revises the current temporary worker (H-2) program to create a special streamlined program for agriculture.

Prohibits workers from staying for more than 8 months in any one year.

STUDENTS

Prohibits students from adjusting to permanent resident status unless married to U.S. citizen. Readmission only possible after 2 year stay in home country.

VISA WAIVER

Nonimmigrant Visa Waiver—creates a 3 year pilot program for five countries with low visa refusal rate after Attorney General certifies Immigration and Naturalization Service has a workable arrival/departure system in place.

LEGALIZATION

Authorizes immediate permanent resident alien status for persons who entered before January 1, 1978.

Creates a temporary resident status for Cuban, Haitian entrants and for persons who entered between December 31, 1977 and January 1, 1980, with adjustment to permanent residence after a period of 2 years.

Makes temporary residents ineligible for most forms of public assistance (certain exceptions for aged, blind, disabled and persons requiring medical care).

Prohibits legalization for persons who have committed crimes, are a serious danger to the U.S., or are excludable for specified reasons.

IMMIGRATION REFORM AND CONTROL ACT OF 1982

I. THE BILL CONTAINS PROVISIONS TO INCREASE CONTROL OVER ILLEGAL IMMIGRATION

A. Employer penalties

Penalties against persons who: knowingly hire, recruit, or refer for employment in the U.S., an alien who is not authorized for such employment; knowingly continue to employ unauthorized aliens (except those hired before the date of enactment); knowingly hire, recruit, or refer for employment any person (whether a citizen or alien) without complying with the minimal verification procedures.

It is an affirmative defense against a charge of unlawful hiring, recruitment, or referral if the verification procedures have been followed in good faith.

Transitional (first 3 years) verification procedure: person who hires, recruits, or refers must attest, under penalty of perjury, that he has examined documents which establish both (a) eligibility to work, and (b) identity (showing that the individual presenting proof of eligibility to work is not presenting documents relating to another

individual). A U.S. passport would establish both. Otherwise one document of each type would be presented: (a) Social Security card or birth certificate, and (b) INS-issued card, drivers license, other State-issued I.D. card, or other document approved by the Attorney General.

President is directed to develop and implement a new, secure system to verify work eligibility within 3 years. Such system would not be available for any other law enforcement purpose and, if it were to involve the use of a card, such card would not be required for any purpose except verification of work eligibility.

Penalty for failure to follow verification procedure: \$500 civil fine per individual (whether citizen or alien).

Penalties for substantive violation: first 6 months (education period); no penalty; second 6 months: warning for first offense; 1st offense (after warning during second 6 months): \$1,000 civil fine for substantive violation; 2nd offense: \$2,000 civil fine; after 2 offenses: criminal misdemeanor penalty of up to \$1,000 fine, 6 months imprisonment, or both; pattern or practice of knowingly continuing to hire: Attorney General may seek injunction.

Felony penalty (up to \$5,000 fine or 5 years imprisonment or both) for activities involving the use, manufacture, or sale of counterfeit or altered identification documents.

B. Increased border and other enforcement; user fees

Creates new criminal misdemeanor for bringing an alien to the U.S., knowing, or in reckless disregard of the fact, that the alien had not received prior official authorization to enter.

States the sense of Congress that resources for border patrol and other enforcement activities should be increased.

States the sense of Congress that the Attorney General should use his present authority to impose fees for the use by aliens of border and other INS facilities and services in an amount commensurate with cost.

C. Adjudication procedures and asylum

Summary exclusion of alien entering without documents unless he asserts some reasonable basis for entering the U.S. or claims asylum, in which case he shall have a hearing before a specially trained asylum adjudication officer and by the newly established U.S. Immigration Board.

Exclusion (other than summary exclusion) and deportation cases, and cases involving an asylum claim by a legal nonimmigrant, to be adjudicated by a specially trained administrative law judge with an appeal to the 6 member Immigration Board.

Board would be appointed to 6 year term by the President with advice and consent of the Senate, and would operate in panels of 2.

ALJ decisions would be reversible by the Board if not supported by substantial evidence.

No judicial review in exclusion cases (except to the extent of the constitutional right of habeas corpus).

No judicial review with respect to issue of asylum.

Judicial review of deportation cases is available in circuit Court of Appeals.

D. Adjustment of status

Adjustment of status procedure would not be available to aliens who have violated the terms of their nonimmigrant visa.

II. THE BILL REFORMS LEGAL IMMIGRATION IN ORDER TO BETTER SERVE THE NATIONAL INTEREST

A. Immigrants

Annual ceiling: "immediate relatives" of U.S. citizens and "special immigrants"

remain numerically unlimited in accordance with our historical commitment; the ceiling on numerically limited family reunification immigrants is 325,000, minus the number of "immediate relatives" in prior year. For various categories and allocations, see chart attached; the ceiling on numerically limited independent immigrants is 100,000, minus the number of "special immigrants" in prior year. For the various categories and allocations, see chart attached; the present total of aliens issued immigrant visas or adjusting their status to lawful permanent resident (excluding refugees) is approximately 425,000. Therefore, no reduction of the current level of legal immigration will occur.

Except for our contiguous neighbors, Mexico and Canada, the "per-country ceiling" for a country will remain 20,000, minus the number of "immediate relatives" and "special immigrants" admitted from such country in the prior year in excess of 20,000. For Mexico and Canada, each country will have a quota of 40,000 and either country will be entitled to the unused visas of the other country from the prior year.

New family reunification preference categories, along with their share of the total ceiling for such categories, are as follows: (aX1) unmarried adult sons and daughters of U.S. citizens (present first preference) 15 percent; (aX2) spouses and minor children of lawful permanent residents (present second preference, minus adult sons and daughters) 65 percent; (aX3) married adult sons and daughters of U.S. citizens (present fourth preference) 10 percent; (aX4) brothers and sisters of adult U.S. citizens whose visa petition has already been approved (the present fifth preference backlog as of March 1, 1982) 10 percent.

New independent preference categories, along with their share of the total ceiling for such categories, are as follows: (bX1) aliens of exceptional ability (similar to present third preference) will be allowed up to the ceiling; (bX2) skilled workers needed in the U.S. (part of present sixth preference), numbers unused in (bX1); (bX3) investors of \$250,000 in a new enterprise creating at least ten jobs in high unemployment areas, numbers unused in (bX1) and (bX2); (bX4) unskilled workers needed in the U.S. (part of present sixth preference), numbers unused in (bX1)-(bX3); (bX5) nonpreference workers (present nonpreference), numbers unused in (bX1)-(bX4).

Labor certification will be granted on the basis of nationwide job market data, instead of on a case by case basis. Certification must include a finding that sufficient U.S. workers could not be trained within a reasonable time.

Relief provisions provided for certain Amerasian children.

Relief provisions are provided for certain children and widowed spouses of employees of international organizations.

B. Nonimmigrants

Special procedure established for H-2 seasonal workers in agriculture: the employer need not apply more than 80 days in advance of need; the Secretary of Labor must provide a decision on the certification no later than 20 days in advance of need (otherwise the application for certification is deemed approved); if the Secretary of Labor determines that a certain number of qualified U.S. workers will be available at the time needed, but at the determined time those workers are not qualified and available, an expedited 7-day procedure to determine continued need would be available.

After the INS has implemented an automatic data processing system to properly track the entry and exit of nonimmigrants,

the State Department may establish a pilot visa waiver program for 5 countries which provide a similar benefit to the U.S. if the visa refusal and visa abuse rates for the nationals of such countries are minimal, and if the visitor has a nonrefundable, nonrefundable roundtrip ticket.

Adjustment of status will not be available to a nonimmigrant student until he has returned and resided in his home country for two years, unless such a student is an "immediate relative" of a U.S. citizen, in accordance with the purpose of these educational programs for foreign students.

III. LEGALIZATION

Immediate permanent resident status (not citizenship) for aliens who have continuously resided in the U.S. since January 1, 1978.

Temporary legal status for (a) aliens who have continuously resided in the U.S. since January 1, 1980, and (b) "Cuban/Haitian entrants" who were previously given special legal status; persons receiving temporary status will be able to adjust to permanent

resident status two years from date of enactment.

Federally funded public assistance (other than medical care, aid to aged, blind, or disabled, and public health) will not be available to those in the 2 year temporary status (other than "Cuban/Haitian entrants")

Persons will not be eligible for legalization who: have been convicted of a felony or 3 misdemeanors committed in the U.S.; have assisted in political persecution; have been convicted of a crime involving moral turpitude, or 2 or more offenses for which sentences aggregating 5 or more years were imposed; the government has reason to believe seek to enter for activities inimical to the welfare, safety or security of the U.S.; are, or have been, anarchists, Communists, or who advocate the overthrow of the government; are Nazis; would engage in subversive activities; have been convicted of a drug violation, other than simple possession of 30 grams or less of marijuana; was a nonimmigrant exchange alien subject to a two year foreign residency requirement.

vention to insure that an adequate supply of these materials are promptly delivered.

Third, I would request your assistance in obtaining suitable equipment and supplies and sufficient space for the dental clinic at Krome.

While these problems are very serious, they pale by comparison to the mental health problems of many detainees resulting directly from their lengthy incarceration (some for as long as 8 months), separation from families, and constant boredom.

The Federal Government must make every effort to respond to the mental health needs of the Krome populations to insure that this already-desperate situation does not get worse.

I am concerned by this situation and strongly believe that it cannot be allowed to continue for much longer.

In the event exclusion hearings to resolve their legal status do not commence in a reasonable time (in my view they have already been subject to unreasonable delays) I recommend the controlled release of Haitian detainees to the voluntary agencies.

The U.S. Catholic Conference has apparently offered to resettle these persons into the community at its own expense and this offer must be seriously considered to prevent the prolonged detention of Haitians if the legal process problems are not cleared up in the immediate future. Such arrangements should, of course, require the agencies to insure the Haitians' presence when called for hearings.

In this regard, I trust that your Department is fully prepared to commit the necessary resources to expedite the scheduling and holding of these hearings.

Finally, I am concerned that INS is charged with the responsibility of administering and operating this detention facility. It is my view that INS officers (both Border Patrol and Detention and Deportation officers) have not been trained for long-term detention. The responsibility for this particular activity should be transferred to the Bureau of Prisons, so that INS can concentrate its enforcement efforts on controlling our land and sea borders and on short-term detention.

I sincerely hope you will give these recommendations your careful consideration. I look forward to working with you in devising a more expeditious asylum and exclusion procedure that will obviate establishment of another detention facility like Krome.

Sincerely,

ROMANO L. MAZZOLI,

Chairman, Subcommittee on Immigration, Refugees, and International Law.

● Mr. McCLORY. Mr. Speaker, I congratulate the gentleman from Kentucky (Mr. MAZZOLI) for his leadership in producing this significant legislation.

I am pleased to serve today as a co-sponsor of this measure which makes major reforms in our immigration law. Its introduction today represents a significant step in our national effort to address a critical issue facing the United States—our lack of control over immigration. Last year, the Select Commission on Immigration and Refugee Policy issued its report to the President and Congress. I had the opportunity, together with a number of colleagues on the Judiciary Committees of the House and Senate, to participate actively in the Commission's

EXISTING LAW		CORE BILL	
Immediate relatives of U.S. citizens	Unrestricted	Unrestricted	Unrestricted
Special immigrant	Unrestricted	Unrestricted	Unrestricted
Preference category - 1			
(1) Unmarried adult sons and daughters of citizens	20 percent of 270,000	A1 (same)	15 percent of (325,000 minus imm. rel. in prior year) plus unused in A4
(2) Spouses plus unmarried sons and daughters of permanent residents	26 percent of 270,000 plus unused in (1)	A2 (exact adult sons and daughters)	65 percent of (375,000 minus imm. rel.) plus unused in A1
(3) Exceptional ability in arts, sciences and professions	10 percent of 270,000	B1 (exceptional ability)	Up to 100,000 more; spec. immigration
(4) Married adult sons and daughters of citizens	10 percent of 270,000 plus unused in (1), (2)	A3 (same)	10 percent of (375,000 minus imm. rel.) plus unused in A1, A2
(5) Brothers and sisters of adult citizens	24 percent of 270,000 plus unused in (1), (2), (4)	A4 (existing 5th pref backlog)	10 percent of (325,000 minus imm. rel.) plus unused in A1-A3
(6) Needed workers	10 percent of 270,000	B2 (needed skilled workers)	Not needed by B1
		B3 (investors)	Not needed by B1, B2 (not to exceed 10 percent)
		B4 (needed unskilled workers)	Not needed by B1-B3
Nonpreference	Not needed by (1)-(6)	Nonpreference (needed workers)	Not needed by B1-B4
Per country ceiling from re. and spec. imm.	Unrestricted	Unrestricted	20,000; 40,000 plus unused, for Mexico and Canada; minus excess of immediate relatives and spec. imm. over 20,000 in prior yr
Preference immigrants	20,000 per country		3.25 to 1
Ratio of family to independent	None		
Labor certification		Nationwide labor market analysis	
Case by case		Training requirement	
No training requirement			

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 17, 1982.

HON. WILLIAM FRENCH SMITH,
Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am writing to share with you some of my findings and observations resulting from my recent trip to South Florida. In particular, I wish to relate some of my deep concerns relating to the operation of the Krome North detention facility.

I certainly appreciate the difficulties confronting the Immigration and Naturalization Service (INS) in operating this detention facility and readily acknowledge that they are performing in an admirable manner under these trying circumstances.

From all accounts, conditions at Krome have improved considerably in recent months and a good deal of credit must be given to INS for these improvements.

Nevertheless, I believe further actions must be taken immediately to alleviate sev-

eral continuing problems and to address the deepening depression among the Haitian detainees.

First of all, in a meeting with Haitian leaders at Krome, the water problem was identified as being the most serious current concern. It was their strong belief that the water was contaminated and was responsible for "itchy skin" and "hair fallout". Many refused to drink the foul-tasting and odorous water which has an unusually high content of iron.

Although there is currently no evidence of contamination, I would strongly urge that arrangements be made to have bottled water transported to the facility for drinking purposes. Further, proper facilities to rinse clothing must be provided and the sewage capacity of Krome must be expanded.

Second, I found a shortage of instructional materials in the course of observing several language classes. I understand that these educational materials have been ordered, but that certain delays have been encountered. I would urge your personal inter-

384-1690
787-7800

deliberations and to join in many of its recommendations. More recently the new administration prepared the Omnibus Immigration Control Act—a bill designed primarily to address the problem of aliens entering the United States illegally.

The bill we introduce today builds upon the work of the Select Commission and the administration—and incorporates insights based on months of public hearings by the Immigration Subcommittees of the House and Senate. This legislative proposal, aptly described by Senator SIMPSON as the "core bill," focuses on the most urgently needed reforms in immigration law. Its enactment by this Congress will give our country the tools both to control projected increases in numbers of persons entering the United States through legal means and to deter widespread illegal entry.

This bill recognizes that the attraction of employment in the United States serves as a magnet to illegal entry. A Federal law forbidding employers to hire aliens lacking work authorization is the key to removing the magnet. The Select Commission recognized the link between jobs and illegal entry when it endorsed employer sanctions by an overwhelming vote. The related issue of the method for verifying work eligibility, however, proved deeply divisive. This bill resolves the Select Commission's dilemma by authorizing employers to rely—for the time being—on existing identifiers and requiring the President to develop and implement a fraud-resistant employment verification system within 3 years.

The United States, at the same time that it acts decisively to deter future illegal flows, must respond compassionately to the plight of those illegal aliens who have acquired important equities in our society through years of living in the United States. Here the Select Commission pointed the way by its unanimous recommendation to legalize a substantial percentage of the undocumented population. That recommendation represented a recognition of the need to provide humane treatment for persons who possess a major stake in this country. A mass deportation effort directed at persons who have lived among us for a number of years would prove seriously disruptive of our national life. The United States, moreover, simply lacks the tools to round up and expel millions of generally law-abiding people. This bill attempts to deal realistically with persons who can document years of U.S. residence and firmly with both recent illegal arrivals and persons intent on violating our immigration laws in the future.

This bill does not approach the problem of illegal entry in isolation but recognizes that the potential for large future increases in numbers of legal immigrants also must be addressed. This legislation retains the numerically exempt classifications for

immediate relatives of citizens and special immigrants, but limits other categories of legal immigration to a figure that takes into account the level of numerically exempt admissions. The bill's total figure for legal immigration of 425,000 corresponds to today's totals of numerically exempt immigrants—approximately 155,000—and numerically limited immigrants—270,000.

The United States possesses the capacity, for the foreseeable future, to continue to admit legal immigrants at approximately today's overall levels. We must, however, show enough foresight to fashion an immigration policy for this decade that takes into account projected increases in close family admissions. The setting of a clear limit today—in anticipation of the future—is far better than allowing the expansion to go unchecked and then responding with severe cutbacks.

This bill represents a fair and balanced approach to our major immigration problems. I urge my colleagues to give it their strong support.●

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. DORGAN) is recognized for 5 minutes.

[Mr. DORGAN of North Dakota addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 15 minutes.

[Mr. ALEXANDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

FIRST-TIME HOMEOWNERS OPPORTUNITY ACT

● The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. FRANK) is recognized for 10 minutes.

● Mr. FRANK. Mr. Speaker, today I am reintroducing, in slightly modified form, the First-time Homeowners Opportunity Act, originally introduced by me last week.

The modification has to do with the income eligibility limitations under the program. Rather than basing the limit on the area family median income, the revised version of the bill would utilize the statewide family median income, a statistic which is already kept by the Department of Housing and Urban Development. I believe the use of the statewide figure would be more equitable and would eliminate the possibility that families with identical incomes in neighboring communities in the same State would or would not qualify for the program based upon the statistical area in which they happened to reside. This concept continues to recognize, howev-

er, that incomes around the country vary from State to State and takes that into account in determining the proper income limitations. As in the prior bill, eligibility would be for those at or below 130 percent of the family median income, but as I have said, the statewide, not area, median would be employed. There are no other changes to the legislation.

High interest rates are making it virtually impossible for first-time homebuyers, even those with very reasonable incomes who have saved diligently, to afford a home. Besides the devastation caused to these families by their inability to participate in the American dream of homeownership, construction and building trades persons, homebuilders, realtors, building suppliers, and those in financial institutions have suffered greatly. As millions of the postwar baby-boom generation have reached adulthood, the problem has only gotten worse and the administration, unable or unwilling to propose concrete solutions, has done nothing. Unacceptably high interest rates show no sign of significantly decreasing any time soon.

The First-time Homeowners Opportunity Act would provide mortgage assistance in fiscal year 1983 to more than 100,000 first-time home purchasers whose family incomes are no more than 130 percent of statewide median. This assistance would be utilized to reduce the cost of an FHA-insured mortgage—by direct payments by the Federal Government to the mortgage holder—to as low as 9½ percent but would be limited to no more than the amount necessary to reduce monthly payments for the mortgage, insurance, and real estate taxes to 30 percent of the homeowner's income. The limitations requiring the homeowner to expend 30 percent of income on housing costs means that the mortgage will not necessarily be subsidized to as low as 9½ percent, thus saving Federal expenditures and allowing us to serve a greater number of first-time buyers.

Payments would continue for 10 years—unless the homeowner sold the home—but could be continued after 10 years if the Secretary of HUD determined that the family was still financially unable to assume the full cost of the mortgage. Assistance would be recaptured upon sale of the home but would be limited to 50 percent of the net appreciation of the value of the property.

Purchasers of new and existing single-family homes and individual condominium and cooperative units—which do not result in the displacement of a tenant—could utilize the program. The maximum sales price would be 110 percent of the maximum FHA mortgage which will mean a price limit of \$74,000 in most parts of the country. The minimum downpayment would be 5 percent of the purchase price.

SIN Viola...

(Viene de la 1ª. Pág.)

renunciar a sus derechos para solicitar su residencia legal y que se aprovechen los patrones para no pagarles, como ha estado sucediendo.

Dijo que desde hace tiempo la comunidad mexicano-americana esperaba una acción de la administración Reagan dirigida contra los "indocumentados", pero que nunca pensaron que los patrones serían colaboradores de las autoridades migratorias.

García enfatizó que resulta ilógico que simultáneamente a la acción emprendida por las autoridades migratorias, se empezará la discusión del proyecto de ley migratorio "Simpson-Mazzolli", en el Congreso de los Estados Unidos, preguntando que si se busca legalizar la situación de los "indocumentados" ¿cómo es posible que se efectúen acciones policíacas paralelas?

Por último, dijo que la comunidad mexicano-americana de San Diego, en coordinación con otras asociaciones de mexicano-americanos de California, estudiará a fondo la posibilidad de presentar una demanda contra todos los patrones de San Diego, que colaboraron con las autoridades migratorias en las redadas de indocumentados, en flagrante violación, a las leyes federales y estatales del vecino país.

1000 DETENIDOS.

DALLAS, Estados Unidos, abril 26 (UPI) Agentes del Servicio de Inmigración y Naturalización y de la patrulla fronteriza detuvieron hoy a cerca de 1.000 inmigrantes ilegales en lugares de trabajo en nueve ciudades del país, al cumplirse el primer día de la operación "proyecto trabajos".

La operación está destinada a abrir puestos de producción para los ciudadanos estadounidenses e

inmigrantes legales.

La mayor organización mexicano-estadounidense describió a la operación de "una jugada escenificada" para encubrir los fracasos del SIN y la política económica del gobierno.

Las autoridades dijeron haber detenido a 268 inmigrantes ilegales en la zona de Fort Worth y más de 230 en Houston, Texas, las redadas continuaran durante la semana.

Funcionarios en Los Angeles, donde más de 130 inmigrantes ilegales fueron detenidos, manifestaron que la operación se lleva a cabo en cooperación con las oficinas estatales de empleo, a fin de que los desempleados tomen los puestos ocupados por inmigrantes ilegales.

Otros inmigrantes ilegales fueron detenidos en Dallas, San Francisco, Nueva York, Newark, Denver, Detroit y Chicago.

El director del SIN del distrito de Dallas, William Chambers, indicó que los agentes detuvieron a 170 inmigrantes ilegales en Melody Homes, una fábrica de viviendas rodantes situada en Saginaw, al norte de Fort Worth.

Añadió que otros 40 fueron detenidos en el parte de casas rodantes Nu-Way de Saginaw y 58 en Trinity Steel, en Fort Worth.

Inmigrantes ilegales de México que accedieron a la deportación voluntaria serán devueltos en autobús a su país, aseguró Chambers. A los que se nieguen les será fijada una fianza y comparecerán ante un juez de inmigración.

En Houston, unos 130 inmigrantes ilegales fueron detenidos en Treas Incorporated, una compañía de

jardinería que experimentó en el pasado redadas parecidas, dijo el Vicedirector del SIN Vincent Henderson.

Añadió que no serán tomadas medidas legales contra la firma.

"Vamos a tratar de liberar esos puestos de trabajo y ver si podemos ponerlos a disposición de los residentes legales", aseguró Henderson, "Haremos todo lo que podamos para dar trabajo a los ciudadanos estadounidenses en los puestos que dejen los inmigrantes ilegales".

El director ejecutivo de la Liga Unida de Ciudadanos Latinoamericanos, LULAC, Tony Bonilla, dijo que "todo este asunto no es más que una jugada escenificada del SIN para encubrir deficiencias de su propio departamento y encubrir lo inadecuado de la política económica de Reagan".

Bonilla añadió que los dirigentes de la LULAC vigilan las redadas con la posibilidad de solicitar un interdicto judicial que prohíba su continuación.

Según Bonilla, las redadas violaron además los derechos de los ciudadanos mexicano-estadounidenses ciudadanos de Estados Unidos.

"Cada vez que penetran en un lugar de trabajo, tienen, por necesidad, que pedir a toda persona con aspecto de origen hispano que demuestren que él o ella tienen la ciudadanía estadounidense", afirmó Bonilla.

Henderson dijo que el objetivo principal del "Proyecto Trabajos" es retirar a los inmigrantes ilegales de los oficios bien remunerados, a los que quizá aspiren estadounidenses o inmigrantes legales. Destacó que los jornales están siendo abaratados debido a la presencia de inmigrantes ilegales.

Descubrimos que en una zona al

sur de la ciudad (Dallas), todos los albañiles reciben 4.25 dólares por hora. El salario sindical es 14 dólares. El jornal medio es en Houston 11 dólares. Pero allí es solamente 4.25 porque el 95 por ciento de las personas que cumplen el trabajo son inmigrantes ilegales.

POLITICAS DE CONTRAPELO.

MEXICO, Abril 26 (ANPE) El Presidente José López Portillo señaló hoy que la política de fomento al empleo que México mantiene, es contraria a la que lleva el gobierno de los Estados Unidos para solucionar sus problemas económicos.

Precisó que "como nuestras políticas han sido contrapelo es natural que en un momento determinado se contraponga, y es la situación que estamos vigilando".

El Presidente de la República, contestó así a una pregunta sobre la campaña que los servicios migratorios de los Estados Unidos han iniciado, igual a aquella de 1973, allanando fábricas domicilios y regresando indocumentados, y a la que han calificado como de empleo.

Más adelante, consideró que el vecino país del norte está llegando a un momento que si no es de crisis por lo menos si es serio, ya que para resolver sus problemas encontraron mejor deprimir la economía y desemplan a su gente.

Nosotros, en cambio, subrayó, adoptamos una estrategia distinta que es la de fomentar el empleo, por lo que "como nuestras políticas han sido a contrapelo, insistió, es natural que en un momento determinado se contrapongan, y es la situación que estamos vigilando".

El Presidente José López Portillo fue entrevistado durante el recorrido que efectuó por la nueva feria del Salón de la Plástica Mexicana, momentos después de haberla inaugurado.

SIN Viola la Ley con la

“Operación Trabajos”

Ilegal Colaboración de Empresarios

- * Los Obligaron a Firmar su Deportación “Voluntaria” ...
- * En Los Angeles 200 Detenidos; en San Diego se Anticiparon...
- * Texas Reporta 500 Capturas en el Primer día de Acción...

Por Luis Manuel SERRANO.

TIJUANA.- Al comenzar las redadas de “indocumentados” en las principales ciudades de Estados Unidos, con la “Operación Trabajos”, que anunció el Servicio de Inmigración y Naturalización (SIN), la comunidad mexicano-americana en San Diego se encuentra indignada y estudia la posibilidad de demandar a propietarios de grandes compañías y hoteles, que colaboraron con el SIN en una redada que ocurrió el lunes de la semana pasada.

Mientras en la ciudad de Los Angeles, California, fueron detenidos por el SIN, 200 trabajadores que laboraron en tres fábricas, en el área del condado de San Diego, se efectuaron redadas según la Oficina de Migración de California, aunque el dirigente de la Asociación Mexicano-Americana de California, Alberto R. García señaló que el SIN de San Diego se abstuvo de participar ayer en la “Operación Trabajos” debido a que ellos se adelantaron con la colaboración de patrones, en una clara violación de los derechos civiles en los Estados Unidos y de la jurisprudencia establecida por la Corte de California, que advierte que los civiles no podrán participar en acciones policíacas.

García señaló que en una acción sin precedentes, las autoridades del SIN del condado de San Diego realizaron una redada el lunes de la

semana pasada, con la colaboración de los patrones de grandes compañías y hoteles, en una clara violación a las leyes del vecino país, manifestando que se desconocía el número de “indocumentados” que fueron detenidos ya que solamente la AMAC detectó a 150 casos; otras organizaciones mexicano-americanas comenzaron a recibir desde la semana pasada, quejas de mexicanos que tienen más de cinco años de residir en el país vecino y que “por lo tanto” tienen derecho a legalizar su residencia.

Dijo que al colaborar los patrones con las autoridades migratorias, en San Diego, se impidió a los “indocumentados” declarar con un abogado presente, lo que implica otra violación a las leyes estadounidenses, señalando que las autoridades migratorias en complicidad con los patrones “aconsejaron”, a los indocumentados firmar documentos en que pedían su “deportación voluntaria”.

García advirtió que los mexicanos con más de 5 años de residencia en los Estados Unidos, sin documentos, las organizaciones mexicano-americanas les aconsejaron que se abstuvieran de firmar los documentos que les presentaban las autoridades migratorias o sus patrones, pues hacerlo equivale a

TO ALL EMPLOYEES

In early November, officials of the United States Immigration and Naturalization Service will be present for the purpose of interviewing all employees as to their citizenship and immigration status.

All aliens will be required to present documentation as to their immigration status, e.g. alien registration card or official permit to work in the United States.

United States citizens will not be required to present documentation as to their citizenship. However, if you feel it will be helpful or necessary, you may wish to bring evidence of your United States citizenship, e.g. birth certificate, naturalization certification, etc.

You will be notified of the time of your interview by your supervisor and the immigration officers will be returning until all interviews are completed.

If you have any questions regarding the above matter, we have been advised that you may contact Richard Walker, Investigator, U. S. Immigration and Naturalization Service at 293-6011.

Thank you for your cooperation in this matter.

A TODOS LOS EMPLEADOS

A principios del mes de Noviembre, oficiales del Servicio de Inmigración y Naturalización de los Estados Unidos estaran presentes con el proposito de entrevistar a todos los empleados acerca de su ciudadanía y su condición de inmigración.

Todo extranjero sera requerido presentar su documentacion acerca de su condición de inmigración, por ejemplo su mica, o permiso oficial para trabajar en los Estados Unidos.

Los ciudadanos de los Estados Unidos NO seran requeridos presentar su documentación acerca de su ciudadanía. No obstante, si usted cree sera de ayuda o necesario, usted puede traer evidencia de su ciudadanía, por ejemplo, certificado de nacimiento, certificado de naturalización, etc.

Usted sera notificado de la hora de su entrevista por su supervisor, y los oficiales de inmigración estaran regresando hasta que todas las entrevistas sean completadas.

Si usted tiene alguna pregunta al respecto a lo ya mencionado, hemos sido notificados de que usted puede comunicarse con Richard Walker, Investigador, Servicio de Inmigración y Naturalización de los Estados Unidos al 293-6011.

Gracias por su cooperación a este respecto.

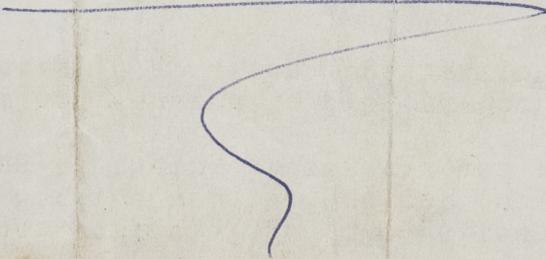
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EDITORIAL

Cooperative Inquisition?

The recent "cooperative" inquisition of Chicanos and Mexican hotel/restaurant workers at the Hyatt-Islandia Hotel, at Quivira Basin, by the INS is ominous. It signals what Chicanos, Latinos, Hispanos, and Mexican workers will be in store for if the Reagan Simpson-Mazzoli Immigration bill passes.

The ease in which the management of the Hyatt-Islandia was intimidated into aiding and cooperating with the INS in conducting an unauthorized inquisition of its hotel-restaurant workers smacks of totalitarianism. That citizens could be intimidated to prove their citizenship without probable cause, without their rights being told, or without legal representation all with the assistance of their employer, is indicative of the quickening slide in to a police-state.

One has to question what will happen when Congress passes the Simpson-Mazzoli Bill and the added threat of fines is used to intimidate employers to "cooperate" with official police agencies of the state. Congress is placing a potent weapon of oppression and control into the hands of the INS agents and the Border Patrol, two agencies who have been notorious in carrying out their own "foreign" policy.

At the local level, Chicano organizations and those organizations which understand the nature of a police state, should re-evaluate the use of the Hyatt-Islandia for future conventions, or functions. The Hyatt-Islandia failed in its principle responsibility of protecting its workers from harassment, intimidation, and undue government prosecution, without due process. Perhaps, management is now taking a tactic from Agri-Business which uses illegal farm labor then blows the whistle on them so they can avoid paying their hard earned wages. An un-holy alliance between big agriculture and the INS/Border Patrol has long existed.....unfortunately the victim, the Mexican worker rarely has any recourse.

BC Lista a Recibir a los Deportados

MEXICALI.- "Baja California se encuentra preparada para recibir a todos los mexicanos que sean deportados de Estados Unidos y que tengan conocimientos en áreas laborales específicas, porque si algo necesita en estos momentos el Estado, es mano de obra calificada".

Así lo señaló ayer el Secretario General de Gobierno, profesor Marco Antonio Bolaños Cacho, al señalar que la campaña de deportación masiva que ha emprendido el gobierno de Estados Unidos (Operación Trabajos), no afectará seriamente a esta región fronteriza.

Explicó que el gobierno norteamericano tiene intención de deportar a ilegales que laboran en centros de trabajo atractivos para los norteamericanos, y los cuales se consideran en su mayoría obreros calificados, que podrían aportar un beneficio a la población bajacaliforniana.

"Si algo requiere el Estado, es mano de obra calificada y Baja California tiene trabajo para todos aquellos mexicanos que sean deportados y cuenten con capacitación específica para el trabajo", añadió.

Por otra parte, Bolaños Cacho comentó que en caso de registrarse deportaciones masivas por la frontera de Baja California, el Gobierno del Estado está preparado para auxi-

(Pasa a la Pág. 4)

EL MEXICANO
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BC Lista...

(Viene de la 1ª. Pág.)

nuestros compatriotas, proporcionándoles la orientación necesaria para que hagan frente a la situación.

"No los abandonaremos a su suerte", recalcó el funcionario al comentar los posibles efectos de una deportación masiva por esta Entidad, por parte de las autoridades del SIN estadounidense, quienes llevan a cabo la "Operación Trabajos" mediante redadas de ilegales en los centros de trabajo considerados patrimonio de la población anglosajona.

VALLE IMPERIAL Y YUMA, TRANQUILOS

MEXICALI.- "La operación trabajos" que están llevando a cabo a nivel nacional agentes del Servicio de Inmigración y Naturalización de los Estados Unidos de Norteamérica, aún no se inicia en el área del Valle Imperial ni de Yuma, ya que no se han recibido instrucciones de la superioridad de implementarla, aunque se estima que esto ocurrirá de un momento a otro.

Así lo informó a EL MEXICANO el Consul de México en la ciudad de Calexico, José Luis Mora de Médicis, quien dijo que no se ha presentado ningún problema en la zona de su jurisdicción, debido a que no se ha iniciado la "operación trabajos".

Agregó que ayer se comunicó con el jefe de la patrulla fronteriza señor Malow y con el jefe del Border Patrol, de El Centro, señor King y que ambos le informaron que no han recibido instrucciones de llevar a cabo la operación, aunque estiman que ello ocurrirá de un momento a otro, ya que es un plan a nivel nacional.

Por otra parte, el propio Cónsul de México en Calexico, dijo EL MEXICANO que los connacionales que son detenidos en el área y llevados al centro de detención, son tratados humanamente por lo que no ha recibido quejas por malos tratos.

OPERACION COOPERACION

TIJUANA. En forma paralela a la "Operación Trabajos" que inició el lunes pasado el Servicio de Inmigración y Naturalización (SIN) de Estados Unidos, en las principales ciudades del vecino país, se lleva a cabo la "Operación Cooperación" para detectar "indocumentados", con la colaboración de los "empleadores", en San Diego.

Informó ayer lo anterior el director adjunto de distrito del SIN en San Diego, Robert Mitton y señaló que no cuentan con personal extraordinario para la "Operación Trabajos" y que es insignificante el número de "indocumentados" que detienen anualmente, pues apenas llegan a 2 mil, mientras que la patrulla fronteriza detiene aproximadamente 335 mil anualmente en las áreas urbanas y rurales del condado de San Diego.

Mitton rechazó que las autoridades migratorias violen las leyes migratorias de Estados Unidos, en las "redadas" que realizaron con la "Operación Trabajos" o con la "Operación Cooperación", señalando que los "indocumentados" se encuentran ilegalmente en los Estados Unidos y que las autoridades actúan dentro de la ley al detenerlos y deportarlos.

Dijo que las autoridades migratorias de San Diego realizan diariamente "redadas" en centros de trabajo, urbanos y rurales, pero que no violan las leyes, señalando que a los "indocumentados" que lo piden se les da el derecho de que esté un abogado presente en su declaración.

Mitton manifestó que si fuera ilegal su actividad en las "redadas", no las harían, señalando que la "Operación Trabajos" se realiza fundamentalmente en las grandes ciudades como Los Angeles, Chicago y Nueva York, aunque no descartó que en el futuro se incluya a la ciudad de San Diego en la acción emprendida en otros lugares, con personal extraordinario, además de las que ya realizan con la "Operación Cooperación".

Por otra parte, el delegado de la Oficina de Servicios Migratorios en Tijuana, Lic. Primitivo Lomeli advirtió que no tiene ninguna comunicación oficial de las autoridades estadounidenses sobre la "Operación Cooperación" u otras acciones del SIN, en la frontera o en otros lugares de los Estados Unidos, señalando que no se ha registrado aumento del número de deportados, "se mantiene a sus niveles normales" de 700 a 800 diariamente, expresó.

Por su parte, el candidato a la Presidencia de la República de Acción Nacional, Ing. Pablo Emilio Madero opinó que la migración de trabajadores mexicanos "indocumentados" a los Estados Unidos es un problema nuestro, que no debemos cargar a otros. Manifestó que la solución debemos dársela nosotros con la creación de nuevas fuentes de empleo, que inclusive lleve a repatriar algunos mexicanos "inmigrados" legalmente.

Por último, Madero manifestó que ante un problema real, como es el de los "indocumentados", se debe buscar una negociación con los Estados Unidos, para que esos compatriotas reciban un trato más digno, pronunciándose a favor de un programa de "trabajadores temporales" entre México y Estados Unidos, sin precisar los mecanismos o criterios para hacerlo.

The San Diego Union

SAN DIEGO, CALIFORNIA

 a Copley Newspaper

THURSDAY MORNING, MARCH 18, 1982

Immigration Bill Introduced; Has Broad Support

By BENJAMIN SHORE

Copley News Service

WASHINGTON — A bill designed to stem the flow of illegal aliens entering the United States and tighten controls on the number of legal immigrants allowed in each year was introduced in the House and Senate yesterday.

Although the bill differs in several key areas from a comprehensive immigration plan proposed by President Reagan last July, administration officials praised the legislative proposal, saying it seeks the same goals and does so by means which might be acceptable to the White House.

The bill, which has strong bipartisan support, would establish a mechanism for amnesty for some illegal aliens, make it a crime to knowingly hire an illegal alien and eventually produce a worker identification system. It was drafted by Sen. Alan Simpson, R-Wyo., and Rep. Romano Mazzoli, D-Ky., chairmen of the Senate and House immigration

(Continued on A-10, Col. 1)

Immigration Bill Introduced; Would Tighten Controls

(Continued from A-1) subcommittees, respectively.

They told reporters at a joint news conference that they intend to push for action this year in their legislative committees and on the floors of their chambers. But congressional aides privately expressed doubts whether such a controversial and complex measure could be acted upon this year.

The bill, which does not provide for a guest-worker program but streamlines the present system for hiring foreign farm workers, was immediately attacked by a coalition of Hispanic political organizations as potentially discriminatory against foreign-looking Americans.

But equally quick praise came from groups such as the Federation for American Immigration Reform (FAIR) and Zero Population Growth, which said the bill would go far toward letting the United States gain control over its population growth.

Simpson said the bill is designed to deal with "the fact that immigration to the United States is out of control — that illegal immigration is of critical proportion and that legal immigration is not subject to limits, ceilings and a selection criteria which will promote the best interest of the American people."

Simpson called the measure "substantially sound and politically feasible."

"The potential benefits and protections to be obtained even under the most carefully designed of immigration laws will not be available to the American people in practice if these laws cannot be enforced," he added.

Simpson and Mazzoli have said they plan to totally rewrite the frequently amended 30-year-old Immi-

gration and Nationality Act, but the bill they introduced Wednesday deals only with ways to control legal and illegal immigration.

The measure would:

—Make it a federal crime to knowingly hire an illegal alien, with penalties beginning with a warning during the law's first year and escalating to criminal violations, with fines of up to \$1,000 per illegal alien for repeat offenders.

—Require employers initially to ask all job applicants to produce standard identification establishing their citizenship or eligibility to work in the United States and to sign affidavits attesting to their legality.

—Require the administration to develop within three years some kind of worker-eligibility identification system that would greatly reduce the opportunity for workers to use fraudulent identification papers.

—Increase border enforcement.

—Streamline the judicial processing of applicants for political asylum, such as recent Haitian entrants, who have successfully used the present appeal process to delay deportation.

—Grant amnesty (immunity from deportation) to illegal aliens who have lived only in the United States since before January 1978, letting them become permanent resident aliens eligible to apply for citizenship five years later.

—Permit illegal aliens whose residence began after January 1978 but before January 1980 to apply for a new category called temporary resident alien, making them eligible to apply for permanent-resident status after two years and proof of English-speaking ability or studying the language; persons who arrived illegally

after January 1980 would be subject to deportation;

—Streamline the present process by which agricultural employers can import foreign workers if the U.S. Labor Department certifies that American workers are not available;

—Set a 425,000 annual ceiling on legal immigrants, but not include refugees in that total. New family-reunification preference categories would be created, and the legal immigration quota for Canada and Mexico would be doubled.

"Americans now perceive that this great country is no longer one of vast undeveloped space and resources with a relatively small population," Simpson said.

"Immigrants can still greatly benefit America, but only if they are limited to an appropriate number (selected) upon the basis of traits and skills which do truly benefit America."

Mazzoli called the bill's provisions to thwart illegal aliens "a workable but not burdensome set of restrictions which will be fair and non-discriminatory."

Attorney General William French Smith, who directed the drafting of the administration's immigration proposal last year, said the Simpson-Mazzoli bill "takes us a significant step" beyond the administration's plan.

Immigration Commissioner Alan Nelson, in an interview, called it an "optimistic, positive, bipartisan approach to the problem," and predicted that the House, Senate and administration will be able to reach agreement on key differences between the two proposals.

The administration had called for a guest-worker program that would

bring up to 50,000 Mexicans a year into the United States to work at whatever jobs they could find. Governors could refuse to let the Mexicans work in their states, and the program would be expanded if it proved successful after a two-year test.

Nelson agreed with Simpson and Mazzoli that the bill's proposal to streamline the present program to import farm workers, coupled with the legalizing of presently illegal aliens who then would feel freer to take a wider variety of jobs, could eliminate the need for a guest-worker program.

But the Hispanic groups charged that the bill's proposal to make the importation of foreign farm workers easier "is nothing but a back-door guest-worker program," which they oppose.

Congress is under pressure from employers, ranging from agribusiness to hotels and restaurants, to take no enforcement action against illegal aliens without first assuring the employers of another source of short-term workers willing to work often long hours for the minimum wage.

The Reagan Administration had opposed creating a special worker-identification system, arguing that it would cost too much and possibly permit government infringement on individuals' civil liberties.

The Administration also was resistant to the concept of amnesty for illegal aliens. Last year, however, it proposed that anyone who had lived in the United States for at least 10 years be allowed to apply for legalization.

Those who had been in the United States a shorter period of time could

apply for temporary permission to remain, with no promise of not being deported at the end of that period.

But under the Simpson-Mazzoli bill, permanent resident-alien status could be claimed by an illegal alien who could prove residence for less than five years.

Sen. Edward M. Kennedy, D-Mass., the senior Democrat on Simpson's immigration subcommittee and a long-time advocate of reforming immigration law, has said he favors only a two-year test for amnesty.

However, Jerry Tinker, an aide to Kennedy, said the senator agrees with most of the Simpson-Mazzoli bill and will offer amendments to change those aspects to which he objects.

The Hispanic groups, while objecting to major parts of the bill, called it an improvement over the Reagan proposal.

But they criticized it for failing to include provisions for improving the economies of poorer nations from which most illegal aliens come.

"An enforcement strategy is just a stop-gap approach," said Raul Yzaguirre, president of the National Council of La Raza, a Hispanic civil rights organization.

"It is naive to think that the United States can be an island of prosperity in a sea of human misery. As long as the differences in economic and life opportunities continue to be so disparate on both sides of the border, the United States cannot expect to stop the flow of immigrants fleeing demoralizing and unacceptable economic or political situations."

The other Hispanic groups participating in a joint news conference were the Mexican-American Legal Defense and Educational Fund

(MALDEF) and the League of United Latin American Citizens (LULAC). Also attending was Rep. Robert Garcia, D-N.Y., chairman of the Congressional Hispanic Caucus.

Garcia said the Simpson-Mazzoli bill is "an honest attempt to deal with immigration problems, but it falls short."

"I'm opposed to opening our borders indiscriminately," Garcia added, but he charged that the bill treats legal and illegal immigrants "like faceless statistics."

Roger Conner, executive director of the Federation for American Immigration Reform (FAIR), said that the Simpson-Mazzoli bill "balances our critical national interests with political reality" and is "a good compromise in the public interest, even though it doesn't make everyone completely happy."