



Committee on Chicano Rights, Inc

April 14, 1984

Chula Vista, California

FOR IMMEDIATE PRESS RELEASE

THE COMMITTEE ON CHICANO RIGHTS TODAY PICKETED THE AMERICAN G.I. FORUM BECAUSE OF ITS" ENDORSEMENT OF THE ROYBAL IMMIGRATION BILL BY IT"S NATIONAL CHAIRMAN (JAKE ALARID).

THE BILL WHICH WAS DRAFTED BY CONGRESSMAN ED ROYBAL (DEM. LOS ANGELES) AND SUBMITTED TO THE UNITED STATES HOUSE OF REPRESENTATIVES ON FEBRUARY 22, 1984 HAS BEEN PROMOTED BY SOME "HISPANIC" LEADERS AS AN ALTERNATIVE TO THE SIMPSON/MAZZOLI IMMIGRATION PLAN. AT THE PICKET HERMAN BACA, CHAIRMAN OF THE COMMITTEE ON CHICANO RIGHTS WARNED THE CHICANO VETERANS THAT, "THE ROYBAL BILL IS NOT AN ALTERNATIVE BUT A "TROJAN HORSE" MEANT TO FACILIAE THE PASSAGE OF THE SIMPSON/MAZZOLI IMMIGRATION PLAN".

" 1600 NEW BORDER PATROL AGENTS AT THE U.S./MEXICO BORDER AND IN THE CHICANO/LATINO COMMUNITIES IS NOT AN ALTERNATIVE, BUT A "SELL-OUT".

IN AN OPEN LETTER TO THE VETERAN"S GROUP, BACA STATED,"FOR THE FIRST TIME IN THE 15 YEAR IMMIGRATION STRUGGLE, WE HAVE PERSONS OF MEXICAN AMERICAN ANCFSTRY AGREEING WITH THE RACIST AND THE ANGLO POLITICALE ESTABLISHMENT THAT IMMIGRATION IS A LAW ENFORCEMENT PROBLEM AND NOT A SOCIAL,ECONOMIC AND POLITICAL ISSUE".

WHAT THE ROYBAL BILL IS SAYING IS THAT "THE U.S. CALVARY SHOULD TAKE RESPONSIBILITY FOR RESOLVING THE "INDIAN PROBLEM".

BACA IN CONCLUDING STATED,"THE G.I. FORUM SHOULD RETURN TO THE PRINCIPLES THAT THEY FOUGHT AND DIED FOR AND JOIN THE STRUGGLE FOR THE HUMAN,CIVIL AND CONSTITUTIONAL RIGHTS OF THE 20 MILLION CHICANO/LATINOS' IN THE UNITED STATES".

Congressman
Edward R. Roybal

California 25th District

UPDATE



FOR IMMEDIATE RELEASE
JANUARY 3, 1985 AM RELEASE

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ROYBAL INTRODUCES NEW IMMIGRATION PLAN

WASHINGTON, D.C. -- Congressman Edward Roybal today submitted a dramatic new immigration reform initiative that calls for sanctions against employers who knowingly hire unlawful aliens but which protects lawful workers from discrimination and does not require massive new record keeping by employers.

Roybal's proposal, drafted over the past several weeks and entitled "The Immigration Act of 1985," would create a system of employer sanctions that concentrate enforcement on employers who hire illegal workers and use undocumented labor to gain an unfair advantage in the labor market. This new approach would curtail the use of unlawful aliens in place of legal workers and enable those displaced by undocumented workers to seek redress against an employer.

While the initiative creates sanctions against employers, it does not require all businesses to maintain new and costly records on applicants and employees and would keep the burden of proof of violation on the government.

"I feel confident that the approach I have presented will both protect the civil liberties of legal workers in the United States and serve as a formidable deterrent to those who knowingly hire unauthorized aliens," Congressman Roybal

said. "This proposal forecloses any requirement for a national identification system but still enables prosecution of those who are found to knowingly hire illegal workers, especially as a pattern or practice.

In addition to the non-discriminatory sanctions provisions, the Roybal proposal includes a number of features which were central to last year's debate on immigration reform. The major provisions of the legislation include:

- employer sanctions of up to \$3,000 per violation imposed against those employers found to have knowingly hired an unauthorized worker taking into account the gravity of the offense and the size of the business;
- a prohibition on the establishment of a national I.D. card;
- a private right of action available to individual workers who believe they have been harmed by the hiring of unauthorized workers;
- a restriction on the discriminatory screening of workers and no requirements that employers maintain massive new records on employees or applicants (unless it is found that the employer has established a pattern of hiring illegal workers);
- a legalization program with a January 1, 1982 cutoff date;
- a guaranteed protection of the civil rights of all residents of the United States against employment-related discrimination based on national origin or citizenship status;
- appointment of a Presidential representative for international immigration and the convening of an international conference to develop economic agreements alleviating unauthorized immigration.

"I have sought the cooperation of the Congressional leaders in the area of immigration reform and feel confident that this proposal provides us the valid alternative needed to enact immigration reform in the 99th Congress," Congressman Roybal said.

FOLLOWING IS A SUMMARY OF THE IMMIGRATION ACT OF 1985

SUMMARY OF THE IMMIGRATION ACT OF 1985
INTRODUCED BY REP. EDWARD R. ROYBAL

TITLE I--PREVENTING UNFAIR COMPETITION AND DISPLACEMENT OF
DOMESTIC WORKERS FROM EMPLOYMENT OF UNAUTHORIZED
ALIENS

UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES

PENALIZE EMPLOYERS FOR NEWLY ESTABLISHED UNFAIR IMMIGRATION-RELATED
EMPLOYMENT PRACTICES--AS A NEW VERSION OF EMPLOYER SANCTIONS WITHOUT
EMPLOYER VERIFICATION OR PAPERWORK REQUIREMENTS

--state purposes:

- o to avoid unfair competition in the labor market among employers and employees
- o to curtail displacement of legal U.S. residents by undocumented workers
- o to prevent any discrimination resulting from employer sanctions

--prohibit "unfair immigration-related employment practices" of:

- o knowingly hiring, recruiting, referring, or retaining unauthorized aliens (effective six months after enactment)
- o discriminating against citizens and residents authorized to work

--foreclose the establishment of a national I.D. card or system to implement employer sanctions.

--establish an administrative enforcement scheme through an independent Special Counsel, administrative law judge and Immigration Board system within the Department of Justice, based on the Hawkins amendment. This system would provide for:

- o private rights of action that would be initiated by an individual or class (or representative organization such as a union) that was "adversely affected" by either form of unfair employment practice (either by displacement by an undocumented worker, or by discrimination based on his or her citizenship/immigration status). Should the Special Counsel find no reasonable cause for an individual's charge, the individual may seek a summary redetermination before the U.S. Immigration Board
- o in pattern or practice cases, actions initiated by the Special Counsel's independent investigation or by an INS officer's charge

TITLE I (cont'd)

UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES (cont'd)

- establish parallel penalty structures for either form of unfair immigration-related employment practice, taking into account the size of the business and the gravity of the offense:
 - o every violation is subject to a graduated civil fine (from \$1,000 to \$3,000), reinstatement, backpay or other reasonable compensation for lost wages
 - o in pattern and practice cases (not mere isolated or accidental violations), there is a cease-and-desist order with powers to order mandatory nondiscriminatory screening of job applicants, paperwork for new hires, and/or other appropriate relief

ENHANCED ENFORCEMENT OF EXISTING LABOR LAWS

- require plan for focused enforcement of existing wage and hour and other labor laws (for example, the Fair Labor Standards Act and the Occupational Safety and Health Act) to deter the employment and exploitation of unauthorized aliens
- require report on effectiveness of enforcement of existing Internal Revenue Service and Social Security Administration requirements for withholding and payment of employment-related taxes for unauthorized alien workers

TRANSITIONAL AGRICULTURAL EMPLOYER EXEMPTION

- Establish a three-year transitional agricultural worker program, permitting growers to continue to use first 100%, then 67%, then 33%, then 0% of their current illegal alien labor force.

TITLE II--IMPROVEMENT IMMIGRATION AND NATURALIZATION SERVICE

ENHANCED INS ENFORCEMENT AND SERVICE FUNCTIONS

- Increased authorizations for INS to both strengthen enforcement and improve services, with "special emphasis" language on in-service training, community outreach, antismuggling programs, and increased recordkeeping and retrieval capability
 - FY85--\$ 80 million supplemental (total for FY85 of \$659 million)
 - FY86--\$710 million
 - FY87--\$725 million

TITLE II--STRENGTHEN IMMIGRATION AND NATURALIZATION SERVICE
ENFORCEMENT AND SERVICES (cont'd)

--Require special emphasis on:

- (1) Upgraded in-service training program for INS personnel
- (2) Expanded community outreach to district level, and
- (3) Increased INS capability for maintaining and retrieving records

--Require report by Attorney General and Secretary of State on negotiations with Mexico and Canada to establish alien antismuggling programs

ADJUDICATION/NATURALIZATION

--Establish independent U.S. Immigration Board and administrative law judge system within Department of Justice

--Permit alternative administrative naturalization procedure in addition to current judicial one

TITLE III--REFORM OF LEGAL IMMIGRATION

IMMIGRANTS

--Provide additional 20,000 visas annually for contiguous countries, allowing each to use those unused by the other

--Increase colonial quota from 600 to 3,000 visas (affects Hong Kong)

OTHER NONIMMIGRANTS

--Establish 3-year pilot program for waiver of visa requirement for certain foreign visitors

TITLE IV--LEGALIZATION

--Establish legalization procedure to permit those here before January 1, 1982 to apply for adjustment to permanent legal status

o adopt conference version of program for immediate adjustment to permanent resident status, with such modifications as:

--liberalizing documentation requirements to show continuous residency

--permitting waiver of the public charge exclusion (as in the instance where the alien show a history of employment without substantial reliance on public cash assistance)

--providing critical procedural safeguards for applicants, such as:
o protections from deportation and authorization to work
o allowing for judicial review of denials
o guaranteeing confidentiality of application information

--including as a citizenship skills requirement:

- o an elementary English-speaking and -comprehension ability
- o a basic comprehension of American government (which may be tested, at the option of the applicant, in one's native language, orally or in writing)

TITLE IV--LEGALIZATION (cont'd)

o permit adjustment to temporary resident status for up to 2 years for those who elect to pursue this option, or who meet the criteria for permanent resident status except for the public charge exclusion or the citizenship skills requirement

--separate Cuban-Haitian adjustment program

--Update registry date to January 1, 1978 (routine regularization of status)

STATE/LOCAL ASSISTANCE

--Establish 5-year period of ineligibility for federal benefits (with same exceptions for critical services such as basic medical, nutritional and educational assistance, as provided for in conference)

--provide for full reimbursement to states for 4 years, subject to appropriations, allowing for carryover into subsequent years but with a 4-year authorization ceiling of \$2.7 billion

TITLE V--INTERNATIONAL MIGRATION

--Provide for the appointment of a Presidential Representative for International Migration responsible for:

o development of overall U.S. policy related to international migration;

o representation and negotiation with other governments on unauthorized immigration (under the direction of Secretary of State);

o convening of an international conference on migration issues

--Authorize the President to convene an International Conference on Migration to develop a) regional collaborative mechanisms to address problems of unauthorized immigration; and b) mutually beneficial agreements related to economic development to alleviate unauthorized immigration

TITLE VI--REPORTS

--Require Presidential reports on admissions and effects of immigration

--Require GAO report on effects of Title I efforts to control illegal immigration

--Establish Commission on current H-2 program, to set standards for labor certification, recruitment of U.S. workers, and the size of any temporary worker program.



April 14, 1984

Chula Vista, Calif.

OPEN LETTER TO THE G.I. FORUM

THE COMMITTEE ON CHICANO RIGHTS TODAY ACCUSES JAKE ALARID, YOUR NATIONAL CHAIRMAN ALONG WITH OTHER "HISPANIC" LEADERS WHO HAVE ENDORSED THE ROYBAL IMMIGRATION BILL OF SELLING OUT THE HUMAN RIGHTS OF MILLIONS OF UNDOCUMENTED WORKERS AND THE CONSTITUTIONAL RIGHTS OF 20 MILLION CHICANO/LATINOS IN THE UNITED STATES.

WHAT IS THE ROYBAL BILL?.....

THE ROYBAL BILL WAS DRAFTED BY CONGRESSMAN ED ROYBAL (DEM. LOS ANGELES) AND SUBMITTED TO THE HOUSE OF REPRESENTATIVES ON FEBRUARY 22, 1984. THE BILL HAS BEEN PROMOTED BY PROPONENTS AS AN ALTERNATIVE TO THE HATED SIMPSON/MAZZOLI IMMIGRATION PLAN.

HOW DOES THE ROYBAL BILL DIFFER FROM SIMPSON/MAZZOLI?.....

ROYBAL PROPOSES: 1.) No national I.D. Card.
2.) No Employer Sanctions.
3.) Changes the Amnesty Date from 1980 to 1982.

WHO SUPPORTS THE ROYBAL BILL?..... " HANDPICKED EXPERTS"..(SEE ATTACHED LIST)

INCLUDED ARE SELF-SERVING POLITICIANS, REPUBLICAN, POVERTY PIMPS, GOVERNMENT EMPLOYEE REPRESENTATIVE, CUBAN AND SPANISH LEADERS, VOTER REGISTRATION PLANNER, X-"MIGRA" COMMISSIONER, AND X-EMBASSADOR TO MEXICO.

WHERE WAS THE BILL ENDORSED?.....

AT A PLANTATION IN MARYLAND(ASPEN INSTITUTE'S WYE PLANTATION), AFTER THE "HISPANIC" LEADERS WERE WINED AND DINED FOR TWO DAYS.

WHAT IS WRONG WITH THE ROYBAL BILL?.....

- 1.) THE BILL PROPOSES 1600 ON THE LINE NEW BORDER PATROL AGENTS FOR THE "GESTAPO" BORDER PATROL WHO WILL BE USED TO PATROL THE U.S./MEXICO BORDER AND THE CHICANO/LATINO COMMUNITIES.
- 2.) THE BILL IS A POLITICAL "TROJAN" HORSE MEANT TO FACILITATE THE PASSAGE OF THE SIMPSON/MAZZOLI IMMIGRATION BILL. REASON BEING IS BECAUSE OF THE MASSIVE OPPOSITION TO THE BILL BY THE CHICANO/LATINO COMMUNITY.
- 3.) THE CAPITULATION OF THE CONCEPT THAT IMMIGRATION IS A LAW ENFORCEMENT PROBLEM AND NOT A SOCIAL, ECONOMIC, AND POLITICAL ISSUE BY THE BANKRUPT "HISPANIC" LEADERSHIP TO THE ANGLO POLITICAL ESTABLISHMENT.

"IS THIS WHAT THE G.I. FORUM FOUGHT AND DIED FOR".....

OUR PEOPLE(Men, Women and Children) HAVE BEEN BEATEN, RAPED, KILLED AND DEPORTED BY THE "GESTAPO" BORDER PATROL. YET, ROYBAL AND YOUR NATIONAL CHAIR, JAKE ALARID, HAVE NOW CHOSEN EITHER BY STUPIDITY OR COMPLICITY TO INCREASE THIS "GESTAPO" BORDER PATROL BY 1600 NEW ADDITIONAL AGENTS.

IS THIS WHY YOU PICKETED, DEMONSTRATED, WALKED AND MARCHED AGAINST THE SIMPSON / MAZZOLI IMMIGRATION PLAN.

WE ARE ASKING THE G.I. FORUM TODAY TO TAKE A STAND AND REPUDIATE THE ROYBAL BILL.

FORUMER'S RETURN TO YOUR PEOPLE AND TO THE PRINCIPLES THAT YOU HAVE FOUGHT FOR. JOIN US TO PROTECT THE HUMAN, CIVIL AND CONSTITUTIONAL RIGHTS OF OUR PEOPLE.



FOLLOW ME

A Chicano Perspective
on the
ROYBAL IMMIGRATION BILL
SOLUTION? OR A TROJAN HORSE?

Compiled By:



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The Immigration Bills: How They Compare

ENFORCEMENT PROVISIONS

SIMPSON

Strengthens criminal penalties for transporting, harboring and bringing unauthorized aliens into the United States.

Makes a statement showing that it is the sense of Congress to increase resources for border patrol and enforcement.

Permits attorney general to designate state officers to assist in enforcement.

Prohibits warrantless INS entry on farms beyond 25 miles from the border.

No comparable provision.

No comparable provision.

No comparable provision.

MAZZOLI

Similar to Senate for transporting aliens but with less severe penalties. Eliminates the "Texas proviso," which states employment shall not be deemed to constitute harboring.

Similar to Senate regarding increased enforcement being "an essential element" of an immigration control and reform program.

No comparable provision.

Similar to Senate.

No comparable provision.

No comparable provision.

No comparable provision.

ROYBAL

Similar to Mazzoli but does not delete "Texas proviso."

Similar to Senate on two key elements. Calls for increase in border patrol and in INS service activities.

Prohibits state and local law enforcement personnel from stopping suspected illegal aliens except as authorized by the Immigration and Nationality Act.

Same as Mazzoli version.

Requires attorney general and secretary of state to initiate discussions with Mexico and Canada to deal with problem of smuggling aliens and to create an anti-smuggling program.

Requires attorney general to take actions, including the training of INS officers, to safeguard the rights, safety and dignity of persons within the jurisdiction of the U.S.

Expands the INS community outreach program to the district level to improve service and investigation of complaints.

GUEST WORKER PROGRAMS

SIMPSON

Creates provisions and procedures for an H-2 or guest worker program.

No comparable provision.

MAZZOLI

Similar to Senate.

States that the president should establish an advisory commission to consult with Mexico on the H-2 program.

ROYBAL

No comparable provision.

No comparable provision.

IMMIGRATION COMMISSION

SIMPSON

No comparable provision.

MAZZOLI

No comparable provision.

ROYBAL

Creates a commission to further study the "push-pull" factors affecting illegal immigration and the incentives for employers to hire illegal workers.

LEGALIZATION

SIMPSON

Grants permanent resident status to aliens who have resided continuously in the United States since Jan. 1, 1977. Grants temporary resident status to aliens who have resided continuously in the U.S. since Jan. 1, 1980. These aliens may adjust to permanent status after three years.

Those granted temporary status will be ineligible for federal assistance programs such as Medicaid or food stamps (except Cuban or Haitian entrants). Those with permanent status will be ineligible for federal benefits for three years. State and local governments are authorized to make such aliens ineligible for their programs.

Defines "resided continuously" for the permanent status requirement. Says an alien must not have been out of the U.S. for any one period of time in excess of 30 days or for an aggregate period of more than 180 days. Specifies proof to show continuous residency. The applicants need documentation of U.S. employment together with independent corroboration, except where inapplicable.

No comparable provision.

No comparable provision.

MAZZOLI

Similar to Senate but provides for a one-tier legalization program with a cutoff date of Jan. 1, 1982 for adjustment to permanent resident status.

Similar to Senate restrictions, but period of ineligibility is five years and certain types of aid, such as assistance to the aged, blind or disabled and emergency assistance, are not denied.

Leaves definition of "continuous residency" and requirement of proof up to attorney general, who will consult with congressional judiciary committees and designated organizations.

No comparable provision.

Protects aliens apprehended before application period from deportation

ROYBAL

Grants permanent resident status to those residing in the United States since Jan. 1, 1982.

Restricts eligibility for federal benefits for those who have not been in the United States for five years.

Similar to Mazzoli but permits affidavits to show continuous residency and directs that special circumstances be considered. Says that absences of 45 days or less annually do not break continuous residency. Also provides waiver of requirement for undue hardship of the alien, his spouse, parent or child.

Protects confidentiality of data provided in any application for legalization. Prohibits disclosure of data without consent of alien, except as needed to carry out the legalization process.

Provides for transitional legal status for applicants. In other words, protects aliens from deportation while waiting decisions on their applications.

ADJUDICATION AND ASYLUM

SIMPSON

Creates separate U.S. Immigration Board with Justice Department to hear appeals on decisions made by administrative law judges (immigration judges). Board members and ALJs will be appointed by the attorney general.

No comparable provision.

No comparable provision.

MAZZOLI

Similar to Senate but the board is made an independent agency. Members are appointed by president and confirmed by Senate. ALJs are appointed by board chairperson.

No comparable provision.

No comparable provision.

ROYBAL

Similar to Mazzoli

Sets out procedures and safeguards for proper exercise of INS authority to conduct detentions, arrests, searches and interrogations.

Requires speedy bail determinations, advisement of rights in a language the person apprehended can understand. Also calls for prompt administrative and judicial determination, after arrest, of the sufficiency of evidence to initiate deportation.



HERMAN BACA
Chairperson

CCR INTERVIEW

A CHICANO PERSPECTIVE

“ I ask you,
can anything
good come out
of a plantation?”

The **Committee On Chicano Rights (CCR)** has been involved in the immigration issue for 15 years. On February 22, 1984 Congressman Edward Roybal (Dem. L.A. Ca.), introduced to the U.S. Congress an alternative immigration bill to the pending Simpson/Mazolli Immigration Bill, at the instance of the House of Representative Speaker, Tip O'Neil (Dem.).

The Bill is being hailed as a constructive and pragmatic solution to the immigration issue. Due to the fact of having, for the first time in U.S. immigration history, a bill sponsored by a Spanish surname and endorsed by “Hispanic” leaders.

The **CCR** made a through study and anaylsis of the proposed legislation. In April of 1984 the **CCR** voted, as an organization, to oppose the Roybal Bill.

The following interview with Herman Baca, Chairman, deals with the reasons for **CCR's** opposition to the Roybal Bill (David Avalos, Editor).



David Avalos: Where was the Roybal Bill formulated?

Herman Baca: It is ironic that the proposed “Hispanic” solution, to the “slave issue of the 20th Century” which will effect all persons of Mexican ancestry, came out of a Southern Plantation! I ask you, can anything good come out of a plantation?

DA: “Hispanic” leaders have stated that the Roybal Bill is a constructive, pragmatic alternative to the Simpson/Mazzoli Plan and the immigration issue. Why does the **CCR** oppose the bill?

HB: Any bill that legalizes the concept that immigration (i.e. Mexicans) is a law enforcement problem or proposes adding an additional 1600 new Border Patrolmen is not a constructive alterhative to the immigration issue...but a sellout. A sellout of the human rights of millions of undocumented workers and the constitutional rights of this nations 20 million Chicanos/Latinos.

What the Bill is really proposing, is that the U.S. Calvary handle the Indian problem, by continuing the policy of militarizing the U.S./Mexico border by increasing the Border Patrol.

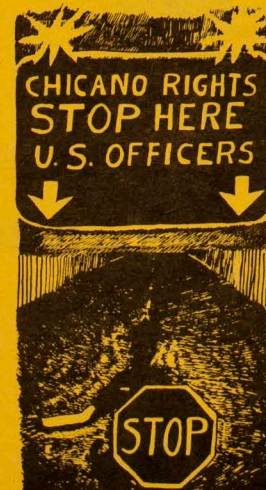
DA: How many more Border Patrol agents do they plan on adding?

H.B.: 1600 new Border Patrol agents according to newspaper reports. This will come out of the additional 231 million dollars being proposed by the Roybal Bill on top of the 1984 Immigration and Naturalization budget of 539 million dollars.

D.A.: What's wrong with adding new Border Patrolmen?

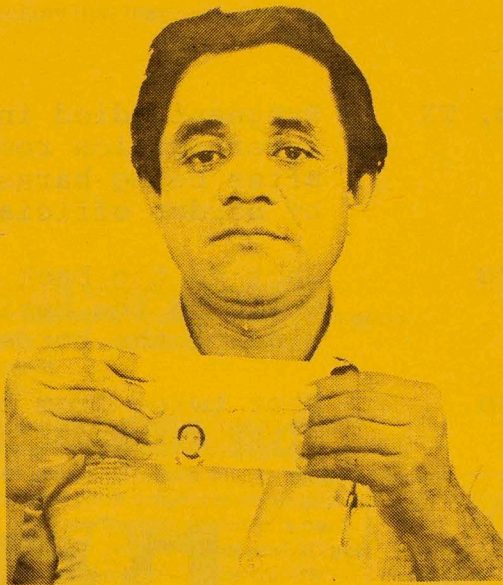
H.B.: Let's first understand one thing. In the 134 year history of the Mexican people here in the U.S., there has been two agencies whose only job has been to insure that persons of Mexican ancestry don't get to “uppity” and start to demand the same rights and wages as the Anglo majority.

The first were the Texas Rangers. Since 1924 that job has gone to the U.S. Border Patrol, the only national police force in the U.S. created exclusively for persons of Mexican ancestry.



D.A.: How is it exclusive for Mexicans?

H.B.: Let's look at the facts. In 1983 over 1 million people were apprehended by the Border Patrol. 95% of those people were of Mexican ancestry. Even though the 1980 U.S. Census report states that less than 48% of the undocumented person were of Mexican ancestry.



D.A.: How else?

H.B.: Out of the present 2400 agents, over 1700 of them are stationed in the Southwest United States. Most of them in close proximity to the Chicano communities. The only thing that legislation, like the Roybal Bill, can create is more deaths, beatings, and rapes of men, women, and children, as we have witnessed at the U.S./Mexico border. And even more violations of the constitutional rights in the Chicano/Latino communities.

D.A.: Do you agree with the "Hispanic Leadership" that an effective immigration bill has to enforce the border to keep out Mexican Aliens?

H.B.: No! For any person of Mexican ancestry to agree with this concept is a manifestation of a colonized and sick minds. For example, do you think the Jewish community would keep other Jews from coming into this country or stand for such a police force?

D.A.: What about the Roybal proposal that some of the money will be used to expediate and clear up the backlog?

H.B.: Ha! What the bill say's is that the U.S. Attorney General shall develop a plan setting forth the level of personnel and funding within the INS service for fiscal year 1984. What do you think an Attorney General like Edwin Meese is going to do?

D.A.: Won't labor laws be enforced under the Roybal bill?

H.B.: This is another joke. One only has to witness what has happened, to the air controllers and other unions, to see how the government is enforcing current labor laws. If the government didn't protect the labor laws for air controllers, who were making \$50,000 and, up who is kidding whom that labor laws are going to be enforced for undocumented workers.

D.A.: What's wrong with a law enforcement solution to the immigration issue?

H.B.: Simple, the immigration issue is not a law enforcement problem but rather a economic, social, and political bi-national issue. Law enforcement solutions have become a tool to insure that millions of undocumented workers and this nation's of 20 million Chicano/Latinos will remain in a subservient state.

D.A.: What are your solutions?

H.B.: Let us understand that immigration is not a unilateral problem, but rather a bi-national issue. Both the sender and the receiving nation are going to have to be involved if a solution is to be forthcoming. The U.S. would laugh if Mexico, Guatamala, El Salvador, etc., were to attempt to resolve the immigration issue without talking to Her. This, believe it or not is exactly what the U.S., has been doing with it's Carter Plan, Simpson-Mazzoli and now the Roybal Bill. Whether the U.S. likes it or not one day it will have to take into account what these countries economic and foreign policies have done in creating the million of economic and political refugees.

D.A.: What about solutions here in the U.S.?

H.B.: First I believe that the INS/Border Patrol, as presently structured, must be abolished. Secondly, a Bill of Rights for undocumented workers must be legislated. For instance: Documentation should be given to those undocumented persons and their dependents on the basis of demonstrating a status as a wage earner and taxpayer: Last and not least is the whole question of economic and political power for our people.

D.A.: What about power for the Chicano community?

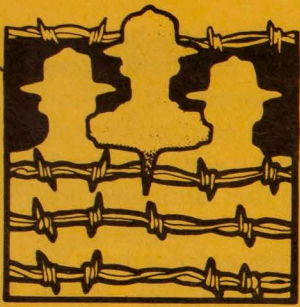
H.B.: What about power? I believe that until the day that this nation's 20 million Chicano/Latinos have the power to effect and change public policy that nothing will change. Let us understand that immigration is not the issue in Washington, D.C....We are, the 20 million Chicano/Latinos of this Nation. In order for things to change we must organize and build the power to define, affect, and change our economic and political condition.

D.A.: Do you believe the Roybal bill will be legislated into law?

H.B.: Let me quote Congressman Roybal in the L.A. Herald Examiner 4/23/84: "Speaker Tip O'Neil has already told me (Roybal) he is not going to give my bill a hearing".

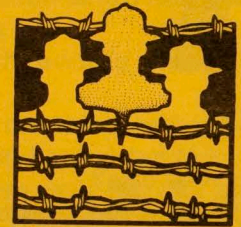
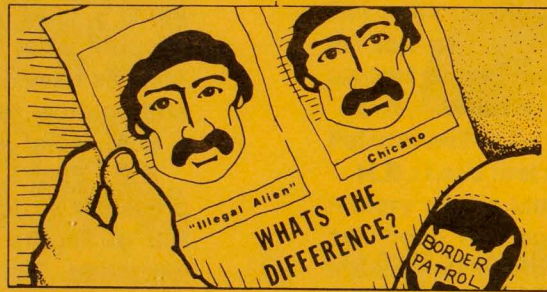
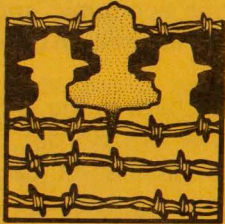
D.A.: Thank-you.

H.B.: I would like to thank-you for allowing me the opportunity to let you know, and the readers, how the Committe on Chicano Right's and our community feel about this Trojan Horse.



"IN THE 131 YEAR HISTORY OF THE CHICANO/MEXICANO PEOPLE IN THE U.S. THERE HAVE BEEN TWO REPRESSIVE AGENCIES WHOSE ONLY JOB HAS BEEN TO INSURE THAT OUR COMMUNITY DOES NOT ORGANIZE AND BEGIN TO ENJOY THE SAME RIGHTS, WAGES, AND WORKING CONDITIONS AS THE ANGLO MAJORITY. ONE OF THEM WAS THE TEXAS RANGERS, THE OTHER SINCE 1924, IS THE U.S. BORDER PATROL".

May 16, 1978	Maria Contreras	Progresso, TX	Pregnant, died in INS interrogation room after being harassed by border officials.
Oct. 22, 1978	Abel Reyes Silva Age: 21	San Ysidro	Shot in the back while on the Mexican side of the border.
Feb. 11, 1979	Margarito Balderas Age: 30	San Ysidro	Shot twice from behind after surrendering



March 17, 1979	Benito Rincon Age: 22	San Ysidro	Shot while handcuffed.
March 17, 1979	Efren Reyes Age: 24	San Ysidro	Shot to death while handcuffed.
March 20, 1979	Alberto Canedo Age: 4	San Ysidro	Died in aunt's arms in INS offices after being denied entrance into U.S.
June 16, 1979	Manolo Alberto Age: 18 months	Tijuana	Died of starvation three days after being denied entrance into U.S.
Nov. 25, 1979	Maria Lopez Felix Age: 19	San Ysidro	Raped and strangled to death by a Federal border official
Dec. 8, 1980	Francisco Sanchez Age: 40	Jacumba	Shot to death by a Border Patrol Agent

EMPLOYMENT PROVISIONS

SIMPSON

Unlawful to hire or recruit for fee an unauthorized alien.

All employers must check I.D. documents and those hiring four or more must attest under penalty of perjury that they have done so.

Creates affirmative defense for employers who have complied in good faith with verification requirements.

Requires that within three years the president make changes necessary to create an I.D. system to determine employment eligibility. If the new system requires a card, it must be tamper proof and subject to congressional review before implementation.

Graduated penalty structure for hiring an unauthorized alien after a one-year phase-in: \$1,000 civil fine for first offense, \$2,000 fine for second offense, \$1,000 fine and/or six month imprisonment for continued pattern of offenses.

Provides for General Accounting Office and Equal Employment Opportunity Commission review of discrimination by employers under this section.

MAZZOLI

Same as Senate but with added language "refer for consideration."

Employers of four or more must check I.D. documents and attest under penalty of perjury that they have done so. Compliance, however, is merely voluntary unless employer has been previously found to have employed unauthorized aliens.

Same as Senate.

Within three years the president must report to Congress on possible need for changes necessary for a secure I.D. system. It does not authorize creation of a national I.D. card.

Similar to Senate with a six-month phase-in period: Citation for first offense, \$1,000 for second offense, \$2,000 for third offense, \$3,000 and/or one year imprisonment for fourth offense or continued pattern of offenses.

Creates task force with heads of Labor Department, Justice Department and EEOC to monitor implementation and investigate discrimination complaints. Civil Rights Commission also to monitor possible discrimination resulting from employer sanctions.

ROYBAL

Amends the Fair Labor Standards Act by establishing a new civil penalty of up to \$10,000 per violation of the Act's recordkeeping requirements.

Provides additional authorizations to the Labor Department and National Labor Relations Board for increased enforcement of the Fair Labor Standards Act, the Occupational Safety and Health Act and the National Labor Relations Act, insofar as violations of these laws involve undocumented workers. The additional authorizations are: \$5 million for fiscal year 1984 (supplemental), \$25 million for FY '85, \$30 million for FY '86.

Directs secretary of labor to establish a program of labor law enforcement that would deter industry from hiring and exploiting unlawful residents.

No comparable provision.

No comparable provision.

No comparable provision. (Roybal's position is that his bill will not create a climate for discrimination. Special provisions, therefore, are unnecessary.)

NUMERICAL LIMITATIONS

SIMPSON

Worldwide immigration ceiling set at 425,000, not including asylees, refugees and legalized aliens. Immediate relatives and special immigrants - numerically unrestricted currently - are deducted from the ceiling.

Revises per-county limit applicable to Mexico and Canada to allow 40,000 visas each, with the numbers unused by either available to the other.

No comparable provision.

No comparable provision.

MAZZOLI

Retains worldwide ceiling of 270,000, which does not include refugees, asylees, immediate relatives of U.S. citizens and special immigrants.

Similar to Senate but does not permit visas unused by one country to be used by another.

No comparable provision.

No comparable provision.

ROYBAL

Same as Mazzoli.

Same as Simpson.

Eliminates English requirements for naturalization applicants over 50 years old.

Reduces to four years residency requirements for naturalization. Eliminates six-month residency requirement in a state.

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 (unions, 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



P.O. Box 819
El Mirage, Arizona 85335
(602) 977-1219

3123 West Eighth Street
Los Angeles, California 90005
(213) 383-7057

1642 S. Blue Island
Chicago, Illinois 60608
(312) 226-0173

P.O. Box 876
San Juan, Texas 78589
(512) 787-5984

RESOLUTION OF OPPOSITION
AGAINST THE IMMIGRATION ACT OF 1985 (H.R. 30)

WHEREAS, ON JULY 30, 1983, THE CHICANO/HISPANIC CAUCUS AND THE CALIFORNIA DEMOCRATIC PARTY ADOPTED A RESOLUTION TO OPPOSE IN ITS ENTIRETY THE THEN PENDING SIMPSON/MAZZOLI IMMIGRATION BILL (S. 529, H.R. 1510) ON THE GROUNDS THAT SAID BILL WOULD HAVE HAD A DISCRIMINATORY AND RACIST IMPACT ON LATINOS AND OTHER MINORITIES, AND THAT THE PROVISIONS OF SAID BILL HAVE CONSISTENTLY BEEN, AND COME NUE TO BE, CONDEMNED BY LABOR AND CIVIL RIGHTS GROUPS AS AN ANTI-LABOR, REPRESSIVE PIECE OF LEGISLATION;

WHEREAS, ON JANUARY 3, 1985, REPRESENTATIVE EDWARD R. ROYBAL INTRODUCED, TO THE SHOCK AND DISMAY OF SUPPORTERS OF A FAIR AND EQUITABLE IMMIGRATION POLICY, THE IMMIGRATION ACT OF 1985 WHICH INCLUDES PROVISIONS WHICH CLOSELY PARALLEL THOSE OF THE INFAMOUS SIMPSON/MAZZOLI BILL (THE MOST DRASTIC OF WHICH ARE THE ADOPTION OF EMPLOYER SANCTIONS, THE EFFECTIVE REESTABLISHMENT OF THE MUCH MALIGNED BRACERO PROGRAM, AND THE ADOPTION OF AN INEFFECTIVE LEGALIZATION PROGRAM), AND WHICH, IN ADDITION, INCLUDES PROVISIONS WHICH ARE MORE OBJECTIONABLE AND REPRESSIVE THAN THOSE IN THE PREDECESSOR LEGISLATION;

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B.P.

WHEREAS, THE ROYBAL BILL, LIKE ITS PREDECESSOR, ADOPTS THE DISCREDITED PREMISE THAT UNDOCUMENTED WORKERS ARE PRIMARY SOURCE OF THE ECONOMIC ILLS WHICH THIS COUNTRY IS PRESENTLY EXPERIENCING, AS EVIDENCED BY THE VERY TITLE OF THE BILL WHICH PURPORTS TO "PREVENT () UNFAIR COMPETITION AND DISPLACEMENT OF DOMESTIC WORKERS FROM EMPLOYMENT OF UNAUTHORIZED ALIENS;"

WHEREAS, THE ROYBAL BILL, LIKE ITS PREDECESSOR, PROVIDES FOR AN EMPLOYER SANCTIONS SCHEDULE WHICH UNQUESTIONABLY WILL RESULT IN WHOLESAL AND PERVASIVE EMPLOYMENT DISCRIMINATION AGAINST LATINOS, OTHER MINORITIES AND, INDEED, ANY PERSON WHO MAY APPEAR "FOREIGN" IN THE EYES OF THE EMPLOYER;

WHEREAS, THE ROYBAL VERSION OF EMPLOYER SANCTIONS GOES FARTHER AND IS MORE OBJECTIONABLE THAN THE PARALLEL PROVISION IN SIMPSON/MAZZOLI IN THAT THE ROYBAL BILL PERMITS THE I.N.S. TO AEDICATE ITS ENFORCEMENT RESPONSIBILITIES 1) BY EXPANDING ENFORCEMENT AUTHORITY TO INCLUDE A PRIVATE RIGHT OF ACTION FOR INDIVIDUALS, THEREBY ALLOWING EMPLOYEES TO HARASS, RETALIATE, OR COMPLAIN AGAINST FELLOW WORKERS, AND 2) BY CREATING A "SPECIAL COUNSEL" WHOSE PRIMARY RESPONSIBILITY WILL BE THE ENFORCEMENT OF SANCTIONS, AND NOT THE INVESTIGATION OF DISCRIMINATION COMPLAINTS;

WHEREAS, THE ROYBAL BILL, LIKE ITS PREDECESSOR, CONTEMPLATES THE REINSTITUTION OF YET ANOTHER VERSION OF THE INFAMOUS BRACERO PROGRAM, WITHOUT PROVIDING ADEQUATE PROCEDURAL OR SUBSTANTIVE SAFEGUARDS TO PROTECT THE RIGHTS OF THESE "TRADITIONAL WORKERS" MOST VULNERABLE TO EXPLOITATION BY AGRIBUSINESS EMPLOYERS;

WHEREAS, THE ROYBAL BILL, LIKE ITS PREDECESSOR, PROVIDES FOR AN INEFFECTIVE AND UNDERINCLUSIVE LEGALIZATION PROGRAM WHICH, BECAUSE OF ITS UNDULY STRICT PREREQUISITES, CAN ONLY BENEFIT THE FEW WHILE THE VAST MAJORITY, LURED BY ILLUSORY HOPE OF LEGALIZATION, WILL BE SUBJECTED TO LEGAL ENTRAPMENT AND MASS DEPORTATIONS;

WHEREAS, THE ROYBAL BILL CONTAINS AN UNPRECEDENTED PROVISION CALLING FOR, AND ENCOURAGING, THE I.N.S. TO ENGAGE IN INTER-AGENCY, COOPERATIVE INVESTIGATIONS WITH THE INTERNAL REVENUE SERVICE AND THE SOCIAL SECURITY ADMINISTRATION, THEREBY CREATING A MULTI-AGENCY ALLIANCE ENGAGING IN GREATLY EXPANDED GOVERNMENT SURVEILLANCE AT THE EXPENSE OF THE CIVIL LIBERTIES AND THE RIGHT OF PRIVACY OF ALL PERSONS, DOCUMENTED OR NOT;

THEREFORE, BE IT RESOLVED, THAT THE CHICANO/HISPANIC CAUCUS AND THE CALIFORNIA DEMOCRATIC PARTY REAFFIRM THEIR UNYIELDING OPPOSITION TO ANY, AND ALL IMMIGRATION LEGISLATION WHICH INCORPORATES THE AFOREMENTIONED PROVISIONS, IRRESPECTIVE OF WHETHER SAID LEGISLATION IS INTRODUCED BY REPRESENTATIVE ROYBAL, SENATOR SIMPSON, OR REPRESENTATIVE MAZZOLI; AND,

BE IT FURTHER RESOLVED, THAT THE CHICANO/HISPANIC CAUCUS AND THE CALIFORNIA DEMOCRATIC PARTY SEND A STATEMENT TO REPRESENTATIVE ROYBAL RESPECTFULLY URGING HIM 1) TO RECONSIDER THE DRAMATIC AND UNRECIPROCATED CONCESSIONS HE HAS MADE TO THE FORCES ADVOCATING REPRESSIVE IMMIGRATION POLICIES, AND 2) TO WITHDRAW HIS ILL-CONSIDERED AND DISCRIMINATORY BILL FORTHWITH.

Roybal

98TH CONGRESS
2D SESSION

H. R. 4909

To amend the Immigration and Nationality Act to revise and reform the immigration and nationality laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1984

Mr. ROYBAL (for himself, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. GARCIA, Mr. BATES, Mr. BERMAN, Mrs. BOXER, Mr. BROWN of California, Mrs. BURTON of California, Mr. GONZALEZ, Mr. MATSUI, Mr. CONYERS, of California, Mr. COLEMAN of Texas, Mr. DELLUMS, Mr. EVANS of Illinois, Mr. MINETA, Mr. MARTINEZ, Mr. ORTIZ, Mr. REID, Mr. TORRES, and Mr. TOWNS) introduced the following bill; which was referred to the Committee on the Judiciary.

A BILL

To amend the Immigration and Nationality Act to revise and reform the immigration and nationality laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

98TH CONGRESS
1ST SESSION

H. R. 2361

To amend the Immigration and Nationality Act to revise and reform the immigration and nationality laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1983

Mr. ROYBAL introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to revise and reform the immigration and nationality laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE; REFERENCES IN ACT

4 SECTION 1. (a) This Act may be cited as the "Immigra-
5 tion and Nationality Act Amendments of 1983".

6 (b) Except as otherwise specifically provided, whenever
7 in this Act an amendment or repeal is expressed in terms of
8 an amendment to, or repeal of, a section or other provision,
9 the reference shall be considered to be made to a section or
10 other provision of the Immigration and Nationality Act.