

The original documents are located in Box 3, folder “Illegal Aliens - Background Information” of the Fernando E.C. De Baca Files at the Gerald R. Ford Presidential Library.

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MEMORANDUM

THE WHITE HOUSE

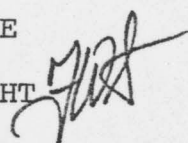
WASHINGTON

June 7, 1974

MEMORANDUM FOR:

EDDIE MAHE

FROM:

FRED SLIGHT 

SUBJECT:

SSAC Resolutions

I have just finished reviewing a copy of three resolutions passed by the Spanish Speaking Advisory Council, and must profess a considerable degree of concern about the tone, naivete, and apparent lack of knowledge which these resolutions appear to reflect.

For example, the resolution pertaining to paroling illegal aliens who have lived in the United States for a period of 15 years does not seem to reflect the following:

1. What, in fact, is the "large percentage of illegal aliens in this country"?
2. What returns do such individuals enjoy (i.e. police & fire protection, education in public schools, medical assistance, etc.) as the draft wording implies that they receive no or extremely limited government services?
3. What is the current Administration policy toward illegal aliens and what is the basis for such a policy?
4. What talks are currently underway to review and possibly modify this current policy?
5. What is the basis of the SSAC conclusion that "15 years" of proven residency should be a criteria by which an individual may be granted a pardon?



6. What measures are currently before Congress concerning this area and who are the sponsors of such legislation?

7. What would be the ramifications of granting a pardon to such illegal aliens in terms of raising the hopes of foreign nationals of having similar paroles granted in years to come (thus encouraging increased illegal migration to this country)?

With regard to the resolution listed on page two, I would like to make the following observations:

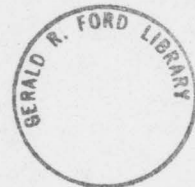
1. The very first paragraph clearly implies that no one in government has been working full-time on the concerns of the Spanish-speaking. Such an assertion totally ignores the existence since the fall of '69 of the Cabinet Committee on Opportunities for Spanish Speaking People; precludes the existence of the special emphasis 16 Point Program (equal opportunity in Federal employment) since the fall of '70 and overlooks the existence of special education and economic development programs designed for and run by Spanish-speaking officials.

2. A formal resolution recommending that the Vice President appoint a Spanish-speaking person to his staff would seem to be somewhat presumptive on the part of the SSAC, however well-intentioned their recommendation may be.

With respect to the resolution listed on page three concerning revenue sharing, SSAC recommends a complete review of the Revenue Sharing Act but does not state who is being requested to conduct this review, nor does the Council identify who is to "remind" state and local governments of "their obligation to meet the needs of the Spanish-speaking within their boundaries".

A copy of these draft resolutions (I understand four more were passed) are attached for your reference convenience. If this is typical of what we can expect at the RNHA conference on July 11-13, I am even more concerned about the contribution which such a group can offer the Party and the Administration in this crucial election year. ✓

cc: Tom Lias



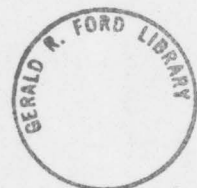
DRAFT

WHEREAS, a large percentage of illegally established al~~i~~ens in this country have significantly contributed to the United States economy by laboring in the fields and other endeavors to put produce on the tables of Americans by working in the factories to provide America with electronic devices; and by general accepting demanding jobs for wages lower than unemployment or welfare levels.

WHEREAS, such persons have contributed much to social security and income taxes yet have benefited little from the fruits of those and other similar taxes.

WHEREAS, many such persons have established strong equities in the U.S. they and their families have lived in their communities for scores of years. Their children attend schools and have identified with America. Their children have grown up and also pay taxes and add to the general well being of the U.S.

THEREFORE, the Spanish Speaking Advisory Committee of the RNC recommends that the above mentioned persons upon a showing of appropriate equities, good conduct and demonstrating their having lived 15 years in the U.S. without proper documents who present themselves to the proper authorities , should have their status changed to permanent resident and furthermore that a record of admissibility be created in favor of each such person.



WHEREAS the Nixon Administration during its first term in office was advised on Spanish-Speaking affairs by a variety of people who had other duties and responsibilities outside the area of Spanish-speaking affairs and who were consequently unable to give their full attention, and

WHEREAS progress and achievements were made for the Spanish-speaking community in spite of this limited method of operation and that more remains to be done, and

WHEREAS the Administration has shown a continued interest in improving and increasing the input it receives from the hispanic community and its responsiveness to the needs and concerns of the Spanish-speaking, and

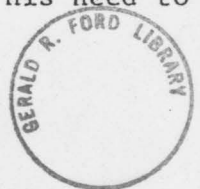
WHEREAS Counsellor to the President Anne Armstrong has recognized and supported the need for a fulltime person to advise the President and the Executive Branch on matters of concern to the Spanish-speaking community,

THEREFORE BE IT RESOLVED that the Spanish Speaking Advisory Committee commends Anne Armstrong for her diligence and interest in the Spanish-speaking and their problems and we urge the Republican National Committee meeting in Executive session to recommend to the Administration the appointment of a Spanish speaking Special Assistant to the President in Spanish-Speaking Affairs to advise him on the needs and concerns of the Spanish-speaking and serve as his liaison with the community, and

BE IT FURTHER RESOLVED that the Spanish Speaking Advisory Committee of the RNC highly recommends the appointment of Fernando C. De Baca, Regional Director of HEW for Region IX to fill this position on the basis of his outstanding Republican credentials, his sensitivity to the needs and views of the Spanish-speaking population, and his ability to represent fairly both the Administration and the hispanic community, and

BE IT FURTHER RESOLVED that the RNC recommend to the Vice President the appointment of a Spanish-speaking person to his staff because of his important role in formulating domestic policy, his frequent contact with all segments of the population, and his need to be fully informed of the needs of the hispanic community.

DRAFT



WHEREAS the Spanish Speaking Advisory Committee of the RNC recongnizes that the nations twelve million Spanish speaking Americans have needs that are unique and require special attention; and

WHEREAS, in the past the Federal Government under the direction of the President in its system of categorical grants had responded to these needs and provided the mechanism for input by the Spanish-speaking people; and

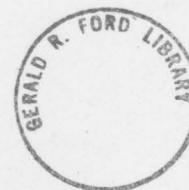
WHEREAS, through the General Revenue Sharing Act the determination of priorities in the spending of Federal funds is now in the hands of state and local governments; and

WHEREAS, the state and local governments are not responding to the needs of the Spanish-speaking; and

WHEREAS, the First Actual Use Report published by the Office of Revenue Sharing, March 1974, shows that state governments have spent 6% of their funds for the poor and aged, county government 2%, and cities 1%; and

WHEREAS, the needs of the Spanish-speaking can only be met through General Revenue Sharing if there is a commitment by state and local governments to provide for these needs; Now therefore, the Spanish-Speaking Advisory Committee of the RNC recommends a complete review of the Revenue Sharing Act and its implementation and its effect on the Spanish-speaking be conducted and

That state and local governments be reminded of their obligation to meet the needs of the Spanish-speaking within their boudaries;



DRAFT

Illegal Aliens

B 16

The dimensions of the illegal alien problem in the United States are vast. An estimated 8.2 million illegal aliens — mostly from Mexico —

which will start replacing next May the 4.5 million cards now in circulation.

The new alien ID cards, like the existing



Illegal Aliens:

DMN 20

Business Should Clean Its House

Congress apparently isn't going to take a strong stand against illegal immigration in this nation. But that doesn't mean business

In good times, illegal aliens can be absorbed by the economy. But during periods of high unemployment, they take jobs that

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Politics and People

By ALAN L. OTTEN

New Force

WASHINGTON — Spanish-speaking Americans are starting to show real political punch, and with that punch will inevitably come some tricky new problems for public policy.

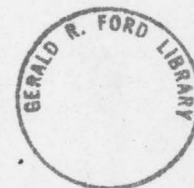
Two governors elected this month were of Spanish descent: Raul Castro in Arizona and Jerry Apodaca in New Mexico. Two Mexican-Americans will sit in the new California state senate; a year ago, there was none. Legislatures in Texas, New Mexico, Colorado, Arizona and New York will all see small but continued growth in their Spanish-speaking delegations. For the first time, the speaker of the Colorado house will be Spanish-speaking.

Not all this fall's political movement was forward. The "Latin Caucus" in Congress—one Senator and five Representatives—failed to grow as expected. Spanish-speaking representation in the California assembly was cut from five to four. White prejudice against Spanish-named candidates remained strong; Messrs. Castro and Apodaca had to spend many hours trying to allay fears of a Mexican-American takeover of state government, and each won much more narrowly than anticipated.

"In any election in the Southwest, color is a factor," declares Art Torres, a newly-elected young California legislator. "It's less of a problem than it used to be, but it's still a problem." Nonetheless, demographic and other developments are steadily building the influence of the Spanish-speaking community.

There's no convenient umbrella term to cover immigrants and descendants of immigrants from Mexico, Puerto Rico, Cuba and other Spanish areas. They seem to dislike "brown" as a descriptive adjective; "Brown Power" never caught on as "Black Power" did. "Mexican-American" omits Puerto Ricans and others; "Chicano" is too suggestive of a militant peasantry. Widest agreement comes on such awkward phrases as "Spanish-speaking Americans," "Spanish-surnamed Americans," or "the Hispanic community."

Their exact numbers are wildly in dispute. The Census Bureau puts the figure at just under 11 million, with almost 60% of Mexican origin and about 14% Puerto Rican. Spanish-speaking groups insist the census undercounts badly, and claim up to 15 million. Though they're now spreading throughout the country, Spanish-speaking families are still heavily concentrated in the Southwest, New York and Florida. Depending on whose figures are used, one out of five or one out of six Californians is Spanish-descended, and one out of four or



1974: The Year Latins Rediscovered Politics

Top-Ranking Mexican-American Aide to Ford Cites Election Gains at All Levels

BY FRANK del OLMO

Times Staff Writer

The highest-ranking Mexican-American in the Ford Administration predicts that 1974 will be remembered as a year which marked a resurgence of in-

American business, where "we account for only two-tenths of 1% of the gross receipts."

He said support for minority business programs

whole gamut of federal officials.

It also has him traveling widely to meet with representatives of the nation's Spanish-speaking ethnic groups.

Such meetings help determine the special concerns of Miami's Cubans, New York's Puerto Ricans and Los Angeles' Chicanos, de Baca said, but they also have helped him identify the common concerns of all these groups.

Chief among them is "a deep concern over language" which has made bilingual education and bilingual job training programs important political issues to all Latin groups.

"Over half of our people," he said, "half of 10.8 million people speak only

the Spanish-speaking.

Efforts are under way in Washington to save it and revamp it, and de Baca is among those pushing for the Cabinet Committee's survival. He argues that even with a Latin on the President's staff, an institution like the Cabinet Committee is needed.

"It has contributed some major accomplishments that should not be overlooked," de Baca said.

"Among other things, it helped locate and identify many of the Spanish-speaking persons who were appointed to the federal government during the Nixon Administration," he said. "Including me."

Although legislation authorizing the Cabinet

THE DALLAS TIMES HERALD EDITORIALS

2—B**** Mon., Nov. 24, 1975

Illegal alien tide

THE ISSUE: The flood of illegal aliens into the United States.

THE FEDERAL government is making too little progress towards stemming the rising tide of illegal aliens coming into the U.S.

announced a small administrative effort to help identify legal aliens.

The service revealed it is issuing a new "tamper-proof" identification card to replace some 17 previous documents and cards.

But the only real solution to the



LESKO ASSOCIATES

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338-5156

3 month study -

FINAL REPORT

BASIC DATA AND GUIDANCE REQUIRED
TO IMPLEMENT A MAJOR ILLEGAL ALIEN STUDY
DURING FISCAL YEAR 1976

In Partial Fulfillment of
Contract No. CO-16-75

October 15, 1975

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Prepared for:

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U.S. Department of Justice
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INTRODUCTION TO THE STUDY REPORT

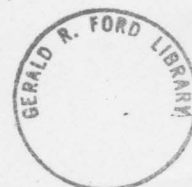
The study effort was divided into three interrelated tasks:

- Task 1--Estimate the Current Illegal Alien Population in the U.S.;
- Task 2--Validate the Design of the FY 1976 Illegal Alien Study; and
- Task 3--Review Existing Data and Analytical Methodologies; Recommend Improvements for INS In-house Data Analysis, Evaluation, and Utilization.

Because very little of the INS data proved to be usable for the Task 1 estimation effort, the study team conducted an extensive search of data outside of INS. The results of the data search and the resulting process for estimating the illegal alien population in the U.S. are fully discussed in the Task 1 report.

The planned Task 2 efforts were restructured somewhat as a result of a request from the INS staff to evaluate and redesign an ongoing Border Patrol line watch staffing experiment. The study team welcomed this additional task as it was compatible with the ongoing effort; the results of this effort are presented in the Task 2 report together with exhaustive analysis, evaluation, and recommendations for improving the design, implementation, and results of all major components of the FY 1976 major illegal alien research study.

The majority of the Task 3 data analysis effort was focused on the estimation work within Task 1; the specific findings are included in the Task 1 report. Recommendations to INS concerning the need for a systems analysis effort, a working definition of illegal aliens, and improved internal INS data systems are included in the Task 3 report.



TASK 1

ESTIMATE THE CURRENT ILLEGAL ALIEN POPULATION IN THE U.S.

INTRODUCTION

The objective of the Task 1 effort is twofold:

- 1) to review data currently collected and collated by INS in addition to other illegal alien research, and
- 2) to estimate the current illegal alien population in the U.S.

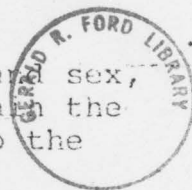
Only a major study project will suffice to make an accurate estimate of the illegal alien population upon which to base major policy and planning decisions; the INS staff recognized this fact at the outset of its illegal alien analysis. The major study effort has begun but, because of its magnitude, accurate estimates of the illegal alien population size and impact will not be available until late 1976. Current estimates of the illegal alien population in the U.S. range rather widely between four and 12 million.

For planning and budgeting purposes, it was necessary for INS to initiate a quick-reaction study to reduce the wide variance of the estimates. The limited effort reported herewith cannot replace the major study effort; rather, this task effort will attempt to narrow the wide range of previous estimates.

REVIEW OF DATA ON THE ILLEGAL ALIEN POPULATIONReview of Previous Studies

During this task, the study team reviewed several studies performed by other researchers which estimated the size of the illegal alien population in the U.S. With one exception, all of the studies contained unsubstantiated assumptions or educated guesses. The one exception was a research paper written for the Center for Population Research by Howard Goldberg of Georgetown University.

Mr. Goldberg applied life table survival rates, by age and sex, to the 1960 census population of Mexico in order to obtain the expected 1970 population. These values were compared to the



enumerated 1970 population and the difference was assumed to represent the net emigration from Mexico to the U.S. Taking into consideration the increase in legal immigrants and applying U.S. Census data, Mr. Goldberg calculated that 1,597,000 illegal Mexican immigrants resided in the U.S. during 1970.

In the opinion of the LESKO ASSOCIATES study team, Mr. Goldberg's research is analytically sound and represents a credible estimate of the illegal Mexican population residing in the U.S. at a given point in time. Unfortunately, the methodology used depends upon ten-year census data and cannot be applied annually where fluctuation in the rate of migration is significant. Mr. Goldberg's estimate can be used, however, as a base point in the development of a current estimate of the illegal alien population.

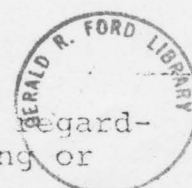
Review of INS Data

Over the term of the study effort, the study team discovered that actual data (sampled or otherwise) regarding the number of illegal aliens in the U.S. do not exist within INS or any other government or private agency. This discovery was not surprising in light of the fact that no formal, comprehensive analysis effort has ever been undertaken; furthermore, no illegal alien will volunteer objective information regarding his or her illegal status. The only worthwhile information that exists relative to illegal aliens is INS apprehension data. However, it is apparent that these apprehension data are extremely biased in a statistical sense. The data are heavily influenced by the level and allocation of INS resources expended to capture illegal aliens. In addition, in the case of EWI's, information on place of entry, method of entry, length of time in the country, etc., is obtained from the aliens themselves. Unless the arrest is made directly at the border, what is known about the illegals other than how and where they were apprehended is only what the illegals themselves wish to tell the arresting official.

In spite of these severe biases, apprehension data remain the only source of data for illegal alien research which are collected with consistent definition over a substantial period of time. Also, the study team assumes that, in the past, INS concentrated its resources wherever the need was most apparent and thus apprehended illegal aliens in their largest concentrations. Therefore, the study team believes that apprehension data, despite their shortcomings, can provide insight into the flow and stock of illegal aliens.

Definition of an Illegal Alien

The Immigration and Nationality Act sets forth the laws regarding the entry of aliens into the U.S. Any alien entering or



Entry without Inspection - Sneak over border

residing in the U.S. in violation of these laws is technically an illegal alien. In broad terms, an illegal alien is any alien who:

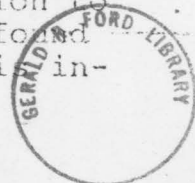
- enters the country surreptitiously,
- uses false or fraudulent documents or claims to enter, or
- violates the conditions of his or her entry.

However, the technical definition does not suffice for estimating the number of illegals in the country. According to the letter of the law, foreign tourists who overstay their visits are classified in the same manner as foreign crewmen who desert their ships. Similarly, a Canadian on a hunting trip who unknowingly crosses the border is illegal in the same respect as a Haitian who entered the U.S. surreptitiously and now lives on welfare in St. Louis. For decision-making purposes, the impact of an alien's illegality must be considered. Therefore, the Task 3 section of this report contains a recommendation for developing a working definition of an illegal alien which specifies parameters such as length of time in the country, status (e.g., employed, in transit, etc.), and the like. In this way, a clear distinction can be made between flow of illegals and stock of illegals.

In his research design for estimating the impact of illegal aliens in the U.S., David S. North discusses alternative ways to measure the stock and flow of illegals (his comprehensive research design is reviewed below in the Task 2 section). An important question which arises relative to the definition of an illegal alien concerns the point in time at which the illegal ceases to be counted as flow and becomes stock. For instance, in FY 1975, 416,000 Mexican nationals were apprehended within 72 hours of entry (including 227,000 apprehended "at entry"). It seems reasonable not to include these illegal aliens as part of the stock when the primary objective is understanding the impact of illegals on the economy and other facets of American life. Because the study team believes that the technical definition of an illegal alien is inadequate for performing a study on impact, a reasoned (although probably arbitrary) definition must be set forth to accomplish the intended research objective.

Sources of Illegal Aliens

Of the three broad categories of illegal aliens--EWI's, fraudulent document holders, and visa or border card abusers--the EWI is overwhelmingly the greatest source of illegal aliens. Figure 1-1 shows the total number of illegal aliens apprehended from 1970 to 1975 and the proportion of EWI's. In addition to confirming that the large majority of deportable aliens found are EWI's, Figure 1-1 shows that the proportional trend is increasing.



<u>YEAR</u>	<u>TOTAL ILLEGALS APPREHENDED (000'S)</u>	<u>TOTAL EWI'S APPREHENDED (000'S)</u>	<u>PERCENT EWI'S OF TOTAL</u>
1970	335.1	244.5	72.9
1971	412.6	317.8	77.0
1972	492.2	398.3	80.9
1973	647.5	551.3	85.1
1974	781.0	693.0	88.7
1975	756.8000	667,700	88.2

756,800'S

Figure 1-1

Percent EWI's of Total Illegal Aliens Apprehended, 1970-75*

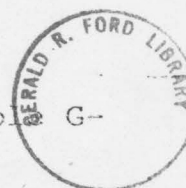
Figures 1-2 and 1-3, below, show the proportion of EWI's who, from 1970 through 1975, entered over the southwest border and were Mexican nationals. From Figures 1-1 through 1-3, it is clear that the overwhelming majority of apprehended illegal aliens are Mexican nationals who cross the southwest border and enter the U.S. without inspection.

<u>YEAR</u>	<u>TOTAL EWI'S APPREHENDED (000'S)</u>	<u>EWI'S ENTERED OVER S.W. BORDER (000'S)</u>	<u>PERCENT EWI'S ENTERED OVER S.W. BORDER</u>
1970	244.5	240.9	98.5
1971	317.8	313.8	98.7
1972	398.3	393.2	98.7
1973	551.3	545.0	98.9
1974	693.0	687.6	99.2
1975	667.7	662.0	99.2

Figure 1-2

Percent EWI's Who Entered over the Southwest Border, 1970-75*

*Source: Immigration and Naturalization Service, Table G-23.18 for FY 1975.



YEAR	TOTAL EWI'S APPREHENDED (000'S)	MEXICAN NATIONAL EWI'S APPREHENDED (000'S)	PERCENT MEXICAN NATIONAL EWI'S APPREHENDED
1970	244.5	239.9	98.1
1971	317.8	312.9	98.5
1972	398.3	391.9	98.4
1973	551.3	542.2	98.4
1974	693.0	681.1	98.3
1975	667.7	654.9	98.1

Figure 1-3

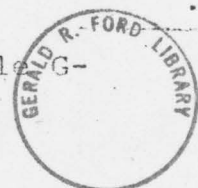
Percent of EWI's ApprehendedWho Were Mexican Nationals, 1971-75*ESTIMATING THE STOCK OF ILLEGAL ALIENS

The study team conducted an intensive review of INS data to estimate the number of illegal aliens in the U.S. The review showed that most of the data accumulated by INS are focused on operational activities. These data, which are collected and analyzed to measure productivity, are not satisfactory for making statistical estimates of the unknown illegal alien population. The most useful data relating to illegal aliens are the apprehension data, which give a measure of workload; however, they contain no information on attempted apprehensions or on suspected EWI's who passed through a sector. Although several statistical methodologies using INS data were attempted, none withstood the tests of logical and statistical scrutiny.

The most critical missing item of data is a count, or at least a scientifically-valid sample estimate, of the number of illegals who eluded the Border Patrol at entry and subsequently have not been captured (although sensor data now being collected address this count, sensors are not in operation throughout the southwest border and are ineffective in high-density metropolitan areas). If the study team had access to such a count, a ratio of "gotaways" to apprehensions could be established; then, using historical apprehension data, the number of illegals who successfully entered the U.S. could be established.

Since statistically-valid information on the number of gotaways is not available, an acceptable alternative approach is to

*Source: Immigration and Naturalization Service, Table G-23.18 for FY 1975.



assume values of the unknown parameter (gotaways) and then bound the assumption by using any other appropriate information. This is the approach which the study team has employed in estimating the number of illegals.

Scope of the Analysis

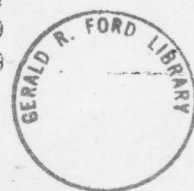
It was shown above in the section entitled "Sources of Illegal Aliens" that the vast majority of apprehended illegals are Mexican nationals who attempt to cross the southwest border. The analysis will focus on this aspect of the illegal alien population for the following significant reasons:

- EWI's constitute the greatest portion of all illegals found, as shown in Figure 1-1.
- As shown in Figure 1-4, below, while apprehension of illegals other than Mexican EWI's has not quite doubled in the past 15 years, the number of Mexican EWI's has increased 46 times.
- Because the Mexican segment of the EWI population is so large, ignoring the non-Mexicans introduces a relatively small error.
- The Mexican nationals are the only category of illegal aliens for which a valid reference point (Goldberg's estimate) exists.

<u>YEAR</u>	<u>MEXICAN NATIONAL EWI'S (000'S)</u>	<u>ALL OTHER ILLE- GALS APPREHENDED (000'S)</u>
1961	14.000	66.3
1962	14.1	68.7
1963	20.8	50.3
1964	22.7	51.8
1965	29.7	60.1
1966	57.9	69.3
1967	77.6	73.2
1968	117.2	85.2
1969	161.6	96.9
1970	239.9	95.2
1971	312.9	99.7
1972	391.9	100.3
1973	542.2	105.4
1974	681.1	99.9
1975	654.9	101.9

Figure 1-4

Comparison of Mexican National EWI's to All Other EWI's



Estimation of Mexican Illegals Currently in the U.S.

The methodology for estimating the number of illegal Mexican aliens in the U.S. is presented in the following sections; an evaluation of the estimate and its limitations is also included. The following steps represent an overview of the methodology:

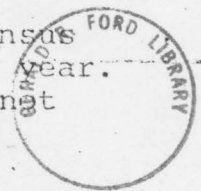
- 1) A "gotaway-at-entry" (GAE) ratio is defined.
- 2) A minimum GAE ratio (MGAER) is calculated for each year.
- 3) The actual GAE ratio is assumed to be some constant multiple of the minimum ratio.
- 4) The constant multiple is calculated using a known data point.
- 5) Finally, the number of Mexican illegals currently residing in the U.S. is estimated.

The Gotaway-at-Entry Definition

A GAE is defined for the purposes of this analysis as a Mexican national who attempts to cross into the U.S. over the southwest border without inspection and who is not immediately apprehended and returned to Mexico. By this definition, any person who illegally enters the U.S. and is not apprehended-"at entry" is considered a GAE. The study team recognizes that this definition does not coincide with the one used by INS for sensor reporting. For example, the INS "Instructions for Preparation of the CBP-39 for Remotely Monitored Sensor System," paragraph 4B(2), states, "If as a result of the information furnished by the sensor system the subjects are later apprehended, they should properly be reported in 4A(1) above." The referenced section 4A(1) addresses responses which result in apprehensions. The INS definition would not classify an illegal picked up several days after entry as a gotaway if it could be construed that the apprehension was made as a result of sensor data. For the purposes of this report, a more definitive distinction between gotaways and apprehensions must be made in order to maintain consistency with other INS data.

Figure 1-5, below, shows the total number of Mexican nationals apprehended from 1961 through 1970, the number apprehended at entry, and the number apprehended at some time other than at entry.* Under the definition given above, all those apprehended

*INS data are collected on a fiscal-year basis while census data used later in the analysis are based on the calendar year. This introduces a lag error into the analysis but should not adversely affect the final estimate.



YEAR	MEXICAN NATIONALS APPREHENDED (000'S)	APPREHENDED AT ENTRY (000'S)	APPREHENDED AT OTHER THAN ENTRY (000'S)	MINIMUM GOTAWAY-AT- ENTRY RATIO (000'S)
1961	29.8	5.7	24.1	4.22
1962	29.9	6.1	23.8	3.90
1963	38.8	9.5	29.3	3.08
1964	43.7	9.2	34.5	3.75
1965	55.2	11.5	43.7	3.80
1966	89.8	19.8	70.0	3.56
1967	108.3	23.8	84.5	3.55
1968	151.7	29.7	122.0	4.10
1969	201.5	41.6	159.9	3.84
1970	277.3	70.9	206.4	2.91

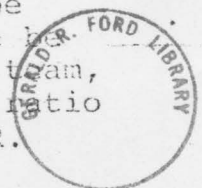
Figure 1-5. Minimum Gotaway-at-Entry Ratio

"at other than entry" are GAE's. The minimum gotaway-at-entry ratio (MGAER) is then calculated as:

$$\text{MGAER} = \frac{\text{APPREHENDED AT OTHER THAN ENTRY}}{\text{APPREHENDED AT ENTRY}}$$

The last column in Figure 1-5 shows the MGAER from 1961 to 1970. As an illustration, 70,900 illegals were apprehended at entry in FY 1970; 206,400 penetrated into U.S. territory for at least some period of time. Therefore, the minimum gotaway-at-entry ratio is 2.91:1. The MGAER would be equal to the actual ratio if INS had eventually captured all the illegals who attempted entry. However, since this is not the case, the actual GAE ratio is something greater than the minimum. Figure 1-5 shows that, although the number of apprehended illegals is rising rapidly, the Border Patrol in recent years has been able to increase the proportion of illegals apprehended at entry and thus has reduced the GAE ratio. This reduction is probably due to operational tactics such as concentration of Border Patrol forces in the southwest, improved manning patterns, and the application of electronic sensors, among others.

Because some Mexican nationals do elude apprehension, the actual GAE ratio must be determined and applied to the ongoing apprehension data in order to estimate the stock of illegal Mexican aliens. However, Figure 1-5 shows the MGAER to be both variable and declining. Since this information must be used in the derivation of an actual GAE ratio, the study team, for lack of other knowledge, assumed that the actual GAE ratio is varying but varies by a constant multiple of the MGAER.



Before calculating the MGAER multiple, two other parameters must be considered: the survival rate and the rate of emigration back to Mexico by illegal aliens.

Illegal Alien Survival Rate and Rate of Returns to Mexico

Not all Mexican illegals who successfully enter the U.S. remain indefinitely. The study team is aware that there is considerable movement of illegal aliens from the U.S. back to Mexico. In addition, some of those who enter successfully die while in the U.S. These two factors must be considered in estimating the number of illegals currently in the country.

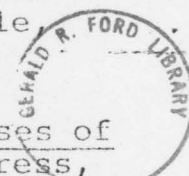
There are no definitive data as to the size of the return migration. However, a research paper by Warren and Peck of the U.S. Census Bureau, prepared for presentation at the annual meeting of the Population Association of America, addressed the emigration of legal immigrants from 1960 to 1970. The paper reported that about one out of every seven legal immigrants emigrated by the end of the decade--a conclusion which gives at least a rough estimate of foreign-born migration. The study team assumed that the migration rate of illegals is somewhat higher than that of legal aliens. Since the goal is to prepare a conservative estimate of the stock of illegal aliens, the study team arbitrarily used a higher migration rate of one-in-five over the ten-year period, which has the net effect of lowering the final illegal alien estimate. On an annualized basis, a 5:1 ratio over the ten-year period is equal to 20 per 1,000. Although the study team intuitively feels that the number of illegals who emigrate is greater than 20 out of 1,000, there are no factual data to confirm this opinion. The major study effort to be conducted by INS will give much more insight into the in-and-out flow of illegals.

INS apprehension data indicate that the majority of Mexican illegals are young, adult males. For lack of a more definitive data base, an average ten-year life survival rate of 0.9382 was derived* for males between the ages of 20 and 45. This information was then annualized to yield a death rate of 6.2 per 1,000. When the emigration rate and the death rate are combined, a total loss rate of 26.2 per 1,000 or, conversely, a "survival" rate of 97.38 percent, is derived.

Estimating the Actual Gotaway-at-Entry Ratio

As stated above, the actual GAE ratio is assumed to be some constant multiple of the MGAER. To calculate the multiple

*Source: S. Preston, N. Keyfitz, and R.S. Schoen, Causes of Death: Life Tables for National Populations. Seminar Press, 1972.



Howard Goldberg's estimate of 1.597 million illegal Mexican aliens in the U.S. in 1970 will be used. This estimate, as previously stated, was the only analytically-sound estimate discovered during the research effort and is believed to be fairly accurate.

The equation derived by the study team for the total number of illegal Mexican aliens in the country during any year is:

$$T_y = \sum_{i=1}^y A_i (MGAER)_i X R^{y-i} - \sum_{i=1}^y B_i R^{y-i} + T_0$$

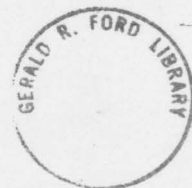
where

T_y = total illegal Mexican nationals in year y
 A_i = number apprehended at entry
 $MGAER$ = minimum getaway-at-entry ratio
 X = constant multiple for MGAER
 R = survival rate (0.9738)
 B_i = number apprehended at other than entry
 T_0 = number of illegal Mexican nationals at base year

Using Goldberg's estimate for 1970 of 1.597 million (T_y) and assuming, as Goldberg did, that the number of illegal aliens in 1960 was zero, the equation can be solved for X —the constant multiplier for the MGAER. Upon performing this operation, the study team found the constant multiplier X to be equal to 3.13. For example, the MGAER for the year 1970 was 2.91; thus, applying the constant multiplier of 3.13, the actual GAE ratio for that year is estimated to be 9.11. In other words, for every illegal apprehended at entry, 9.11 eluded apprehension to successfully enter the U.S. or to be apprehended at a later date.

Before proceeding further, it is necessary to compare the GAE ratio definition used by the study team with the getaway ratio normally used by INS. Gotaway ratios are usually quoted in terms such as, "For every one we catch, one gets away." More specifically, General Leonard Chapman was quoted as saying that INS finds "only about one out of two or three," at the most, of those entering the country each year.* The actual GAE ratio of 9.11 for 1970 which was calculated by the study team is equivalent to a 1.58:1 getaway rate expressed in normal INS terms. To illustrate, 277,300 Mexican nationals were apprehended in 1970--70,900 at entry and 206,400 at some time other than at entry. Using the study team's actual GAE ratio, the number of actual gotaways is derived in the following manner:

*U.S. News & World Report, July 22, 1974.



Actual gotaways = (number apprehended at entry) x
(GAE ratio) -
(number subsequently apprehended)

or

Actual gotaways = 70,900 x 9.11 - 206,400
= 439,500

The INS gotaway ratio is:

$$\frac{\text{Actual gotaways}}{\text{Number apprehended}} = \frac{439,500}{277,300} = 1.58$$

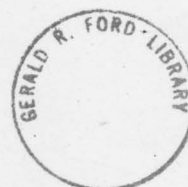
Illegal Mexican Alien Estimates for the 1970's

Based on the assumptions stated above and using the "survival" rate, the constant multiplier, the apprehension data from INS records, and the Goldberg estimate for 1970 as a base year estimate, the estimated number of Mexican illegal aliens may be calculated from the formula given in the preceding section. Figure 1-6, below, provides such estimates for the years 1971 through 1975. The 1975 estimate of 5,204,000 illegal Mexican nationals in the U.S. probably represents the major portion of the total illegal alien population residing in the country. An estimate for the total illegal alien population is discussed in the following section.

YEAR	GOTAWAY-AT-ENTRY RATIO	SUCCESSFUL ILLEGAL ENTRIES (000'S)	ILLEGALS REMAINING FROM PREVIOUS YEARS (000'S)	MEXICAN ILLEGALS IN U.S. (000'S)
1970				1,597.0*
1971	8.61	544.6	1,555.2	2,099.8
1972	7.64	648.9	2,044.7	2,693.6
1973	6.89	845.0	2,623.0	3,468.1
1974	5.67	972.3	3,375.2	4,349.5
1975	6.26	968.4	4,235.6	5,204.0

Figure 1-6. Estimates of Mexican Illegal Aliens in U.S.

*Goldberg estimate.



Estimate of the Total Illegal Alien Population in the U.S.

Using currently-available data, the only analytically-credible estimate which it was possible to make was of the Mexican national segment of the total illegal alien population. Fortunately, this segment should be by far the largest; the study team could find no estimate of the Mexican segment which was less than 50 percent of the total estimated illegal population and most estimates, in fact, were much higher. To arrive at a reasoned estimate of the total illegal alien population, the study team relied upon a different and less analytically-sound procedure: the Delphi process.

The Delphi process involves derivation of a consensus of opinion from a panel of experts regarding some parameter of interest. In the present case, a Delphi Panel was asked to estimate the ratio of illegal aliens to legal aliens in the U.S. (a complete list of Delphi Panel members is included as an appendix to this report). The initial round of responses to the Delphi Panel question is summarized in Figure 1-7, below.

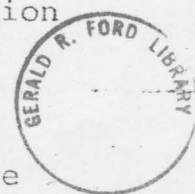
	ESTIMATES		
	Low	Average	High
Ratio of illegal aliens to legal aliens $\left(\frac{\text{Illegals}}{\text{Legals}} \right)$:	$\frac{60}{100}$	$\frac{233}{100}$	$\frac{550}{100}$
Number of illegal aliens:	2,536,000	10,467,000	25,102,000

Figure 1-7. First Round of Delphi Responses

Since the objective of the Delphi process was to reach a consensus of opinion concerning the estimate of the size of the illegal alien population, a second Delphi round was conducted wherein the panel members were presented the results of the first round and were asked to comment on the average and range of response statistics and to modify or reiterate their estimates of the illegal alien population in the U.S. The following are some of the more interesting comments received from panel members on the first round results:

"The number [of illegal aliens] is very large and every labor market indicator points to an acceleration of their numbers in recent years."

"The INS estimation given during House hearings in 1970-71 was about 2 million. Thus, about 1.8 million net have had to come to the U.S. and survive

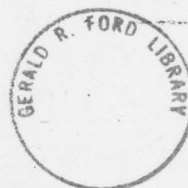


per year to reach the above average [10,467,000]. Something was wrong with the earlier INS estimate or 4,400 people per day have been entering, staying, and surviving for the past five years, to say nothing of returnees and mortality. Or, finally, the average is too high."

"...my estimate takes into account three broad categories of undocumented aliens presently residing in the United States: (a) old, or long-time illegals, including family members, who entered this country prior to 1948 and who have never been covered by immigration papers, but perhaps partly by false documents such as fraudulent birth certificates and partly by census takers; (b) illegals, including family members, who entered in the period 1948 to 1965, also partly covered by false documents and census takers; and (c) illegals, including family members, who entered the U.S. since 1965 to the present. Roughly, the ratio of [the] three categories seems to be one, one, and two, respectively; and the Mexican proportion of all illegal aliens in the U.S. would possibly be two-thirds.... In short, 10.5 million is close to a realistic estimate in my considered opinion."

"The average strikes me as unreasonably high, and it occurs to me that one wild guess of 25,000,000 is far enough out of line to lift the average response by several million."

"The low estimate of around 2.5 million could only be defensible if this figure is understood as limited to the number of undocumented aliens employed in the U.S., Mexican and all others, but principally men, and who have entered since 1965. It could not realistically embrace family members, nor groups who entered before 1965.... Perhaps the high estimate of 25.1 million has been too much influenced by annual INS figures on apprehension which include a high percentage of repeaters, or perhaps the figure takes too literally the estimates that one, or two, or more get away for every apprehension. Probably true, but in regard to Mexican mojados, the principal source of illegal aliens in the U.S., a high percentage return to spend the off-season in Mexico as they have been doing since the 1880's.... The doors leading back to Mexico are left wide open by the Immigration Service which has never made a serious attempt to detain illegals headed back to Mexico. That country is full of people who have tried life and work in the U.S."



"We have done some work with previous apprehensions of illegals that were interviewed, and...have come to the conclusion that there may be as many non-Mexican illegals as Mexican ones."

The resulting estimates from the second round of Delphi questions are presented in Figure 1-8, below.

	ESTIMATES		
	<u>Low</u>	<u>Average</u>	<u>High</u>
Ratio of illegal aliens to legal aliens $\left(\frac{\text{Illegals}}{\text{Legals}}\right)$:	$\frac{118}{100}$	$\frac{195}{100}$	$\frac{260}{100}$
Number of illegal aliens:	5,000,000	8,227,800	11,000,000

Figure 1-8. Second Round of Delphi Panel Responses

The results of the third, and final, round of the Delphi process are summarized in Figure 1-9, below.

	ESTIMATES		
	<u>Low</u>	<u>Average</u>	<u>High</u>
Ratio of illegal aliens to legal aliens $\left(\frac{\text{Illegals}}{\text{Legals}}\right)$:	$\frac{100}{100}$	$\frac{194}{100}$	$\frac{260}{100}$
Number of illegal aliens:	4,226,000	8,180,000	11,000,000

Figure 1-9. Third Round of Delphi Panel Responses



The end result of the Task 1 estimation effort is that the study team has derived an enlightened, professional estimate of 8,180,000 illegal aliens in the U.S. during mid-1975. This estimate is not analytically defensible but it is based on a logical process of consensus from professionals in the "business" of dealing with the illegal alien problem and, more importantly, who are not officially connected with INS. The estimate of 5,222,000 as the size of the Mexican national segment of the total illegal alien population, undoubtedly the largest segment, is analytically defensible and represents an encouraging beginning for INS in dealing with the illegal alien problem.

5,222,000 statistically defensible

8,180,000 - not statistically defensible

This is between 20%

between 6 and 10 million illegal

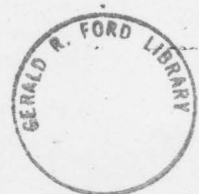
Central America + Caribbean Islands
are the second offenders

Greeks

Italians

Philipinos

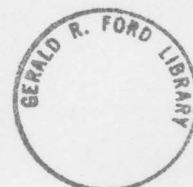
Middle East is a heavy



Memorandum Concerning Proposed Legislation and
Areas Critically In Need of Immigration Law Reform

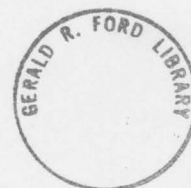
The Ninety-third Congress adjourned with four major bills pending before the Senate Judiciary Committee without action having been taken. These are H.R. 981, to equalize Eastern and Western Hemisphere Immigration Systems, and H.R. 982, the Employer's Sanction Bill, both of which passed by the House of Representatives and had been referred to the Senate for action. S.2643, to equalize Eastern and Western Hemisphere Immigration Systems and S.3827, Employer's Sanction and Amnesty Bill, both introduced by Senator Kennedy were pending before the Senate Judiciary Subcommittee on Immigration & Nationality. Contained in these bills are numerous significant provisions where legislative action is critically in need, as well as several provisions where action as proposed by the bills would be highly unfavorable. Finally, there are several areas which neither bill touches upon. Congress should update and amend the law.

1. Equalizing the Eastern and Western Hemisphere Immigration Systems. It is generally agreed that the preference system now in effect for the Eastern Hemisphere should be applied to the Western Hemisphere, essentially in its present form. This would make eligible for immigrant status



numerous categories of relatives of citizens and permanent residents who are natives of the Western Hemisphere who are not now entitled to any benefit under the Immigration & Nationality Act. A controversy arises over whether Canada and Mexico should be given higher per country limitations for immigrants, presently 20,000 subject to numerical limitations, than the other countries of the world. It has been proposed that Canada and Mexico should be given 35,000 numbers since, particularly in the case of Mexico, this more closely comports with the number of visas actually utilized. This provision is opposed by those who feel that no country in the world for any reason, should receive a preference or priority over any other country.

2. Exemption from labor certification for parents of minor United States citizen children. In equalizing the Eastern and Western Hemispheres the exemption from labor certification for parents of minor United States citizen children, and their entitlement to automatic registration as intending immigrants to the United States would be terminated for natives of the Western Hemisphere, by both the House and Senate proposals. At present, natives of the Eastern Hemisphere receive no such benefit. It is generally believed by members of Congress that a benefit to the parents of minor U.S. citizen children is undesirable since any child born in the United States



is by virtue of its birth, a United States citizen and by conferring a benefit upon his parents there are certain antisocial consequences such as aliens attempting to give birth to children in the United States and attempting to enter the United States solely for this purpose. The opposing point of view is that by not conferring any benefit upon such parents and forcing them to leave the United States, the U.S. citizen child is likewise forced to leave the country which demonstrates an ambiguous attitude towards U.S. citizenship. It is thought that this is a roundabout way of getting at what Congress views as the real problem, which is that a person born in the United States should not automatically, by virtue of his birth, be a citizen if both of his parents are aliens and, particularly, if his parents are aliens not in lawful immigration status. Therefore, it has been proposed by various groups that the exemption from labor certification for parents of minor U.S. citizen children not be eliminated, but rather this privilege be extended to natives of the Eastern Hemisphere as it presently exists for natives of the Western Hemisphere, and such aliens be allowed to come in the nonpreference category, or be granted a higher preference.

3. Labor Certification. The labor certification provision under the various bills would be maintained in its present form. However, there are many proponents of a change

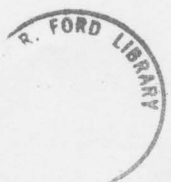


in the labor certification provision so that labor certification is either eliminated as a requirement for permanent residence or certification is granted more easily. Proponents of this point-of-view appear not to be in harmony with the current economic crisis.

4. Cuban Refugees. Cuban refugees adjusting status in the United States would be exempt from numerical limitations. This provision seems to be essentially non-controversial since Cuban refugees utilize a disproportionate share of the total Western Hemisphere visa numbers available.

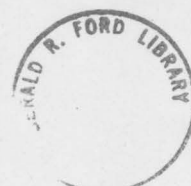
5. Refugees. The definition of "refugee" in the seventh preference would be amended and be broadened to reflect the definition contained in the United Nations Protocol Relating to the Status of Refugees. Further, groups of refugees who are paroled into the United States by the Attorney General in the national interest pursuant to the authority in Section 212(d)(5) would be permitted to adjust status after two years in the United States. This provision appears to be essentially noncontroversial since it would more closely comport with the international definition of the term "refugee".

6. Temporary Workers. Section 101(a)(15)(H)(ii), the nonimmigrant category which permits the temporary entry of aliens to perform labor which is temporary in nature would be amended to allow such aliens to enter the United States



temporarily to perform labor which is permanent in nature with approval of the Department of Labor through a labor certification. This provision appears to be essentially noncontroversial, but would effect a rather substantial change in the immigration philosophy of the United States by greatly broadening the temporary worker category, and allowing there to arise a great number of aliens in the United States for labor purposes whereas under the present law the temporary working categories are very narrowly drawn and there is not a substantial number of aliens in the United States temporarily. It is believed, however, that through such a provision the number of illegal aliens would be substantially reduced since many such aliens are performing needed services which approval from the Department of Labor could be obtained.

7. Adjustment of Status. Adjustment of status would be permitted for all aliens who enter the United States lawfully except crewmen or aliens in transit without visas, or except aliens who continue in or have accepted unauthorized employment other than immediate relatives. This provision is contained in the House Bill, but not in the Senate Bill. The latter would permit adjustment of status of all aliens except crewmen and aliens in transit without visas, and would also permit refugees to adjust status regardless of their manner of entry. It should be pointed out that under the present law,



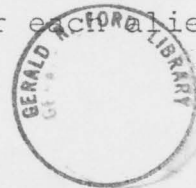
all natives of the Western Hemisphere are prohibited from adjusting status whereas natives of the Eastern Hemisphere can adjust status except crewmen and aliens in transit without visas. The denial of adjustment of status to any alien who has accepted or continues in unauthorized employment, would greatly reduce the number of aliens eligible for adjustment of status and, presumably, greatly increase the amount of fraud confronting the Immigration Service. It should also be noted that this type of penalty would probably fail to deter unauthorized employment since it would merely force the applicant to obtain his immigrant visa.

8. Employer Sanctions. H.R. 982, commonly referred to as the Rodino Bill, makes unlawful the knowing employment of aliens not legally authorized to work under the establishment of a three-tier penalty process which is as follows:

A. For a first violation, the Attorney General is directed to serve a citation on the employer informing him of such apparent violation.

B. If an employer commits a subsequent violation two years after receiving a citation, the Attorney General is directed to impose a fine of not more than \$500.00 for each alien and

C. Following the imposition of such a fine, if an employer commits an additional violation, he shall be subject to a fine of \$1,000.00 and/or one year imprisonment for each alien.



The Bill would further provide that the receipt by the employer of a signed statement by the employee that he is a citizen or permanent resident who is authorized to work shall be deemed prima facie evidence of bona fide inquiry.

S. 3827, introduced by Senator Kennedy, also prescribes a three-step penalty process with the first violation resulting in a citation, the second violation a civil penalty of not less than a thousand dollars for each alien, and the third penalty a suit brought against the alien and a penalty of two-thousand dollars for each alien. The bill would also revoke the Texas proviso which states that employment does not constitute harboring, and thus, through employment, one could fall within the definition of harboring of an alien which is a Federal crime.

Criminal penalties have been advocated by those who believe that through penalizing employers, jobs will not be given to aliens and, therefore, the incentive of aliens to come to the United States or to seek employment, will be eliminated. Those opposing criminal penalties believe that they are undesirable because:

- 1) they will not be effective in deterring aliens from seeking employment;
- 2) they will result in discrimination against persons with foreign appearance, foreign sounding names, and

persons who do not speak English (this was the experience when the Dixon-Arnett Law was in effect in the State of California before being declared unconstitutional as being solely within the Federal prerogative).

3) Congress should go to the base of the problem and analyze why there are so many persons in the United States working unlawfully, and attempt to determine whether perhaps they are being employed because their services are needed, how many are union members, how many are actually taking jobs away from Americans and the extent to which they are exploited.

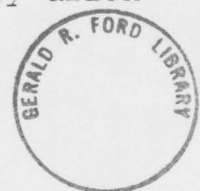
4) Exploitation, fraud and other criminal conduct will become more prevalent.

5) More aliens will be forced to avoid complying with the letter and the spirit of the law, will be forced to avoid paying Social Security, and to avoid income taxes.

6) The penalties provision of at least the Rodino Bill are unconstitutional since in the initial stage of the criminal process, namely, the serving of the citation, there are not adequate due process safeguards.

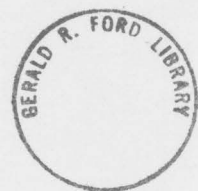
7) The burden of preventing unauthorized employment should rest upon the government through the issuance of social security cards.

Coupled with criminal penalties, the Senate Bill would also provide for the regulation of status of any alien



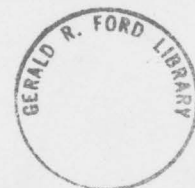
who has been in the United States in unlawful status in excess of three years. This provision is generally supported by those who believe that since it is impossible for the Immigration Service to apprehend the millions of aliens in the United States without lawful status, without turning the United States into a police state by stopping people at random to request documentation, it is imperative to regularize the status of such persons so that they will not be exploited and they can better integrate themselves in society as a whole. The provision is opposed, in part, by those who advocate regularization for all aliens present in the United States as of a certain date, and feel that the three year period would serve only a limited purpose in that it probably would result in the regularization of status of approximately fifty percent of the aliens in the United States, and would leave the remainder in the same undesirable position in which they now find themselves.

9. Statute of Limitations on Deportation. There is no current provision in the law which would allow for a statute of limitations on deportation so that an alien who has been in the United States for a requisite period of time would be immune from deportation. Two schools of thought exist concerning such a provision: (a) it should apply to any alien who has been in the United States for a certain period of time, and (b) it should only apply to aliens who are permanent residents of the United States and have been such for a certain period



of time. At present, an alien who is a permanent resident may be deported from the United States although he may have been a permanent resident from the time he was two years old and the deportation may take place when he is sixty years old. It is believed that this is highly inappropriate since his antisocial conduct is the result of his environment in the United States, and is not the problem of his country of origin. In fact, foreign countries have, on occasion, refused to accept persons back, notwithstanding the fact that they are citizens of that particular country.

10. Board of Visa Appeals. At the present time, decisions of American consular officers on questions of fact are not reviewable by any higher authority. Questions on matters of law are, by regulation, reviewable by the Central Office of the Department of State. In matters of fact, the nonreviewability of decisions has led to many inconsistencies and unjustifiable determinations by American consuls. A Board of Visa Appeals could either be a separate entity or could be integrated with the Board of Immigration Appeals in order to obtain a more reasoned review of decisions and, particularly, to assure consistency in the application of the law. Traditionally, there has been no such review since the consuls are outside the jurisdiction of the United States and, thus, to hold their decisions reviewable



would be to extend jurisdiction extra-territorially.

It must be emphasized, however, that there is no problem concerning the enforceability of such decisions since consular officials are employees of the Department of State and the consular employee would be charged with implementation of the decision.

11. Grounds of Exclusion and Ineligibility for a Visa. There should be a general updating of all the provisions of exclusion and ineligibility for visas which were placed in the law as part of the McCarran-Walter Act of 1952 and prohibit the entry into the United States of certain types of persons, including aliens who are retarded or insane, have certain types of convictions, such as possession of marijuana, and have committed certain offenses such as immigration related offenses. Many of these grounds of ineligibility and exclusion are generally believed not to be as serious as they were at one time. Significantly, many of the grounds of ineligibility for visa or exclusion are not waiveable. Therefore, regardless of aliens relations in the United States or closeness of family ties, he is ineligible under any circumstances to obtain a waiver of the ground of excludability. It is believed that a minimum of grounds of ineligibility and exclusion should be made subject to waiver where certain types of family relations exist such as the alien has a spouse, parent or children who are United States citizens or permanent resident aliens.



ROUTE SLIP

Date

12/4

To

Mr. Hillis

Room

171

- | | | |
|---|---|--|
| ☐ Approval | ☐ Note & Return | ☐ See me |
| ☐ Comment | ☐ Note & File | ☒ As requested |
| ☐ Necessary action | ☐ Signature | ☐ For your information |
| ☐ Per telephone conversation | ☐ Call me Ext. _____ | |

Remarks

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FINAL REPORT

BASIC DATA AND GUIDANCE REQUIRED
TO IMPLEMENT A MAJOR ILLEGAL ALIEN STUDY
DURING FISCAL YEAR 1976

In Partial Fulfillment of
Contract No. CO-16-75

October 15, 1975

Prepared for:

The Office of Planning and Evaluation
Immigration and Naturalization Service
U.S. Department of Justice
425 I Street, N.W., Room 7007
Washington, D.C. 20536

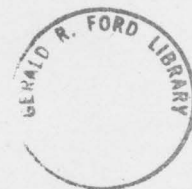


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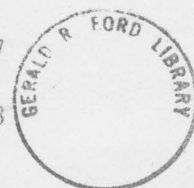


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INTRODUCTION TO THE STUDY REPORT

The study effort was divided into three interrelated tasks:

- Task 1--Estimate the Current Illegal Alien Population in the U.S.;
- Task 2--Validate the Design of the FY 1976 Illegal Alien Study; and
- Task 3--Review Existing Data and Analytical Methodologies; Recommend Improvements for INS In-house Data Analysis, Evaluation, and Utilization.

Because very little of the INS data proved to be usable for the Task 1 estimation effort, the study team conducted an extensive search of data outside of INS. The results of the data search and the resulting process for estimating the illegal alien population in the U.S. are fully discussed in the Task 1 report.

The planned Task 2 efforts were restructured somewhat as a result of a request from the INS staff to evaluate and redesign an ongoing Border Patrol line watch staffing experiment. The study team welcomed this additional task as it was compatible with the ongoing effort; the results of this effort are presented in the Task 2 report together with exhaustive analysis, evaluation, and recommendations for improving the design, implementation, and results of all major components of the FY 1976 major illegal alien research study.

The majority of the Task 3 data analysis effort was focused on the estimation work within Task 1; the specific findings are included in the Task 1 report. Recommendations to INS concerning the need for a systems analysis effort, a working definition of illegal aliens, and improved internal INS data systems are included in the Task 3 report.

TASK 1

ESTIMATE THE CURRENT ILLEGAL ALIEN POPULATION IN THE U.S.

INTRODUCTION

The objective of the Task 1 effort is twofold:

- 1) to review data currently collected and collated by INS in addition to other illegal alien research, and
- 2) to estimate the current illegal alien population in the U.S.

Only a major study project will suffice to make an accurate estimate of the illegal alien population upon which to base major policy and planning decisions; the INS staff recognized this fact at the outset of its illegal alien analysis. The major study effort has begun but, because of its magnitude, accurate estimates of the illegal alien population size and impact will not be available until late 1976. Current estimates of the illegal alien population in the U.S. range rather widely between four and 12 million.

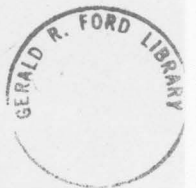
For planning and budgeting purposes, it was necessary for INS to initiate a quick-reaction study to reduce the wide variance of the estimates. The limited effort reported herewith cannot replace the major study effort; rather, this task effort will attempt to narrow the wide range of previous estimates.

REVIEW OF DATA ON THE ILLEGAL ALIEN POPULATION

Review of Previous Studies

During this task, the study team reviewed several studies performed by other researchers which estimated the size of the illegal alien population in the U.S. With one exception, all of the studies contained unsubstantiated assumptions or educated guesses. The one exception was a research paper written for the Center for Population Research by Howard Goldberg of Georgetown University.

Mr. Goldberg applied life table survival rates, by age and sex, to the 1960 census population of Mexico in order to obtain the expected 1970 population. These values were compared to the



enumerated 1970 population and the difference was assumed to represent the net emigration from Mexico to the U.S. Taking into consideration the increase in legal immigrants and applying U.S. Census data, Mr. Goldberg calculated that 1,597,000 illegal Mexican immigrants resided in the U.S. during 1970.

In the opinion of the LESKO ASSOCIATES study team, Mr. Goldberg's research is analytically sound and represents a credible estimate of the illegal Mexican population residing in the U.S. at a given point in time. Unfortunately, the methodology used depends upon ten-year census data and cannot be applied annually where fluctuation in the rate of migration is significant. Mr. Goldberg's estimate can be used, however, as a base point in the development of a current estimate of the illegal alien population.

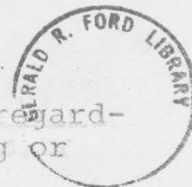
Review of INS Data

Over the term of the study effort, the study team discovered that actual data (sampled or otherwise) regarding the number of illegal aliens in the U.S. do not exist within INS or any other government or private agency. This discovery was not surprising in light of the fact that no formal, comprehensive analysis effort has ever been undertaken; furthermore, no illegal alien will volunteer objective information regarding his or her illegal status. The only worthwhile information that exists relative to illegal aliens is INS apprehension data. However, it is apparent that these apprehension data are extremely biased in a statistical sense. The data are heavily influenced by the level and allocation of INS resources expended to capture illegal aliens. In addition, in the case of EWI's, information on place of entry, method of entry, length of time in the country, etc., is obtained from the aliens themselves. Unless the arrest is made directly at the border, what is known about the illegals other than how and where they were apprehended is only what the illegals themselves wish to tell the arresting official.

In spite of these severe biases, apprehension data remain the only source of data for illegal alien research which are collected with consistent definition over a substantial period of time. Also, the study team assumes that, in the past, INS concentrated its resources wherever the need was most apparent and thus apprehended illegal aliens in their largest concentrations. Therefore, the study team believes that apprehension data, despite their shortcomings, can provide insight into the flow and stock of illegal aliens.

Definition of an Illegal Alien

The Immigration and Nationality Act sets forth the laws regarding the entry of aliens into the U.S. Any alien entering or



residing in the U.S. in violation of these laws is technically an illegal alien. In broad terms, an illegal alien is any alien who:

- enters the country surreptitiously,
- uses false or fraudulent documents or claims to enter, or
- violates the conditions of his or her entry.

However, the technical definition does not suffice for estimating the number of illegals in the country. According to the letter of the law, foreign tourists who overstay their visits are classified in the same manner as foreign crewmen who desert their ships. Similarly, a Canadian on a hunting trip who unknowingly crosses the border is illegal in the same respect as a Haitian who entered the U.S. surreptitiously and now lives on welfare in St. Louis. For decision-making purposes, the impact of an alien's illegality must be considered. Therefore, the Task 3 section of this report contains a recommendation for developing a working definition of an illegal alien which specifies parameters such as length of time in the country, status (e.g., employed, in transit, etc.), and the like. In this way, a clear distinction can be made between flow of illegals and stock of illegals.

In his research design for estimating the impact of illegal aliens in the U.S., David S. North discusses alternative ways to measure the stock and flow of illegals (his comprehensive research design is reviewed below in the Task 2 section). An important question which arises relative to the definition of an illegal alien concerns the point in time at which the illegal ceases to be counted as flow and becomes stock. For instance, in FY 1975, 416,000 Mexican nationals were apprehended within 72 hours of entry (including 227,000 apprehended "at entry"). It seems reasonable not to include these illegal aliens as part of the stock when the primary objective is understanding the impact of illegals on the economy and other facets of American life. Because the study team believes that the technical definition of an illegal alien is inadequate for performing a study on impact, a reasoned (although probably arbitrary) definition must be set forth to accomplish the intended research objective.

Sources of Illegal Aliens

Of the three broad categories of illegal aliens--EWI's, fraudulent document holders, and visa or border card abusers--the EWI is overwhelmingly the greatest source of illegal aliens. Figure 1-1 shows the total number of illegal aliens apprehended from 1970 to 1975 and the proportion of EWI's. In addition to confirming that the large majority of deportable aliens found are EWI's, Figure 1-1 shows that the proportional trend is increasing.

<u>YEAR</u>	<u>TOTAL ILLEGALS APPREHENDED (000'S)</u>	<u>TOTAL EWI'S APPREHENDED (000'S)</u>	<u>PERCENT EWI'S OF TOTAL</u>
1970	335.1	244.5	72.9
1971	412.6	317.8	77.0
1972	492.2	398.3	80.9
1973	647.5	551.3	85.1
1974	781.0	693.0	88.7
1975	756.8	667.7	88.2

Figure 1-1

Percent EWI's of Total Illegal Aliens Apprehended, 1970-75*

Figures 1-2 and 1-3, below, show the proportion of EWI's who, from 1970 through 1975, entered over the southwest border and were Mexican nationals. From Figures 1-1 through 1-3, it is clear that the overwhelming majority of apprehended illegal aliens are Mexican nationals who cross the southwest border and enter the U.S. without inspection.

<u>YEAR</u>	<u>TOTAL EWI'S APPREHENDED (000'S)</u>	<u>EWI'S ENTERED OVER S.W. BORDER (000'S)</u>	<u>PERCENT EWI'S ENTERED OVER S.W. BORDER</u>
1970	244.5	240.9	98.5
1971	317.8	313.8	98.7
1972	398.3	393.2	98.7
1973	551.3	545.0	98.9
1974	693.0	687.6	99.2
1975	667.7	662.0	99.2

Figure 1-2

Percent EWI's Who Entered over the Southwest Border, 1970-75*

*Source: Immigration and Naturalization Service, Table G-23.18 for FY 1975.



<u>YEAR</u>	<u>TOTAL EWI'S APPREHENDED (000'S)</u>	<u>MEXICAN NATIONAL EWI'S APPREHENDED (000'S)</u>	<u>PERCENT MEXICAN NATIONAL EWI'S APPREHENDED</u>
1970	244.5	239.9	98.1
1971	317.8	312.9	98.5
1972	398.3	391.9	98.4
1973	551.3	542.2	98.4
1974	693.0	681.1	98.3
1975	667.7	654.9	98.1

Figure 1-3

Percent of EWI's Apprehended

Who Were Mexican Nationals, 1970-75*

ESTIMATING THE STOCK OF ILLEGAL ALIENS

The study team conducted an intensive review of INS data to estimate the number of illegal aliens in the U.S. The review showed that most of the data accumulated by INS are focused on operational activities. These data, which are collected and analyzed to measure productivity, are not satisfactory for making statistical estimates of the unknown illegal alien population. The most useful data relating to illegal aliens are the apprehension data, which give a measure of workload; however, they contain no information on attempted apprehensions or on suspected EWI's who passed through a sector. Although several statistical methodologies using INS data were attempted, none withstood the tests of logical and statistical scrutiny.

The most critical missing item of data is a count, or at least a scientifically-valid sample estimate, of the number of illegals who eluded the Border Patrol at entry and subsequently have not been captured (although sensor data now being collected address this count, sensors are not in operation throughout the southwest border and are ineffective in high-density metropolitan areas). If the study team had access to such a count, a ratio of "gotaways" to apprehensions could be established; then, using historical apprehension data, the number of illegals who successfully entered the U.S. could be established.

Since statistically-valid information on the number of gotaways is not available, an acceptable alternative approach is to

*Source: Immigration and Naturalization Service, Table G-23.18 for FY 1975.

assume values of the unknown parameter (gotaways) and then bound the assumption by using any other appropriate information. This is the approach which the study team has employed in estimating the number of illegals.

Scope of the Analysis

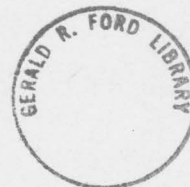
It was shown above in the section entitled "Sources of Illegal Aliens" that the vast majority of apprehended illegals are Mexican nationals who attempt to cross the southwest border. The analysis will focus on this aspect of the illegal alien population for the following significant reasons:

- EWI's constitute the greatest portion of all illegals found, as shown in Figure 1-1.
- As shown in Figure 1-4, below, while apprehension of illegals other than Mexican EWI's has not quite doubled in the past 15 years, the number of Mexican EWI's has increased 46 times.
- Because the Mexican segment of the EWI population is so large, ignoring the non-Mexicans introduces a relatively small error.
- The Mexican nationals are the only category of illegal aliens for which a valid reference point (Goldberg's estimate) exists.

<u>YEAR</u>	<u>MEXICAN NATIONAL EWI'S</u> <u>(000'S)</u>	<u>ALL OTHER ILLE-</u> <u>GALS APPREHENDED</u> <u>(000'S)</u>
1961	14.0	66.3
1962	14.1	68.7
1963	20.8	50.3
1964	22.7	51.8
1965	29.7	60.1
1966	57.9	69.3
1967	77.6	73.2
1968	117.2	85.2
1969	161.6	96.9
1970	239.9	95.2
1971	312.9	99.7
1972	391.9	100.3
1973	542.2	105.4
1974	681.1	99.9
1975	654.9	101.9

Figure 1-4

Comparison of Mexican National EWI's to All Other EWI's



Estimation of Mexican Illegals Currently in the U.S.

The methodology for estimating the number of illegal Mexican aliens in the U.S. is presented in the following sections; an evaluation of the estimate and its limitations is also included. The following steps represent an overview of the methodology:

- 1) A "gotaway-at-entry" (GAE) ratio is defined.
- 2) A minimum GAE ratio (MGAER) is calculated for each year.
- 3) The actual GAE ratio is assumed to be some constant multiple of the minimum ratio.
- 4) The constant multiple is calculated using a known data point.
- 5) Finally, the number of Mexican illegals currently residing in the U.S. is estimated.

The Gotaway-at-Entry Definition

A GAE is defined for the purposes of this analysis as a Mexican national who attempts to cross into the U.S. over the southwest border without inspection and who is not immediately apprehended and returned to Mexico. By this definition, any person who illegally enters the U.S. and is not apprehended "at entry" is considered a GAE. The study team recognizes that this definition does not coincide with the one used by INS for sensor reporting. For example, the INS "Instructions for Preparation of the CBP-39 for Remotely Monitored Sensor System," paragraph 4B(2), states, "If as a result of the information furnished by the sensor system the subjects are later apprehended, they should properly be reported in 4A(1) above." The referenced section 4A(1) addresses responses which result in apprehensions. The INS definition would not classify an illegal picked up several days after entry as a gotaway if it could be construed that the apprehension was made as a result of sensor data. For the purposes of this report, a more definitive distinction between gotaways and apprehensions must be made in order to maintain consistency with other INS data.

Figure 1-5, below, shows the total number of Mexican nationals apprehended from 1961 through 1970, the number apprehended at entry, and the number apprehended at some time other than at entry.* Under the definition given above, all those apprehended

*INS data are collected on a fiscal-year basis while census data used later in the analysis are based on the calendar year. This introduces a lag error into the analysis but should not adversely affect the final estimate.

YEAR	MEXICAN NATIONALS APPREHENDED (000'S)	APPREHENDED AT ENTRY (000'S)	APPREHENDED AT OTHER THAN ENTRY (000'S)	MINIMUM GOTAWAY-AT- ENTRY RATIO (000'S)
1961	29.8	5.7	24.1	4.22
1962	29.9	6.1	23.8	3.90
1963	38.8	9.5	29.3	3.08
1964	43.7	9.2	34.5	3.75
1965	55.2	11.5	43.7	3.80
1966	89.8	19.8	70.0	3.56
1967	108.3	23.8	84.5	3.55
1968	151.7	29.7	122.0	4.10
1969	201.5	41.6	159.9	3.84
1970	277.3	70.9	206.4	2.91

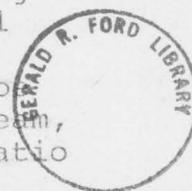
Figure 1-5. Minimum Gotaway-at-Entry Ratio

"at other than entry" are GAE's. The minimum gotaway-at-entry ratio (MGAER) is then calculated as:

$$\text{MGAER} = \frac{\text{APPREHENDED AT OTHER THAN ENTRY}}{\text{APPREHENDED AT ENTRY}}$$

The last column in Figure 1-5 shows the MGAER from 1961 to 1970. As an illustration, 70,900 illegals were apprehended at entry in FY 1970; 206,400 penetrated into U.S. territory for at least some period of time. Therefore, the minimum gotaway-at-entry ratio is 2.91:1. The MGAER would be equal to the actual ratio if INS had eventually captured all the illegals who attempted entry. However, since this is not the case, the actual GAE ratio is something greater than the minimum. Figure 1-5 shows that, although the number of apprehended illegals is rising rapidly, the Border Patrol in recent years has been able to increase the proportion of illegals apprehended at entry and thus has reduced the GAE ratio. This reduction is probably due to operational tactics such as concentration of Border Patrol forces in the southwest, improved manning patterns, and the application of electronic sensors, among others.

Because some Mexican nationals do elude apprehension, the actual GAE ratio must be determined and applied to the ongoing apprehension data in order to estimate the stock of illegal Mexican aliens. However, Figure 1-5 shows the MGAER to be both variable and declining. Since this information must be used in the derivation of an actual GAE ratio, the study team, for lack of other knowledge, assumed that the actual GAE ratio is varying but varies by a constant multiple of the MGAER.



Before calculating the MGAER multiple, two other parameters must be considered: the survival rate and the rate of emigration back to Mexico by illegal aliens.

Illegal Alien Survival Rate and Rate of Returns to Mexico

Not all Mexican illegals who successfully enter the U.S. remain indefinitely. The study team is aware that there is considerable movement of illegal aliens from the U.S. back to Mexico. In addition, some of those who enter successfully die while in the U.S. These two factors must be considered in estimating the number of illegals currently in the country.

There are no definitive data as to the size of the return migration. However, a research paper by Warren and Peck of the U.S. Census Bureau, prepared for presentation at the annual meeting of the Population Association of America, addressed the emigration of legal immigrants from 1960 to 1970. The paper reported that about one out of every seven legal immigrants emigrated by the end of the decade--a conclusion which gives at least a rough estimate of foreign-born migration. The study team assumed that the migration rate of illegals is somewhat higher than that of legal aliens. Since the goal is to prepare a conservative estimate of the stock of illegal aliens, the study team arbitrarily used a higher migration rate of one-in-five over the ten-year period, which has the net effect of lowering the final illegal alien estimate. On an annualized basis, a 5:1 ratio over the ten-year period is equal to 20 per 1,000. Although the study team intuitively feels that the number of illegals who emigrate is greater than 20 out of 1,000, there are no factual data to confirm this opinion. The major study effort to be conducted by INS will give much more insight into the in-and-out flow of illegals.

INS apprehension data indicate that the majority of Mexican illegals are young, adult males. For lack of a more definitive data base, an average ten-year life survival rate of 0.9382 was derived* for males between the ages of 20 and 45. This information was then annualized to yield a death rate of 6.2 per 1,000. When the emigration rate and the death rate are combined, a total loss rate of 26.2 per 1,000 or, conversely, a "survival" rate of 97.38 percent, is derived.

Estimating the Actual Gotaway-at-Entry Ratio

As stated above, the actual GAE ratio is assumed to be some constant multiple of the MGAER. To calculate the multiple,

*Source: S. Preston, N. Keyfitz, and R.S. Schoen, Causes of Death: Life Tables for National Populations. Seminar Press, 1972.

Howard Goldberg's estimate of 1.597 million illegal Mexican aliens in the U.S. in 1970 will be used. This estimate, as previously stated, was the only analytically-sound estimate discovered during the research effort and is believed to be fairly accurate.

The equation derived by the study team for the total number of illegal Mexican aliens in the country during any year is:

$$T_y = \sum_{i=1}^y A_i (MGAER)_i X R^{y-i} - \sum_{i=1}^y B_i R^{y-i} + T_0$$

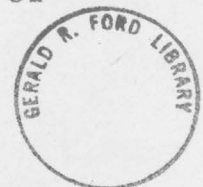
where

T_y = total illegal Mexican nationals in year y
 A_i = number apprehended at entry
 MGAER = minimum gotaway-at-entry ratio
 X = constant multiple for MGAER
 R = survival rate (0.9738)
 B_i = number apprehended at other than entry
 T_0 = number of illegal Mexican nationals at base year

Using Goldberg's estimate for 1970 of 1.597 million (T_y) and assuming, as Goldberg did, that the number of illegal aliens in 1960 was zero, the equation can be solved for X --the constant multiplier for the MGAER. Upon performing this operation, the study team found the constant multiplier X to be equal to 3.13. For example, the MGAER for the year 1970 was 2.91; thus, applying the constant multiplier of 3.13, the actual GAE ratio for that year is estimated to be 9.11. In other words, for every illegal apprehended at entry, 9.11 eluded apprehension to successfully enter the U.S. or to be apprehended at a later date.

Before proceeding further, it is necessary to compare the GAE ratio definition used by the study team with the gotaway ratio normally used by INS. Gotaway ratios are usually quoted in terms such as, "For every one we catch, one gets away." More specifically, General Leonard Chapman was quoted as saying that INS finds "only about one out of two or three, at the most, of those entering the country each year."* The actual GAE ratio of 9.11 for 1970 which was calculated by the study team is equivalent to a 1.58:1 gotaway rate expressed in normal INS terms. To illustrate, 277,300 Mexican nationals were apprehended in 1970--70,900 at entry and 206,400 at some time other than at entry. Using the study team's actual GAE ratio, the number of actual gotaways is derived in the following manner:

*U.S. News & World Report, July 22, 1974.



$$\begin{aligned} \text{Actual gotaways} &= (\text{number apprehended at entry}) \times \\ &\quad (\text{GAE ratio}) - \\ &\quad (\text{number subsequently apprehended}) \end{aligned}$$

or

$$\begin{aligned} \text{Actual gotaways} &= 70,900 \times 9.11 - 206,400 \\ &= 439,500 \end{aligned}$$

The INS gotaway ratio is:

$$\frac{\text{Actual gotaways}}{\text{Number apprehended}} = \frac{439,500}{277,300} = 1.58$$

Illegal Mexican Alien Estimates for the 1970's

Based on the assumptions stated above and using the "survival" rate, the constant multiplier, the apprehension data from INS records, and the Goldberg estimate for 1970 as a base year estimate, the estimated number of Mexican illegal aliens may be calculated from the formula given in the preceding section. Figure 1-6, below, provides such estimates for the years 1971 through 1975. The 1975 estimate of 5,204,000 illegal Mexican nationals in the U.S. probably represents the major portion of the total illegal alien population residing in the country. An estimate for the total illegal alien population is discussed in the following section.

YEAR	GOTAWAY-AT-ENTRY RATIO	SUCCESSFUL ILLEGAL ENTRIES (000'S)	ILLEGALS REMAINING FROM PREVIOUS YEARS (000'S)	MEXICAN ILLEGALS IN U.S. (000'S)
1970				1,597.0*
1971	8.61	544.6	1,555.2	2,099.8
1972	7.64	648.9	2,044.7	2,693.6
1973	6.89	845.0	2,623.0	3,468.1
1974	5.67	972.3	3,377.2	4,349.5
1975	6.26	968.4	4,235.6	5,204.0

Figure 1-6. Estimates of Mexican Illegal Aliens in U.S.

*Goldberg estimate.



Estimate of the Total Illegal Alien Population in the U.S.

Using currently-available data, the only analytically-credible estimate which it was possible to make was of the Mexican national segment of the total illegal alien population. Fortunately, this segment should be by far the largest; the study team could find no estimate of the Mexican segment which was less than 50 percent of the total estimated illegal population and most estimates, in fact, were much higher. To arrive at a reasoned estimate of the total illegal alien population, the study team relied upon a different and less analytically-sound procedure: the Delphi process.

The Delphi process involves derivation of a consensus of opinion from a panel of experts regarding some parameter of interest. In the present case, a Delphi Panel was asked to estimate the ratio of illegal aliens to legal aliens in the U.S. (a complete list of Delphi Panel members is included as an appendix to this report). The initial round of responses to the Delphi Panel question is summarized in Figure 1-7, below.

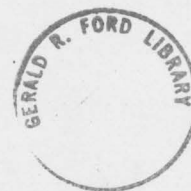
	ESTIMATES		
	<u>Low</u>	<u>Average</u>	<u>High</u>
Ratio of ille- gal aliens to $\left(\frac{\text{Illegals}}{\text{Legals}}\right)$: legal aliens	$\frac{60}{100}$	$\frac{238}{100}$	$\frac{550}{100}$
Number of illegal aliens:	2,536,000	10,467,000	25,102,000

Figure 1-7. First Round of Delphi Responses

Since the objective of the Delphi process was to reach a consensus of opinion concerning the estimate of the size of the illegal alien population, a second Delphi round was conducted wherein the panel members were presented the results of the first round and were asked to comment on the average and range of response statistics and to modify or reiterate their estimates of the illegal alien population in the U.S. The following are some of the more interesting comments received from panel members on the first round results:

"The number [of illegal aliens] is very large and every labor market indicator points to an acceleration of their numbers in recent years."

"The INS estimation given during House hearings in 1970-71 was about 2 million. Thus, about 1.8 million net have had to come to the U.S. and survive

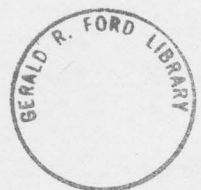


per year to reach the above average [10,467,000]. Something was wrong with the earlier INS estimate or 4,400 people per day have been entering, staying, and surviving for the past five years, to say nothing of returnees and mortality. Or, finally, the average is too high."

"...my estimate takes into account three broad categories of undocumented aliens presently residing in the United States: (a) old, or long-time illegals, including family members, who entered this country prior to 1948 and who have never been covered by immigration papers, but perhaps partly by false documents such as fraudulent birth certificates and partly by census takers; (b) illegals, including family members, who entered in the period 1948 to 1965, also partly covered by false documents and census takers; and (c) illegals, including family members, who entered the U.S. since 1965 to the present. Roughly, the ratio of [the] three categories seems to be one, one, and two, respectively; and the Mexican proportion of all illegal aliens in the U.S. would possibly be two-thirds.... In short, 10.5 million is close to a realistic estimate in my considered opinion."

"The average strikes me as unreasonably high, and it occurs to me that one wild guess of 25,000,000 is far enough out of line to lift the average response by several million."

"The low estimate of around 2.5 million could only be defensible if this figure is understood as limited to the number of undocumented aliens employed in the U.S., Mexican and all others, but principally men, and who have entered since 1965. It could not realistically embrace family members, nor groups who entered before 1965.... Perhaps the high estimate of 25.1 million has been too much influenced by annual INS figures on apprehension which include a high percentage of repeaters; or perhaps the figure takes too literally the estimates that one, or two, or more get away for every apprehension. Probably true, but in regard to Mexican mojados, the principal source of illegal aliens in the U.S., a high percentage return to spend the off-season in Mexico as they have been doing since the 1880's.... The doors leading back to Mexico are left wide open by the Immigration Service which has never made a serious attempt to detain illegals headed back to Mexico. That country is full of people who have tried life and work in the U.S."



"We have done some work with previous apprehensions of illegals that were interviewed, and...have come to the conclusion that there may be as many non-Mexican illegals as Mexican ones."

The resulting estimates from the second round of Delphi questions are presented in Figure 1-8, below.

	ESTIMATES		
	<u>Low</u>	<u>Average</u>	<u>High</u>
Ratio of illegal aliens to legal aliens $\left(\frac{\text{Illegals}}{\text{Legals}}\right)$:	$\frac{118}{100}$	$\frac{195}{100}$	$\frac{260}{100}$
Number of illegal aliens:	5,000,000	8,227,800	11,000,000

Figure 1-8. Second Round of Delphi Panel Responses

The results of the third, and final, round of the Delphi process are summarized in Figure 1-9, below.

	ESTIMATES		
	<u>Low</u>	<u>Average</u>	<u>High</u>
Ratio of illegal aliens to legal aliens $\left(\frac{\text{Illegals}}{\text{Legals}}\right)$:	$\frac{100}{100}$	$\frac{194}{100}$	$\frac{260}{100}$
Number of illegal aliens:	4,226,000	8,180,000	11,000,000

Figure 1-9. Third Round of Delphi Panel Responses

The end result of the Task 1 estimation effort is that the study team has derived an enlightened, professional estimate of 8,180,000 illegal aliens in the U.S. during mid-1975. This estimate is not analytically defensible but it is based on a logical process of consensus from professionals in the "business" of dealing with the illegal alien problem and, more importantly, who are not officially connected with INS. The estimate of 5,222,000 as the size of the Mexican national segment of the total illegal alien population, undoubtedly the largest segment, is analytically defensible and represents an encouraging beginning for INS in dealing with the illegal alien problem.

TASK 2

VALIDATE THE DESIGN OF THE FY 1976 ILLEGAL ALIEN STUDY

INTRODUCTION

This section of the report describes the work that was conducted under Task 2 of the study. This task had three objectives:

- 1) to analyze the current FY 1976 illegal alien study research design plan,
- 2) to evaluate the research plan, and
- 3) to prepare a research plan update.

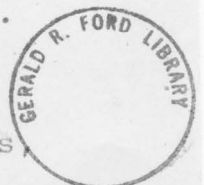
The effort conducted to satisfy these objectives is synthesized in the sections that follow. In general, the approach has been to examine each aspect of the proposed research plan for the FY 1976 illegal alien study in terms of the following:

- 1) overview of the proposed study,
- 2) critique of the proposed study,
- 3) description of an alternative approach (if appropriate),
- 4) suggested procedures for analysis of the proposed study results, and
- 5) topics for further examination.

In describing the effort conducted in Task 2, an understanding of the comprehensive three-volume study conducted by Linton & Company, Inc., for LEAA has been assumed. Hence, a repetition of that material has been included only to facilitate continuity and understanding of the material presented here.

In this task, attention was focused on the specific research tasks presented in the research design. In this regard, every attempt was made to improve and/or augment the proposed design. However, no assessment has been attempted to determine the utility of inclusion, exclusion, or substitution of any of the research elements of the proposed study. The research elements were appropriately the result and primary output of the initial, detailed effort; hence, assessment of the proper mix of research was considered beyond the scope of this effort.

With regard to point of view, it is the considered opinion of the study team that the initial research developed under the direction of David S. North is excellent. Its thoroughness,



characterized by an obvious attention to detail, has facilitated the evaluation and critical aspects of the present Task 2 work. Hence, a considerable portion of the effort described here focuses on detailed refinements within what is already a fairly sound structure. In all cases, an attempt has been made to criticize fairly, and to support this criticism with reasons followed by constructive alternatives. Where the proposed research is exploratory, very little in the way of assessment was attempted; rather, the study team chose to support the conduct of these probing efforts without prejudging their benefit or adequacy.

The following sections are included following the pattern established in the research design, Volume III, of the illegal alien study. The arrangement of sections is:

- 1) Residential Survey,
- 2) Border Patrol Line Watch Staffing Experiment,
- 3) Border Patrol Sensor Data Study,
- 4) Fraudulent Document Holders Analysis,
- 5) Characteristics of Illegals Study,
- 6) Industrial Survey, and
- 7) Impact Analysis of Illegals on Legal Aliens.

RESIDENTIAL SURVEY

Overview of the Proposed Study

The purpose of the proposed residential survey is to provide data on the stock of illegal resident aliens. The survey has two basic objectives:

- 1) to provide data for use in estimating the ratio of legal resident aliens to illegal resident aliens, by nationality and by geographic location; and
- 2) to develop and test a methodology for limited application in the future for making similar estimates.

The present plan proposes a method for selecting clusters of 200 households within areas of known average-to-high concentrations of resident legals. Within each cluster, the numbers of illegals and legals will be ascertained using specially-designed interview surveys. The resultant data will then be used to develop estimates of the ratios of legals to illegals. The present study is in two phases; the first consists of roughly 40,000 households and is followed by a second phase during which 80,000 households will be sampled. The second phase of the study will be a refinement based on the results and lessons learned during the first phase; hence, only the first phase will

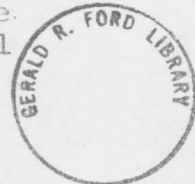
be treated here.

The first phase of 40,000 sampled households will cover 36,000 residences, dispersed by nationality and geographic location, plus four special studies as follows:

- a) 1,500 migratory workers,
- b) 500 live-in domestics,
- c) 1,000 Mexican illegals (using an alternative residential survey method), and
- d) 1,000 Mexican illegals (as a control, using a totally different methodology).

The survey of 36,000 residences, the primary component of the first-phase effort, uses existing INS legal resident data (I-53 forms) to facilitate selection of the sample households. The series of steps proposed, leading to the sample selection, is as follows:

- 1) A theoretical matrix of 5,000 cells is formed from the 50 states and the 100 nations supplying legal resident aliens to the United States. The cell values are the number of legal resident aliens of each nationality residing in each state; this information is obtained from the Alien Address Program Form I-53 data.
- 2) From the theoretical matrix, 66 cells are*purposively selected which comprise approximately 55-60 percent of the total legal resident alien population as reported on the I-53's.
- 3) From the 66 cells, a second purposive selection of 11 cells is made to provide a cross-section of states and nationalities. Two additional cells, not originally part of the 66 cells, have been added to obtain 13 nationality-state cells.
- 4) Within each of 13 target cells, the 1974 I-53 alien address cards will be collected and a two-percent sample taken (it is assumed that the total number of address cards in each cell or stratum is known). The sampled cards will be arranged by zip code, and any zip code represented by fewer than two cards will be eliminated from further consideration.
- 5) Within the remaining zip codes, a five-percent sample will be selected. Based on the five-percent sample, the total number of legal resident aliens for each zip code will be estimated and tabulated together with the total 1970 census population for each zip code. Similarly, the number of permanent aliens who arrived in 1972 and 1973 (termed recent immigrants) will be tabulated.



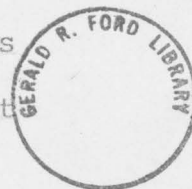
- 6) The data in step 5, above, will be used to array the zip codes into four quartiles based on the percentages of recent immigrants to total population--that is, on the basis of the density of recent resident legals. Within each of four quartiles, zip codes will be selected at random--50 percent from the first quartile, 30 percent from the second, and 10 percent from each of the third and fourth. The precise mechanism for accomplishing this step is not specified; for example, how many zip codes are sampled per nationality? Are the quartiles formed using the zip codes collected across all states and nationalities in the 13-cell target group?
- 7) As a result of step 6, 180 zip codes will be selected. Within each of the 180 zip code areas, a 20-percent sample will be selected and the addresses marked on maps. This will further define areas of high resident alien density.
- 8) In the last step of the sample selection, an "appropriate" neighborhood of 200 dwelling units will be chosen for surveying in about two-thirds of the zip code areas. In the remaining one-third of the zip codes, 100 dwelling units in one neighborhood of high concentration and 100 dwelling units in one neighborhood of average concentration will be selected. This final step will yield 36,000 households to be sampled (180 x 200).

The migratory worker sample will be selected as follows:

- a) the sample will focus on migrant workers of Mexican extraction in five states that use large numbers of these workers--California, Texas, Florida, Michigan, and New York;
- b) within each state, three counties will be selected on a purposive basis; and
- c) in each county, 100 interviews will be conducted, giving a total of 1,500 individual samples.

The survey of domestics will consist of 500 interviews conducted in El Paso, Los Angeles, a Chicago suburb, and a New York suburb.

The migratory worker survey and the domestics survey are not based on random samples. Hence, the measures that will be obtained will not be supportable on a statistical basis. However, the data will provide rough estimates of the ratios of legals to illegals for these two special groups and the effort will serve to refine a methodology for subsequent application. Therefore, these studies will primarily be presamples that will provide the necessary basis for later, refined studies.



The remaining two studies both center on apprehension statistics applicable to Mexican nationals. The first study is procedurally similar to the residential survey; its conduct will benefit from the refinements proposed herein, as well as from the lessons learned during the initial phases of the residential study. The second study, which concentrates on estimating the ratio of apprehended to unapprehended illegals, is very exploratory and, while it will provide some rough data, its primary utility will be to provide a basis for subsequent, more refined data collection and analysis.

Critique of the Proposed Study

The proposed sample design for the residential survey is conceptually sound with regard to selection of a multi-stage sample using current INS data to isolate clusters of legal resident aliens. However, as presently conceived, the sampling approach will yield biased estimates of the ratios of legals to illegals and, furthermore, the approach will not allow for the determination of the extent of the bias or the variability of the ratio estimates. The major deficiencies involve the use of non-random (purposive) sampling, disproportionate sampling, and "cut-off" sampling methods at various stages of the design without adequate attention to their impact on the reliability of the sample results. Also, the proposed design does not adequately address several important procedural steps necessary to obtain the final sample clusters (households/dwelling units).

In particular, the following specific problems were noted:

- The selection of 13 basic target cells did not result from a random sample proportionate to the number of legal resident aliens (self-weighting random sample). Hence, a bias is introduced, the extent of which cannot be ascertained (primarily because nothing is known about the excluded population). Therefore, the results obtained will apply only to the population sampled and cannot be used to represent the entire alien population -- that is, other nationalities and geographical locations. It should be noted that this shortcoming could be resolved during the second-phase sample of 80,000 households.
- Following selection of the two-percent sample within each nationality/state cell (the 13 target cells), another portion of the legal resident alien population associated with those zip codes postulated as having less than 200 legals is eliminated. This is the first introduction of potential bias toward the more dense (in terms of legal residents who filed cards) zip codes.

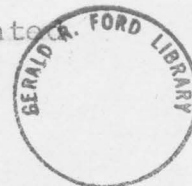
Intuitively, this bias could be significant; is it possible that the ratio of legals to illegals is higher (more legals per illegals) in the lower-density areas? If so, the resultant ratios will be biased. This same bias is further amplified in subsequent stages of the sampling process.

- Selection of the five-percent sample within specified zip codes requires that a sample frame be available. This sample frame would consist of all the legals of a given nationality filing address cards within the specified zip code. Discussions with the appropriate sections within INS have indicated that this file or list would be extremely difficult to obtain, and would require extensive manual effort involving searches through either card files, if available, or appropriate microfilm.
- The ranking of zip code areas on the basis of recent alien densities is an appropriate step. However, the subsequent selection of zip codes within quartiles is disproportionate random sampling. In this case, the different zip codes have varying probabilities of being selected, which in turn unnecessarily introduces additional bias and complicates subsequent treatment of the data; it will be necessary to weight the resultant data to eliminate the effects of the disproportionate sample.
- The plan is not clear regarding the distribution of the 180 zip code areas among the 13 target cells. Is an equal number chosen per cell? Are they distributed in proportion to the legals per cell?
- In the final stage of the sample, only high-density resident alien clusters are identified for sampling (although some sampling is performed in average-density areas). This again amplifies the bias toward high-density areas as discussed above.

In summary, the deficiencies in the proposed sampling design are as follows:

- the extensive use of purposive, disproportionate, and "cut-off" sampling methods introduces uncontrollable and indeterminate bias; and
- extensive and expensive manipulation of the I-53 file is necessary to obtain the final sample.

In the next section, an alternative sample design is presented which is tailored to overcome these deficiencies.



Description of an Alternative Approach

In this section, an alternative sampling design is presented for overcoming deficiencies noted in the preceding section. The design is primarily a cluster sampling plan where a cluster is defined as a group of 100 dwelling units which includes at least one resident alien who filed an alien address card -- that is, each cluster includes at least one resident legal. The principal advantages of this alternative approach are:

- a) each cluster has an equal probability of being represented in the sample,
- b) bias introduced as a result of sampling efficiency can be eliminated during analysis to provide unbiased estimates of the ratios of illegals to legals,
- c) development of the sample requires minimal access to the cumbersome alien address file, and
- d) the design provides the most reliable results per unit of cost given the presently unknown disposition of the population to be sampled.

Unlike the proposed design, this alternative approach does not require a pre-determination of the dense legal alien enclaves (blocks within zip codes) prior to the survey. While this may be viewed as a disadvantage, it actually is not. The method of concentrating on dense groups of legals will result in more legals (and possibly illegals) being included in the survey, but it has the overwhelming disadvantage of biasing the results. This bias would be unmeasurable and could seriously negate the results obtained. Also, this concentration of effort limits the experience during the first phase of sampling that is so important to development of a successful design for the more extensive second phase. The alternate approach, on the other hand, will provide statistically valid results and will also provide a broader scope of experience for application to the second-phase sampling. Furthermore, serious doubt exists as to whether the manipulation of the alien address registrations required to effect the design as presently proposed is feasible.

The alternative design, leading to a specification of 36,000 dwelling units sampled, is as follows:

- 1) A simple random sample of 1,000 elements from the alien address file to be used should be obtained. Each of the aliens represented in this sample should be checked to verify that the registered alien still resides at the address indicated. This address check will result in a fraction of the 1,000 addresses that are current; this data will be used in step 4, below. If there is

direction from INS that the surveys should only be conducted in areas characterized by aliens of recent immigration (as presently proposed), then this step should also be used to determine the fraction of valid addresses applicable to aliens of recent immigration; if this is the case, a larger sample of 2,000 should be obtained. Regarding the subsequent disposition of this initial sample, if it is convenient to exclude it from the file for further sampling, then this should be done; otherwise, it can be left intact since the probability of obtaining one of these elements on a subsequent sample is very small.

- 2) Assuming that the alien address file that will be used is ordered by nationality and state, establish two strata, the first consisting of high-volume cells that in total comprise approximately 50 percent of the registered population and the second consisting of all the remaining cells. Consideration should be given to utilizing the 66 cells presently defined as the first stratum, with all others in the second. This stratification is recommended to take advantage of expected skewness in the illegal population. It is assumed that illegals will tend to migrate to the denser cells and that the ratio of illegals to legals will be more homogeneous in these cells than in the population as a whole.
- 3) Select, using probabilities proportionate to size (PPS) sampling, ten cells from the first stratum and five cells from the second stratum. The division of samples per cell is arbitrary and not based on optimal considerations. During the second phase of sampling, when information is known about the variability within strata, a more optimal ratio of samples per stratum will be determined. With 15 samples selected as indicated, it is possible that it will be necessary to survey 15 different nationalities in 15 different states. However, this maximum condition is not likely to occur; probably, the numbers of different states and nationalities will tend to approach five and eight, respectively, as presently proposed.
- 4) Within the collective subset of cells determined in step 3, select a simple random sample of alien address cards. The size of the sample should be:

$S = \text{sample size}$

$= 360/R$

where R is the fraction of valid addresses determined in step 1. This will result in 360 or more addresses of which approximately 360 will be valid. Note that

this selection will be biased toward areas of greater densities of registered legals; however, this bias will be eliminated by appropriate weighting of the results during analysis. More importantly, it should be noted that this plan tends to approximate the proposed design in that clusters of higher density will be favored in the sample. The difference is that the bias introduced can now be more adequately estimated. Also, the specification of 360 samples (of 100 dwelling units) is an attempt to compromise on the reduced effort in taking the sample versus the increased effort in conducting the survey; if a subsequent analysis of the survey effort indicates that the resources required or schedule impact is unreasonable, a different balance between number of cluster samples and dwelling units per cluster can be considered.

- 5) The 360 alien addresses should be located on appropriately scaled maps and a cluster of 100 dwelling units identified. Probably the best rule will be to identify the 100 dwelling units that are closest to the sample address, although other rules such as choosing the dwelling units in the same block may be as effective. The result of this effort will be a sample of 36,000 households to be surveyed.

Analysis of the Study Results

The primary analysis of the data obtained during the residential survey will be directed toward two basic ends:

- 1) to estimate the number of illegal resident aliens, and
- 2) to develop an efficient design for the second-phase sample.

The methodologies for accomplishing the desired analysis are readily available, and will not be discussed here. Notably, the two volumes by Hansen, Hurwitz, and Madow, Sample Survey Methods and Theory, should be examined with regard to the data analysis, as should many of the documents available from the Bureau of the Census. Regarding development of the sample design, the text cited above, Deming's Some Theory of Sampling, Cochran's Sampling Techniques, and Yates' Sampling Methods for Censuses and Surveys are all good sources.

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One additional effort that may be of value is to verify the alien address registration status of all (or a subsample) of the legals and illegals identified in the survey. The aliens in the sample, upon verification, can be placed in four distinct subgroups:

- 1) legal aliens who registered in last address census (number equals N_1);
- 2) legal aliens who should have registered in last address census but did not (N_2);
- 3) illegal aliens who registered in last address census (N_3); and
- 4) all others including other illegals, legals arriving since last address census, etc.

Note that the actual address census count will be proportional to the number of all aliens in the sample who reported, $N_1 + N_3$, while the actual number of legals is proportional to the number of legals in the sample, $N_1 + N_2$, so that

$$\frac{T}{N_1 + N_3} = \frac{T'}{N_1 + N_2}$$

where

T = number who reported in last address census, and
 T' = estimated number of legals.

Hence, an adjusted figure to reflect the number of legals, using the sample data, will be

$$T' = \frac{N_1 + N_2}{N_1 + N_3} T$$

Appropriate subsets such as temporary versus permanent aliens can be treated in a similar manner. The method compensates for the number of illegals who file and for the number of legals who do not file. Note that this analysis could be conducted independently.

Topics for Further Examination

The following topics are suggested as possible tasks that can be accomplished prior to or during the residential survey



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Topics for Further Examination

The following topics are suggested as possible tasks that can be accomplished prior to or during the residential survey

that may enhance the usefulness of the study:

- Application of cluster analysis or a similar technique to the state/nationality matrix to isolate primary subsets of related cells. This effort would facilitate the development of primary sampling units or strata for subsequent sampling.
- An examination of the alien address file(s) with regard to various sampling plans. Here an attempt should be made to understand the tradeoffs between accessing the file, conducting the survey, reliability of the results, and associated resources requirements.
- Consideration of using the incremental increases in the state/nationality cells over the past year or two as the primary factor for stratifying cells and selecting samples. This could be easily integrated into steps 2 and 3 of the alternative design, and would approximate the impact of the recent immigrant element incorporated into the present design.

BORDER PATROL LINE WATCH STAFFING EXPERIMENT

Overview of the Proposed Study

The purpose of the proposed Border Patrol staffing experiment is to provide data on the flow of illegal aliens who enter without inspection (EWI's). The proposed study has two basic objectives:

- 1) to provide data for use in estimating the total flow of EWI's across the southern border (thereby determining estimates of the ratio of apprehended to unapprehended EWI's); and
- 2) to develop and test a methodology for using future apprehension statistics and limited additional staffing experiments to estimate the future flow of EWI's.

As proposed, the Border Patrol line watch staffing will be incrementally increased in a series of experiments designed to result in the apprehension of greater percentages of all EWI's seeking to enter at the time and location of the experiment. The collective results of these experiments are expected to yield curves similar to that shown in Figure 2-1, below. The number of EWI's apprehended (A) is expected to increase as line watch staffing is increased, so that the



apprehensions represent increasingly greater percentages of the total number of EWI's seeking to cross ($A_{\max}$). The apprehensions, A , as a function of the line watch staffing effort, E , will become increasingly closer (asymptotic) to the line representing $A_{\max}$. An important underlying assumption is that the rate of apprehensions, R , equal to the number of EWI's apprehended per unit of line watch staffing effort ($R = A/E$) will decrease as E increases. Otherwise, the function shown in Figure 2-1 will not approach an $A_{\max}$ and the method will fail.

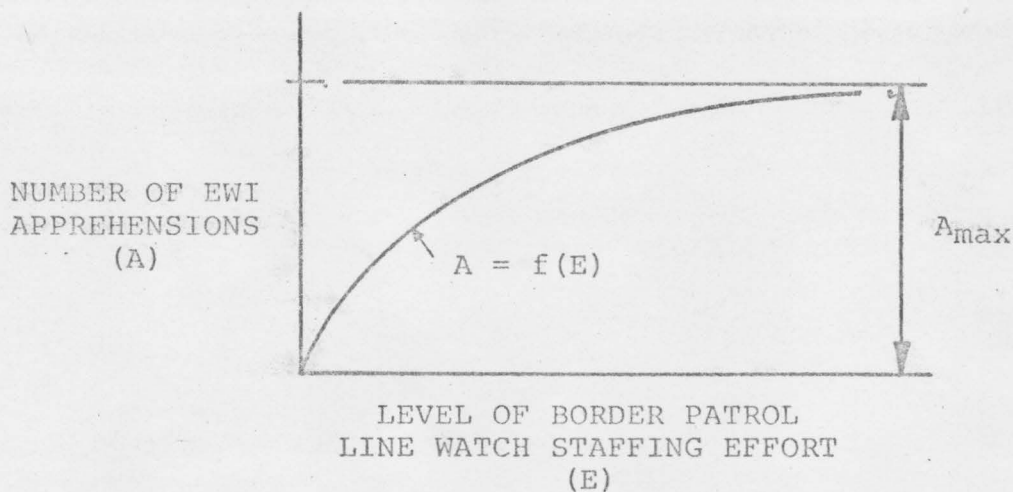


Figure 2-1

Expected Results of the
Border Patrol Line Watch Staffing Experiments



The proposed design for the Border Patrol staffing experiment is summarized in Figure 2-2, below. For a given station and staffing level, the number of experiments indicated will be conducted on randomly-determined dates selected throughout the year (actually, a ten-month period was used), subject to several obvious constraints to avoid selection of two consecutive days, Mexican holidays, and similar dates.

The proposed design involves 90 experiments and 1,448 man-days of direct application of line watch staff, plus adequate supervision, transportation, and related resources.

Proposed methods for analyzing the data resulting from the experiments are not included in the research program.

Critique of the Proposed Study

As presently proposed, the study design for the Border Patrol staffing experiments has two basic shortcomings:

- 1) the design is inefficient due to inadequate attention to the underlying sources of variance, and
- 2) the design is incompatible with the requirements of subsequent analyses.

One basic shortcoming of the proposed study design is that it fails to address adequately the sources of potential variance in the experimental measurements. As a result, the design, while structurally acceptable, is inefficient regarding the degree of confidence that will characterize the study results; that is, the proposed design will produce results that are not as reliable as those that could be obtained using a more efficient design--a design that produces results characterized by a higher degree of reliability for the same level of experimental effort.

Consider the curve shown in Figure 2-3, below. Since the results are obtained by sampling at specific points in a time-location universe, the resultant curves will be characterized by confidence limits as shown in Figure 2-3. The experimental design should be tailored to produce the smallest confidence band possible within the constraints of available resources allocated to the experiments.

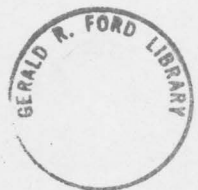
The primary measure of the number of apprehensions will depend on several secondary factors, each of which could introduce a component of variability into the experimental measurements:

- the applied line watch staffing level (E)--as (E) increases, (A) should increase; (E) is the primary variable controlled during the experiments;

		STATION				
		CHULA VISTA	NOGALES	DEMING	FORT HANCOCK	HARLINGEN
ROUTINE LINE WATCH STAFFING		9	14	7	5	8
LINE WATCH STAFFING LEVEL (E) [X = ROUTINE STAFFING]	½X	6	6	6	6	6
	2X	5	5	5	5	5
	2X	5	5	5	5	5
	4X	2	2	2	2	2

Figure 2-2

Proposed Number of Line Watch Staffing Experiments
Per Station Per Staffing Level



- line watch staffing efficiency--the number of apprehensions per staffing unit per unit of time (usually man-day or man-hour);
- location--the specific site or station which exhibits different levels of intrusion (EWI's attempting to cross) based on factors such as terrain, relative location of employment or transportation, and degree of urbanization;
- time--which introduces temporal effects such as variations in the level of intrusion due to the time of year, day of week, or hour of the day (e.g., daylight versus darkness); and
- other factors--such as random experimental error, counting errors, weather, operational policy, management of the experiment, and the Hawthorne effect (where the conduct of the experiment contributes to the variability of its own results).

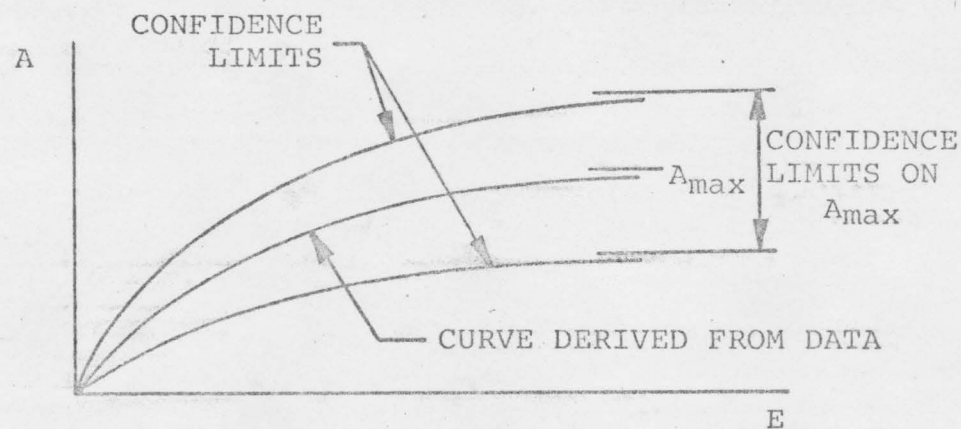


Figure 2-3

Confidence Limits Applicable to the
Border Patrol Line Watch Staffing Experiment.



During the proposed experiments, the first factor, line watch staffing level, is controlled by applying alternative staffing levels that are multiples of the staffing level routinely assigned at the particular site at which the experiment is being conducted. As a result, the staffing levels at each experimental location are different; this is a factor that complicates subsequent analysis and possible synthesis of the experimental data.

The second factor, line watch staffing efficiency, is not controlled during the experiment. However, while it might be expected to vary between stations, it appears that it is more influenced by the level of intrusion rather than by station. This conclusion is derived from the apparent high correlation between apprehensions per man-hour and traffic per man-hour across numerous stations as exhibited in North, Volume I, Figure 5, page 85. Hence, it appears reasonable to assume that staffing efficiency is constant across all stations and, therefore, will not introduce a significant component of variance into the experimental results.

The third factor, location, is controlled during the sample by performing the experiments at five pre-selected sites. The sites were selected subjectively based on criteria such as terrain, degree of urbanization, and intrusion level. Since the sites were not selected at random, extrapolation of the associated results as being representative of a larger population of locations is open to question. Also, since each station (site) did not have an equal probability of being included and, furthermore, since the probability of being included is unknown, the representativeness of the experimental results based upon the application of traditional statistical methods cannot be established. Hence, the experimental results will yield five independent estimates applicable to the five specific stations chosen.

The fourth factor, time, is of particular importance. As presently proposed, the time factor is accommodated by randomly selecting dates (either two, five, or six, depending on staffing level) for the experiments at each station for each staffing level. Hence, data points for each station/staffing level cell will be representative of the apprehension behavior over approximately a full year and will exhibit a wide range of values as a result of the inherent variability due to time. The confidence limits that will result due to the time-dependent variability, further complicated by the small number of samples, will operate to reduce the reliability of the estimates of the number of intrusions. Furthermore, the variability of the estimate will be greatest at the most sensitive part of the resultant curve--the upper portion of the curve associated with the higher staffing level; this part of the curve is characterized by only two sample points.

Regarding the other factors, control over these elements is difficult to manage. For the most part, it can be assumed that they contribute little to the variability of the results. However, during the subsequent analysis, particular attention should be given to determine if weather influenced the results and the possible influence of the experiment itself on the results should be addressed; these could be supplemental to the main thrust of the analyses.

In summary, the present design does not provide a means, via subsequent analysis, to isolate the components of variance associated with the above factors. The unequal number of samples per cell in the Figure 2-2 matrix severely complicates an analysis of variance to isolate components associated with the stations and with staffing levels. Similarly, the unequal distribution of experiment dates also negates a determination of the variance introduced by time. No attention has been given to analysis of the experimental data and, therefore, the study design does not derive from the objectives of the analysis effort; rather, the analysis must be performed to suit the data. Finally, the proposed design does not take advantage of known data to effect a more efficient set of experiments.

A briefing was presented to the director and members of the INS evaluation staff, with Mr. North present, on August 13, 1975, which summarized key elements of the above critique. An alternative approach was postulated to reconcile the problems discussed above. At that time, it was agreed that the alternative design would be further developed by the study team in conjunction with Mr. North. The next section describes the development of that effort.

Description of an Alternative Approach

It was recognized that the problem of variability could be more adequately controlled if the experimental samples were obtained within predetermined strata and analyzed in conformance with an experimental design common to traditional analysis-of-variance methods. It was also noted that the major source of variability was the intrusion rate -- the number of illegals seeking to cross at any given location and time. Hence, by stratifying stations and time periods based on some measure of the associated intrusion rate, a more efficient experimental design could be achieved.

It was assumed that the intrusion rate is correlated with the apprehension rate -- the number of apprehensions at any given location and time. Therefore, an analysis was made of FY 1975 apprehension data by station and by month to obtain appropriate strata. Two sets of apprehension data were examined, both of which yielded similar results:

- monthly number of EWI's apprehended by line watch per station, and
- monthly number of EWI's apprehended by place of entry.

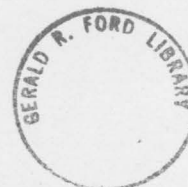
The "place of entry" data were not corrected for length of stay; however, since approximately 90 percent of the associated EWI apprehensions had stays in the United States of less than 30 days, it was assumed that the length of stay correction was negligible.

The stratification of stations was based upon the place of entry data using the average monthly traffic. The place of entry data were used because they provide better discrimination of the monthly averages; a similar analysis using line watch apprehension data was highly correlated. The appropriate data used in this analysis are shown in Figure 2-4, below. The stations have been stratified into five groups; the first four are in the first column of Figure 2-4 and the fifth constitutes the entire second column. Within each of the first four strata, one station was chosen at random in proportion to the size of the average monthly traffic; these stations are indicated by an asterisk. The stations shown in the fifth stratum (second column) were excluded from the present set of experiments due to the light level of traffic (approximately ten apprehensions per day, average). It is proposed that this group be the subject of limited experiment in the future after the proposed methodology has been adequately tested.

An analysis was also made of the time-dependent nature of monthly apprehensions within station. This analysis yielded the time strata shown in Figure 2-5, below. Again, both apprehension data sets were highly correlated.

Using four staffing line watch levels of five, ten, 20, and 30; the four stations; and four time strata, a factorial design as shown in Figure 2-5 was obtained. The dates were selected at random within each cell using guidelines equivalent to those applied in the original design.

This alternative design reduces the line watch staffing requirement from 1,448 man-days to 1,040 man-days. It facilitates the usefulness of the data by allowing an analysis to determine the source of variance in the measurements which in turn may enable subsequent regrouping of the data and increase the overall reliability of the results. Also, the analysis of the variance effects will serve to guide future experimental designs and application of the methods. In essence, the alternative design provides increased information, facilitates analysis and computation, and reduces resource requirements.



<u>STATION</u>	<u>AVERAGE MONTHLY TRAFFIC</u>	<u>STATION</u>	<u>AVERAGE MONTHLY TRAFFIC</u>
CHU*	18,286	YST	379
EPT	7,177	FBN	313
YUM*	5,152	GBN	268
NGL	1,799	TGA	245
LRT	1,734	CAG	241
GAX	1,452	RGL	162
EGT*	1,392	MAR	156
DRT	1,328	SNN	115
MGA	1,219	LOB	111
CAO	805	ELC	102
MER	583	TNA	91
PRS	558	CAR	88
DNM	546	SBT	79
DGL	528	HRL	74
SBT	520	ECJ	53
BRP*	520	APT	50
		VHT	43
		COM	31
		HEB	4

Figure 2-4

Average Monthly Traffic (EWI Apprehensions
By Place of Entry) Per Station

 TIME STRATUM

Highest			Lowest
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
MAR	JUN	FEB	NOV
APR	JUL	SEP	DEC
MAY	AUG	OCT	JAN

Figure 2-5

Stratification of Months on the Basis of Apprehension Data

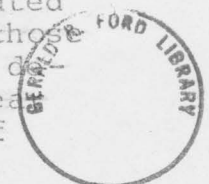
Procedures for Data Analysis

While additional development will be required, the following discussion represents a proposed approach to analysis of the staffing experiment data.

The first step should be the conduct of a descriptive analysis during which the data are tabulated, plotted, and otherwise manipulated to extract as much obvious information as possible with regard to the meaning of the data. While this step is often overlooked in favor of immediately proceeding to a computer-assisted analysis, it is very important because it can provide insights that are not readily apparent from the results of more refined mathematical methods.

The next step should be to conduct hypothesis tests designed to indicate if the results have been influenced by one or more of the factors discussed earlier. This can be followed, at the next level of complexity, by an analysis of variance to ascertain if, and the extent to which, the identified factor had impact on the apprehension statistics. Where effects are found to be statistically insignificant, appropriate synthesis of the data may be in order. This may, in effect, increase sample sizes and result in reduced variance of measurement. The end result of this step will be a set of data points for developing regression curve(s) relating apprehension and staffing levels.

The objective of the next step, using the data points generated during the previous steps, is to develop curves similar to those shown in Figure 2-1. Since the curves are non-linear, some departure from the traditional method of least squares or linear regression techniques will be required. An entire series of



methods exists for developing empirical equations ranging in difficulty from graphic methods (often employing special coordinate systems to facilitate the plotting of curves) to approaches involving transformation of the variables to obtain an equation in linear form so that the traditional methods can be applied. While the less complex methods should be considered when the data are available, an approach using the variable transformation will be discussed here.

The curve in Figure 2-1 appears to have the form

$$A = a(1 - e^{-bE}) \quad (1)$$

where

A = number of apprehensions,
E = level of line watch staffing effort, and
a, b = curve shape constants.

Note that a and b are to be estimated using the A_i , E_i values obtained from the 1, 2, ..., i, ..., n staffing experiments. Note also that if E in equation (1) is very large, the term in parentheses approaches one and A is approximately equal to the constant, a; that is,

$$a = A_{\max} \quad (2)$$

Unfortunately, the curve form in equation (1) cannot be reduced to linear form by a transformation of variables (except by using the method of successive approximations, which is extremely cumbersome). Instead, note that the first derivative of equation (1) is:

$$\frac{dA}{dE} = A' = abe^{-bE} \quad (3)$$

In this discussion, it is assumed that the variables are continuous when in fact they are discrete; this is being done to avoid the introduction of corresponding difference equations. The development is essentially the same.

Using the tabulated experimental data, approximations of A' at appropriate points on the equation (1) curve can be obtained using numerical differentiation methods such as (the derivative of) LaGrange's interpolation formula for non-equidistant independent variable tabulations.

Taking the natural logarithm of equation (3) yields

$$\text{LOG}_e A' = \text{LOG}_e (ab) - bE \text{LOG}_e e.$$

or

$$\text{LOG}_e A' = \text{LOG}_e (ab) - bE \quad (4)$$

which has a linear form. Using tabulated values for A' and E , and employing the appropriate transformation equations, the values for a and b that fit the data to the form of equation (1) can readily be obtained; the value of a will then provide an estimate for $A_{\max}$. While this process may appear to be complex or laborious, it can be processed with very little effort using readily-available computer programs.

Topics for Further Examination

Although they do not affect the proposed experimental design at this point, the following topics are suggested for additional examination during subsequent phases of the INS illegal alien study:

- a) examination of existing INS line watch staffing and apprehension data for possible application using the analytical methods proposed herein;
- b) synthesis of existing INS data with comparable experimental data to expand the data base for analysis (this will be facilitated by the examination cited immediately above);
- c) application of the analytical results within an INS decision-making context (e.g., adjustment of staffing levels at stations based on intrusion levels to compensate for disproportionate allocation of Border Patrol;
- d) examination of capture-recapture theory within the staffing experiment context (addressing only the theory; no capture-recapture experiments are implied); and
- e) examination of sampling-without-replacement theory as applied, in general, to the staffing experiment problem; this is related to the capture-recapture method and appears to be the underlying theoretical basis for the problem addressed by the staffing experiments.

BORDER PATROL SENSOR DATA SURVEY

Overview of the Proposed Study

The purpose of the proposed study of Border Patrol sensor data is to provide data on the flow of EWI's across the southern border. The study has two basic objectives:

- 1) to provide data for use in estimating the ratios of gotaways to apprehensions related to Border Patrol activities along the southern border, and
- 2) to develop and test a continuing estimation methodology that can be integrated into the existing remotely-monitored sensor systems.

The present plan proposes using existing data as reported on the Remotely Monitored Sensor System Performance Summary (Form CBP-39), which provides pertinent weekly data on sensor operations. The data are transformed to obtain estimates of the number of gotaways per apprehension. As noted in the research design, these data serve to represent a lower bound on the gotaway/apprehension rate due to the increased efficiency and concentration of enforcement resources associated with the sensor installations.

The methodology proposed for converting existing INS data to obtain the rate of gotaways per apprehension is described in Volume I of the illegal alien study and further delineated in the research design, Volume III. While the procedure will not be reproduced here, it is discussed in the section entitled "Extensions to the Proposed Research Design," below. Essentially, the method computes the total number of EWI gotaways by multiplying the number of sensor responses and non-responses that did or could have resulted in gotaways by the average number of EWI's per response. The latter factor is estimated using EWI's apprehended per sensor response resulting in apprehensions. It is assumed that the number of gotaways and turnbacks under all other conditions of response or non-response approximates this value.

Critique of the Proposed Approach

Considering the data available, the proposed method appears to be sound. The only criticism of the research design is that it fails to articulate more fully ways in which the methodology may be further examined and applied. In the next section, several possible avenues of further analysis leading to establishment of continuing systems are presented.

Analysis of the sensor data will provide important information related to the EWI and Border Patrol activities at those stations where the sensors are installed. Considerable difficulty arises, however, in attempting to extrapolate results to other portions of the border. The deterrent aspects of the sensors, specific characteristics of the locations where sensors are applicable and operate efficiently, heightened attention afforded the sensors by the service, and similar factors contribute to a biased condition relative to sensor-related versus non-sensor activities. Hence, any results obtained from analysis of sensor data should be interpreted as applicable only to the specific sites where sensors are operated or, at best, should be considered as a lower bound on the activities expected to occur at non-sensor locations.

Extensions to the Proposed Research Design

The following tasks are proposed as ways in which the study of sensor data might proceed. These tasks include static analyses of past sensor data to develop a more thorough understanding of the underlying process as well as methods that can be tested using past and future operational performance during the forthcoming illegal alien study.

The first recommended task involves the development of a simple model of the procedure proposed in the research design. Using line item designations as shown on INS Form CPB-39 (8/30/72) to signify the variables, the number of gotaways per apprehension can be expressed in the following form:

$$\begin{aligned}
 G_A &= \text{number of gotaways per apprehension} \\
 &= \frac{[3.(a)] [3.(b) - 4.A.(3) - 4.B.(1)]}{[3.(b)] [4.A.(1)]} \\
 &+ \frac{[4.A.(3) + 4.B.(1) + 4.B.(2) + 4.B.(3) - 3.(b)]}{[4.A.(1)]}
 \end{aligned}$$

where

- 3.(a) = number of sensor-indicated intrusions;
- 3.(b) = number of responses to 3.(a);
- 4.A.(1) = number of responses resulting in apprehension;
- 4.A.(3) = number of responses indicated by legitimate traffic;
- 4.B.(1) = number of responses due to false alarm or misevaluation of sensor signal;
- 4.B.(2) = number of responses resulting in intrusions (gotaways); and
- 4.B.(3) = number of times gotaways resulted from delayed response.



While the expression for G_A as given above is not complex, it is complicated enough to defy ready understanding. Hence, it is proposed that one of the first tasks that should be conducted in relation to the sensor data be an analysis of this relationship. Specifically, a sensitivity analysis should be performed to determine the relative impact of each element upon the gotaway/apprehension rate. This should be accomplished by first developing a base case, or series of base cases, using data from one or more stations using sensors. For example, existing data over the past year for each appropriate data element on the CBP-39 could be averaged and used to define the baseline for purposes of the sensitivity analysis. Then, each variable (data element) could be varied independently while the others are held constant at the baseline and the results are recorded (appropriately in graphic form). Each element would be varied over an appropriate range of values. The results of this analysis would show:

- the relative impact of each element on the gotaway/apprehension rate in the region of the base case (representative of current performance),
- ranges for each element within which the impact becomes more sensitive (or insensitive), and
- impact of data reliability on the gotaway/apprehension rate estimates.

Using these data, modifications to existing sensor operations might be postulated and evaluated. For example, the sensitivity curves together with marginal cost relationships may give rise to ways in which sensor operations can be improved with minimal or at least known cost impact. Also, with respect to data reliability, the analysis will highlight elements for which faulty data may affect gotaway statistics. For example, the margin for error in reporting gotaways who are later apprehended as either element 4.B.(2) or 4.A.(1), depending on judgment, may adversely affect the results, especially if it is handled differently at different stations. Finally, the analysis will provide some insight for evaluating the difference in sensor performance between stations; note that the number of apprehensions is not a determining factor.

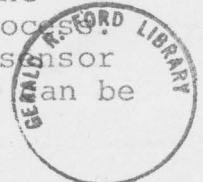
A second task can be the refinement and extension of the present model as a result of the first effort. Extensions of the model might include explicit definition of smuggler-related factors, differentiation of performance variables related to subsequent but sensor-related apprehensions, and weighting of factors as required to accommodate synthesis of data across stations to obtain aggregate measures.

A third, powerful analysis that can be undertaken involves the application of traditional quality control methods to the analysis of the derived statistics. This method can be started using past performance data and continued using data that become available in the future. Specifically, the methodology suggested here derives from the theory of control charts. The application of control charts to the sensor process will provide INS with the following:

- a) a means for describing, in specific terms, performance goals or standards;
- b) a device for attaining performance control; and
- c) a method by which a continuing assessment of performance can be effected.

The means of describing performance standards can be achieved as follows. Using past performance data, a first approximation of an average performance standard can be obtained by obtaining the mean gotaways/apprehension rate. Then, an upper and lower control limit can be established by examining the variability of the data points about the mean; usually, the traditional 3-sigma limits are used. Next, the past performance data are plotted on a chart (P-chart) as shown in Figure 2-6, below.

The value of P being plotted is simply the fraction of responses resulting in gotaways divided by the total number of intrusions; it can be shown that this is just another way of expressing G_A as defined above. Now, the fluctuations in the P-chart plot about the mean will result from two primary sources: (1) change variations related to inherent operation of the equipment, personnel response, and similar factors that are not subject to effective controls; and (2) variations for which an assignable cause can be identified, such as differences in sensor types, enforcement procedures, personnel, time-dependent factors, and the like. This second set of variations is subject to control. Hence, an important step in the analysis will be to examine past data in an effort to identify and understand assignable causes in the data variations. The P-charts will facilitate this effort by immediately highlighting points outside the control limits which indicate the existence of a possible assignable variation. The thrust of this analysis will be to correct departures that indicate poor performance and to extend and perpetuate departures indicative of good performance. Application of this approach over time should result in an operational process that remains reasonable under control. Subsequently, consideration can be given to adjustment of the control limits to reflect the increased stability of the process. Then, as performance is monitored, situations in which the sensor operation is out of control or tending to go out of control can be



signals for Border Patrol action. Hence, the system can be readily integrated into the INS administrative and decision-making framework.

A study should also be initiated to examine sensor effectiveness and cost-effectiveness. Factors at the various locations where sensors are operated should be identified, their effects should be isolated, and a cross-comparison between sites should be conducted. Comparisons of pre-sensor and post-sensor performance should be made. These analysis elements should then be combined with other measures of cost and performance to develop a set of effectiveness and cost-effectiveness criteria that would facilitate future INS decision-making regarding location, deployment, and justification of additional sensor systems.

The tasks proposed above will surely stimulate other research objectives. For example, many of the methods may be applicable to stations not equipped with sensors; modification of the procedures to suit should be investigated. Also, the potential for individual elemental analyses related to testing of hypotheses, regression analysis of the sensor data with related factors, and similar requirements exist throughout all the efforts described.

Lastly, the lessons learned during the period of analysis described above will serve as a basis from which all Border Patrol sensor data reporting and analysis system requirements and specifications can be developed. Once the bulk of the analysis is complete, the ongoing procedures can be introduced and maintained with minimal impact on existing INS resources.

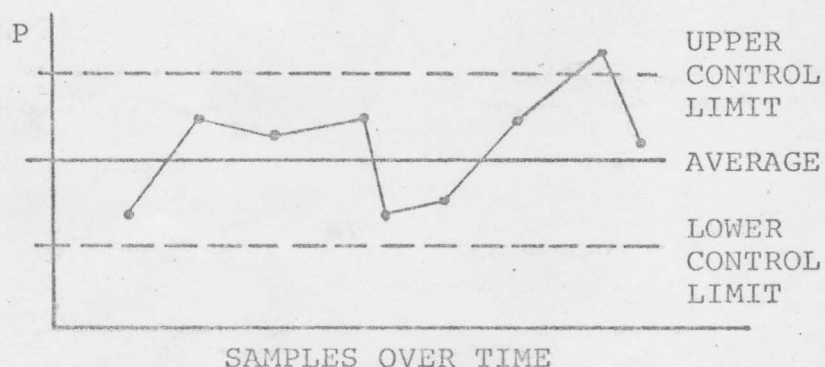


Figure 2-6. Example of P-Chart

FRAUDULENT DOCUMENT HOLDERS ANALYSIS

Overview of the Proposed Study

The purpose of the proposed fraudulent document holders analysis is to provide data on the flow of illegals who enter the United States using fraudulent documents or documents belonging to others or by making false verbal claims of U.S. citizenship. The study has two basic objectives:

- 1) to provide data for use in estimating the ratio of fraudulent entrants detected under controlled conditions to those detected by routine INS operations, and
- 2) to develop and test a continuing estimation technique for application to the ongoing documents reporting system.

The proposed study involves the use of two special INS teams of experts in fraudulent entry. The first team is to spend approximately 340 man-days checking entrants at 13 stations on the southern border; the distribution of effort between stations is roughly proportional to the recorded flows of EWI's at or near the stations. The second INS team will spend 40 man-days at each of eight airports with specific duty assignments adjusted to provide an appropriate sample of incoming flights. The study is designed to include four months of field work.

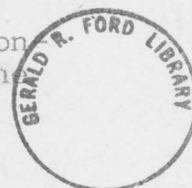
Critique of the Proposed Plan

The basic approach proposed in the research design appears to be feasible and operationally sound. As presently proposed, however, several non-random aspects of the sample selection process will negate the application of the study results to the entire universe of entrants. Instead, statistically-valid conclusions, drawn from the data collected, will apply only to the border stations and airports examined. Several improvements can be made regarding the way in which samples are chosen. These improvements, which are discussed in the next section, will operate to enhance the statistical validity of the study results.

Suggested Refinements to the Proposed Study Design

With regard to the sampling for fraudulent entrants across the southern border, the following refinements are suggested:

- a) a design should be developed for obtaining a proportionate stratified random sample of border points where the



strata are defined on the basis of degree of urbanization and volume of traffic,

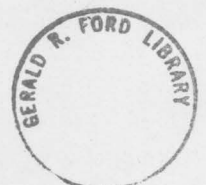
- b) distribution of effort to selected ports should be made on the basis of total volume, and
- c) the selection of individual sample entrants during each duty cycle should be determined on the basis of a simplified workload analysis for each selected port.

First, assuming that the high volumes of fraudulent entries along the border occur in urban areas during periods of high traffic volume, it is suggested that border points be grouped into strata that reflect these characteristics. For example, stations could be allocated to cells in a matrix as shown in Figure 2-7, below. The divisions between the strata would be made after a measure of degree of urbanization and volume of traffic has been associated with each crossing point. Urbanization may be approximated by the collective populations of the cities or towns on both sides of the border at the point served by the station. Volume of traffic could be approximated by the average level of traffic served by the station over some unit of time (e.g., monthly, daily, etc.).

		<u>Urbanization</u>	
		HIGH	LOW
<u>Traffic Volume</u>	HIGH	CELL 1	CELL 2
	LOW	CELL 3	CELL 4

Figure 2-7

Suggested Stratification of Crossing Points
for Fraudulent Documents Checks



Most likely, cells 1 and 4 will contain most of the crossing points due to the implicit relationship between urbanization and traffic volume, with relatively smaller numbers qualifying for the other two cells. After this stratification is accomplished, an allocation can be made to distribute the 13 sample stations among the cells. The apportionment can be purposive; the same criteria used to identify the 13 stations included in the proposed design could be approximated.

The next step would be to select stations within cells using a proportionate random sample. This insures that the sampling fraction within strata is constant. The stations should be selected proportionate to the traffic volume measure used to facilitate the stratification of stations. After sampling of stations, the 340 man-days of effort should be allocated to selected stations on the basis of the same traffic volume parameter.

After the selection of stations and assignment of man-days per station, a schedule for conduct of the checks should be established. Using the schedule as a basis together with existing data for each station that will describe traffic volume in terms of a time profile, a sample of days and duty cycles within days should be established. The sample should be chosen so that the number of periods during which the team is active is proportional to the distribution of traffic volumes.

Finally, the sampling fraction (one out of every i^{th} entrant) should be determined by performing a simplified workload analysis based upon average time required by the study team to check an entrant and the maximum volume likely to be encountered during the period of the checks. This analysis could take the following form:

$$\frac{1}{f} = \text{sampling fraction (one in every "f" entrants is checked for fraudulent entry)}$$

where

$$f = v \cdot t_c ;$$

$$v = \text{maximum hourly traffic volume anticipated during the checking period; and}$$

$$t_c = \text{average time required by the INS team to check for fraudulent entry (in hours).}$$

For example, suppose the maximum volume is 1,200 entrants per hour and the average check takes six minutes, or 0.1 hours; then,

$$f = (1,200) \cdot (0.1) = 120$$

and every 120th entrant would be checked. This sampling fraction would then be applied throughout the period of checking during the times at which the team was active.

Appropriate control procedures would have to be established to insure that every fth entrant is selected for checking. It would probably be advantageous to conduct a brief pretest of the procedures at each selected station at some time in advance of the survey team's assignment.

With regard to the assignment of the INS team to airports, a procedure similar to that cited above could be applied to select entrants. While appropriate details would have to be developed, the airport check and subsequent analysis would be improved if the eight airports were selected at random. Appropriate criteria such as incoming volumes from other countries, chartered versus scheduled flight mix, and geographic location could be used to stratify airports. Selection within strata could then be proportional to size of incoming volume (obtained from appropriate recent records). Random selection of assignments, determination of a sampling fraction, and other aspects of the sample design would be similar to those employed for the border checking.

Analysis of the Study Results

The analysis of the data resulting from the fraudulent entry checks will proceed using appropriate, readily-available techniques of statistical analysis. Many of these have been indicated in the discussions of previous study elements and will not be repeated here. Categorically, the methods comprise those applicable to stratified, multi-stage sampling designs.

As extensions to the standard analysis, it is suggested that the relationship between the study results and those obtained under similar conditions using routine procedures and staffing be examined. While the results of the fraudulent document study will provide an estimate of the ratio of illegal entrants to total entrants under varying conditions, a potentially more sensitive measure, as suggested in the proposed design, would be the ratio of study results to "routine" results. Since the latter embodies many of the condition-specific influences, using it as a basic estimating parameter has the advantage of simplifying the procedure. Instead of developing ratios responding to many different conditions, it may be possible to estimate the "actual" rate of illegal entrants from the number recorded under routine entry checking operations. Ideally, the analysis suggested here would provide a regression equation relating the two sets of observations.

CHARACTERISTICS OF ILLEGALS STUDY

Overview of the Proposed Study

The purpose of the characteristics study is to provide data that go beyond the enumerate aspects of the other study elements and attempt to describe the illegal population in terms of a demographic, social, and immigration status economic profile. The study has three basic objectives:

- 1) to determine a characteristics profile of illegal aliens,
- 2) to develop and test a methodology for future application to the recording and reporting of illegal characteristics, and
- 3) to provide data to serve as a control for similar data gathered during other study elements.

Simply, the characteristics study is designed to extract and synthesize elements of data related to characteristics of illegals from four existing sources. A common data retrieval instrument will be developed to insure the uniform treatment of the characteristics data collected. The four sources that will be examined are:

- 1) INS apprehension forms (I-213),
- 2) Department of Labor data relative to labor certification efforts of illegals,
- 3) INS local office leads data on illegals, and
- 4) data from immigrant-serving agencies and members of the immigration bar.

The four cited sources will provide data on both apprehended and unapprehended illegals. Data from the first three sources will be obtained in a straightforward manner by sampling from existing files. For the last source, a special treatment involving extraction of characteristics data during the screening of new clients will be examined.

The characteristics data are expected to yield new information, including elements such as the following:

- potential for or probability of apprehension by nationality (by examining unapprehended statistics and comparing them with similar data on apprehensions).
- comparative economic characteristics of various groups (by nationality, apprehension status, etc.),

- data related to the potential to convert to legal status under the laws, and
- a profile of the illegal category (ways in which illegals become illegals).

Critique of the Proposed Study

The research design describes a straightforward approach to retrieval and analysis of illegal characteristics data. It is recognized that this study is exploratory in the sense that the direction of the data analysis will be influenced by the useful content of data retrieved. It is assumed that standard and appropriate methods will be applied. Therefore, the general approach, while only implicitly defined, appears to be reasonable.

One aspect of the proposed study requires emphasis. Much of the source data will be retrieved using sampling methods. In the development of the sample frame and in the conduct of the sample, care should be taken to avoid purposive sampling and to insure that the sampling plan incorporates the methods of randomization necessary to the development of statistically-valid inferences.

Suggested Extension to the Proposed Study

The conclusions resulting from the proposed characteristics study can only be applicable to the specific populations from which the source data were obtained. Hence, results obtained from I-213 data are only a reflection of the universe of apprehended illegals and data from DOL files will provide a characteristics profile of only those illegals who sought labor certification. Therefore, care must be exercised to insure that the results are adequately qualified when they are disseminated. The same attention to the sources of bias is necessary when data from two or more sources are combined. It is strongly urged that, before data from different sources are combined, statistical analyses be conducted to support the hypothesis that the data from these different sources are representative of the same population. If this hypothesis can be accepted as a result of statistical tests, then the data can be combined with a reasonable degree of assurance that no bias has been introduced that could invalidate the results.

In this regard, the residential survey will provide the best overall profile of the alien population--legal and illegal, illegals apprehended and unapprehended, and so on. Therefore, given that reliable data can be obtained (that is, the survey method is feasible) and recognizing that the survey itself deals with a limited (although probably the largest) component of the

alien population, the results of the residential survey will constitute the most adequate source of control statistics available. Hence, it is suggested that a series of statistical comparative analyses, using the residential survey results as the basis, be conducted to identify the similarities and differences between various components of the alien population. To facilitate these analyses, an appropriate set of data elements which describe the target population(s) in terms of demographic, economic, social, and immigration status characteristics should be developed and employed as a uniform data set throughout all the analyses conducted during the FY 1976 illegal alien study.

INDUSTRIAL SURVEY

Overview of the Proposed Study

The purpose of the industrial survey is to secure data on the employment of illegal aliens. The study has two basic objectives:

- 1) to provide data for estimating the ratios of employed illegal aliens to employed legal aliens within major categories of employment, and
- 2) to develop and test a methodology that can be applied on a continuing basis to update employment statistics of illegal aliens.

During the proposed study, a two-phase survey involving approximately 60,000 interviews will be conducted; the first phase will encompass about 20,000 interviews and an additional 40,000 will be scheduled during the second phase. Major industry divisions were identified using the Standard Industrial Classification Manual. Distribution of employment within industry group was compiled from employment figures contained in the U.S. Bureau of Labor Statistics publication, Employment and Earnings, States and Areas, 1939-1972. Using these data as a basis, the first-phase set of 20,000 (actually 20,352) interviews was allocated among industry groups within the same set of states selected for the proposed residential survey. Details of the sample suballocation process are not provided. Identification of the places of employment within each industry group within state cell will be specified later as part of the study effort. It is implied in the research design and assumed here that experience gained in former industrial operations conducted by INS will serve as the operational basis for this study.



Critique of the Proposed Approach

The study effort described in the research design is viewed as exploratory. The sample proposed does not represent a random selection of employed illegals; hence, the results obtained will be biased and will reflect only those populations actually subjected to sampling. Furthermore, there appears to be no available basis for delineating the sample frame of employed illegals or even employed legal aliens. Therefore, there appears to be no reasonable way at present to develop a random sample of employed aliens.

While this deficiency negates against a statistical determination of the total number of employed illegals and legal, it does not negate the conduct of the industrial survey. Recognizing the limitations on sampling from the entire universe, the survey might alternately concentrate on specific industry groups within given locations. This is, in fact, what the proposed design accomplishes. One additional note of caution, however: within each industry group/state cell, care should be taken to select individual places of employment at random from all applicable units in the population. Otherwise, a bias will be introduced that could prejudice the estimates. Note that the numbers of employed illegals will eventually be determined by the introduction of an independent measure--the total employment within the cell being examined. The survey will yield the ratios of employed illegal aliens to employed legal, employed legal to total, or employed illegals to total; any two will determine the third. However, the number of employed illegals can be found only by multiplication of the appropriate ratio(s) by the known base of total employed--citizens and aliens.

Discussion of Alternative Approaches

Several alternatives might be considered to improve the usefulness of the industrial survey results. First and most ideally, the industrial survey would be conducted after the completion of the residential survey. In this way, the results of the residential survey with regard to employment of legal and illegals could be used to stratify locations and industry groups in a manner that would improve the industrial survey sample design. The residential survey with its 120,000 randomly-selected households will provide a valuable profile of alien employment--assuming, of course, that the residential survey instrument is designed to capture the necessary data. These data could then be used as input into the design of an industrial survey that could augment the findings of the residential survey. In this way, the two studies could be tailored to complement each other and provide a synergism that may not result from independent operation.



the structurally-overlapping surveys. With this approach in mind, consideration might be given, prior to implementing the surveys, to phasing the two efforts in specific regions so as to have at least preliminary results from the residential survey available for inclusion in the industrial survey sample design.

A possible second approach would involve conducting a random, structured survey of establishments in an effort to identify the density of employed legal by location and industry group. Then, assuming that illegal alien employment is correlated with legal alien employment, the industrial survey could be designed accordingly. Of course, this approach would require interviewing, with appropriate confidence, employers whose firms hire aliens; with the potential threat of pending legislation, there may not be full cooperation. Assuming, however, that employers did cooperate, the employer survey would provide an industry group/location profile of employed legal; the industrial survey could then be designed as a stratified, cluster sample using the employer data to guide the stratification and proportionate sampling. The result would be an unbiased estimate of the universe of employed illegals plus important information obtained from the employer interviews.

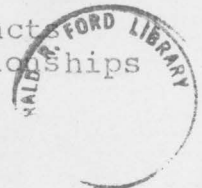
IMPACT ANALYSIS OF ILLEGALS ON LEGAL ALIENS

(Note: In the research design, this study is not being recommended for INS support.)

Overview of the Proposed Study

The purpose of this study is to assess the impact of illegal aliens on legal aliens and on members of related minority groups. Also, the study seeks to identify the perceptions of legal and related minorities regarding the impacts of illegals. Impact will be assessed in terms of immigration slots, jobs, housing, educational opportunities, and image. The study will be conducted as a set of case studies in five specific areas of high concentration. The methodology involves the uses of interviews with officials, aliens, and other knowledgeable people; synthesis of available studies and records; and appropriate analysis to reduce the data collected to results and conclusions. The expected results are:

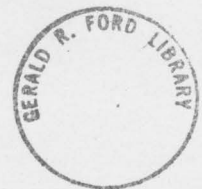
- 1) identification and assessment of the specific impacts of illegal aliens and insight into the interrelationships between legal, illegals, and related minorities;



- 2) data which enable testing of the hypothesis that a major portion of current Mexican legal immigrants were formerly illegals; and
- 3) national estimates of the number of immigrants who were previously illegals and related statistics.

Critique of the Proposed Study

This effort is viewed as exploratory. The subject of illegal alien impacts is one which certainly needs to be examined; very little reliable research has been accomplished in this area. The impact analysis element of the FY 1976 illegal alien study will result in much-needed vanguard information and will provide a basis for developing a research effort for future study of illegal alien impacts. However, it is doubtful that very much useful quantitative data will result from this study. Although insights into the magnitude of various statistics--such as the probability that a legal was at one time an illegal--will be gained, these data could be gathered more efficiently by using methods other than the case study approach. The impact data will be most useful as a perceptual and qualitative picture of the presently unknown interrelationships between the alien-related components of the population.



TASK 3

REVIEW EXISTING DATA AND ANALYTICAL METHODOLOGIES;
RECOMMEND IMPROVEMENTS FOR INS IN-HOUSE
DATA ANALYSIS, EVALUATION, AND UTILIZATION

Based on the analysis and evaluation effort with the prior two study tasks, the effort within this task has resulted in three major recommendations to INS for analyzing, understanding, and, eventually, solving the illegal alien problem in the U.S. In summary, the recommendations are as follows:

- 1) INS should immediately perform an overall systems analysis of the illegal alien problem in the U.S. and should proceed with the major study program as discussed in Task 2, above.
- 2) Based on the results of the recommended systems analysis, a detailed working definition of illegal aliens should be developed and adopted to facilitate program planning, analysis, and evaluation of the problem.
- 3) Based on the results of the recommended systems analysis, INS should undertake to restructure all internal data systems to be more responsive to decision-making.

The following section of the Task 3 report will address each major recommendation in more detail.

INS SHOULD PERFORM A SYSTEMS ANALYSIS OF THE ILLEGAL ALIEN PROBLEM

Some attention has been given to the relationship of the studies within the overall context of an illegal alien problem (in Volume I and in Section II, Volume III, of the research design) and to the interrelationships between the individual proposed study elements. However, it does not appear that a unifying framework to guide the studies has been adequately utilized. Although several of the interfaces are addressed, the studies often have a fragmented quality that limits their focus upon a specified set of objectives. For example, there is a structural dependence between the residential and the industrial survey, which collectively constitute about 180,000 elemental interviews; however, this dependence is expressed only in terms of the possible use of the industrial survey as a control for the residential survey. In actuality, as discussed in the

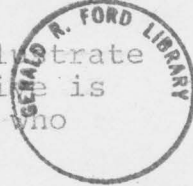
Task 2 report, the two surveys are linked in such a way as to necessitate the dependent design of their research plans.

Another example of the lack of a unifying basis is the absence of a common data element set with appropriate definitions. This data element set should be the basis for all data collection and retrieval efforts conducted during the FY 1976 illegal alien study; it should be instituted to insure that comparable data, collected in different studies, are compatible in form and content.

Hence, it is recommended that effort be expended as soon as possible to develop a complete, coherent, systematic framework to guide the FY 1976 study--that is, an analytical systems approach to the problems should be undertaken. The following outline is proposed as a procedural approach to this task:

- 1) review and/or reiterate the objectives of the FY 1976 illegal alien study;
- 2) develop a process model of the illegal alien problem by defining the numerous states that characterize illegals and identifying all relevant transitions between states;
- 3) augment the model as required to show the interfacing elements between the illegal population and others such as legals, the work force, and immigrant-serving agencies;
- 4) for each state and transition, develop the data set that will describe the population of interest in terms of numbers, characteristics, and similar variates;
- 5) develop known functional relationships between states, transitions, and descriptive data elements;
- 6) identify the data availability of each data element in terms of available primary or secondary data sources and isolate those data elements for which no data are available;
- 7) perform an analysis of data availability and reliability and postulate methods for collecting data not presently available and for improving the reliability and collection of data currently being gathered; and,
- 8) using the prior steps as a basis, construct an action plan that will insure that all elements of the FY 1976 study as well as related efforts within INS are brought to focus on the objectives identified in the first step.

The following highly-simplified example will serve to illustrate the approach described above. Suppose an FY 1976 objective is to estimate the number of illegals resulting from legals who



enter in non-immigrant status and overstay; this definition of an objective would be an output of step 1, above. A portion of the illegal alien process model applicable to the non-immigrant status overstay, in its simplest form, would be as shown in Figure 3-1, below; this description of the process would be the output of steps 2 and 3.

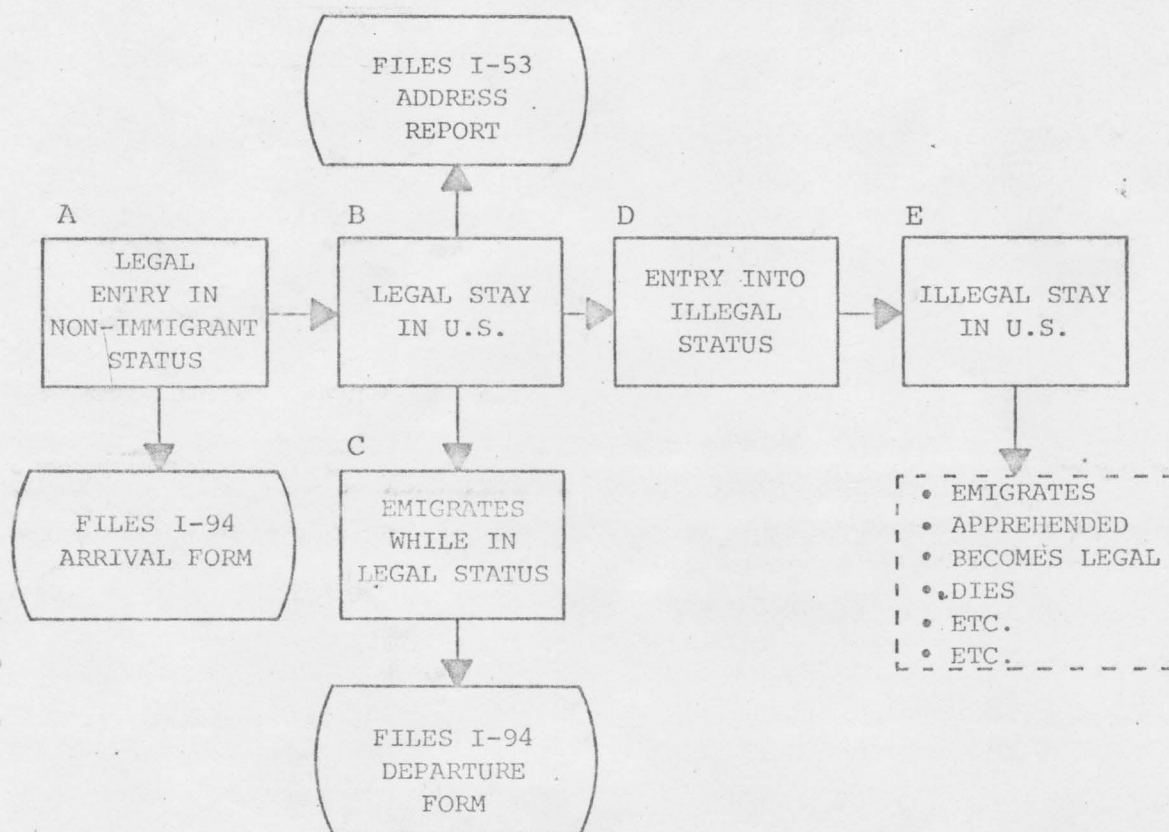
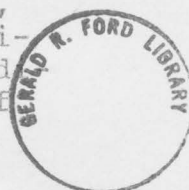


Figure 3-1. Simplified Model of Non-immigrant Overstays

The states are symbolized by the letters A, B, etc.; state A, for example, could be indicated by S_A and a transition between states A and B by T_{AB} . During step 4, the model in Figure 3-1 would be used to aid in identifying relevant data elements. For example, for state A (S_A), the appropriate data elements might be the numbers of entries in non-immigrant status by classification (students, transits, foreign government officials, etc.), nationality, and time period. This information constitutes an initial condition and can be obtained from data readily available within INS. A possible check on the validity of



existing information could result from checking the status of non-immigrant aliens encountered in samples such as the residential survey; for example, was an I-94 properly filed and is that record reflected in the INS statistics? Based on this type of checking, are the statistics accurate, understated, or overstated? Should statistics be adjusted? Can the reporting system be improved? A progression through the sequences of steps as cited above would uncover and address these kinds of questions.

A more complex situation would exist with regard to state D (S_D). The key data elements associated with entry into illegal status will be the number of legals in non-immigrant status in the period $t-1$ who become illegal in time period t , by classification and nationality. This can be expressed by:

$N_{ij}(t)$ = number of illegals (non-immigrant overstay) in classification i and nationality j in time period t

$$= N_{ij}(t-1) + P_{ij} \cdot N'_{ij}(t-1)$$

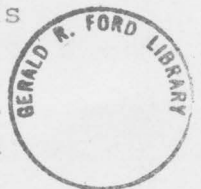
where

$N_{ij}(t-1)$ = number of illegals from non-immigrant status for classification i and nationality j in illegal status in time period $t-1$, the previous time period;

P_{ij} = probability that an ij -class legal will revert to illegal status; and

$N'_{ij}(t-1)$ = number of ij -class aliens in legal status in time period $t-1$.

This relationship is a recursive function in which the situation at a given time t is dependent on the situation at a prior time $t-1$ (and subsequently on the situation during all previous time periods); these functions are common to the analysis of many biological and demographic processes and their treatment is well within the state of the art. The expression given above can subsequently be put into a form that depends on the initial condition associated with S_A --that is, the number of ij -class entries during a given time period--and on the probability that these entries will enter illegal status after a stay in the U.S. The first variable is known from INS data; the second variable could be estimated using appropriate sampling methods or by depending upon data from other alien studies such as those proposed during FY 1976. Hence, the sequential steps would have led to the development of the functional relationships during step 5, the examination of data requirements and



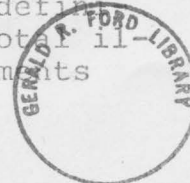
availability during steps 6 and 7, and the action plan for collection and analysis of the data in step 8. This series of events could be used to satisfy the objective of estimating the number of illegal overstays.

One final note: the process described here may appear to be both complex and time-consuming and, as a result, may seem not worth the effort. Several points should be recognized, however, in this regard:

- The level of detail incorporated can be varied to suit the requirements of applicable decision-making. If specific data are necessary, the level of detail can be increased accordingly; however, if only gross estimates are required, very little detail will be necessary. Hence, the complexity and application of resources can be controlled to suit the needs of INS.
- The involvement of INS personnel, as either participants in the process definition or, to a lesser extent, in the review of the completed model, will generate an increased understanding and comprehensive overview of all aspects of the illegal alien problem. From elemental operations and detailed data collection to high-level policy setting, the definition of this process will provide a clearer and more uniform basis for action.
- The definition of the process will provide a basis upon which to streamline the management analysis program. It will serve as a data collection framework to increase the adequacy of the data; increase the efficiency of the data collection, analysis, and reporting system; and provide a basis upon which to evaluate (and possibly examine) each element of primary data collected.

A WORKING DEFINITION OF ILLEGAL ALIENS SHOULD BE DERIVED

The study team was frustrated in its project effort by the lack of standard terminology when attempting to deal with the illegal alien problem. For example, the initial responses from the Delphi Panel presented more questions than answers in terms of alien flow, alien stock, Mexican vs. non-Mexican estimates, EWI's vs. visa abusers vs. fraudulent document holders, etc. The legal definition of an illegal alien discussed in the Task 1 report is too broad to be useful for purposes of program analysis and planning. Illegal aliens are not a homogeneous group and cannot be approached as such if competent analysis is to be performed. What is required is a comprehensive working definition of illegal aliens--a definition which divides the total illegal alien population into logical and standardized segments



appropriate for analysis. The required working definition, or family of definitions, can only be derived from a systems analysis process as recommended and discussed in the section preceeding this one.

The most obvious definitional distinction is between the flow and stock of illegal aliens. When does a Mexican EWI enter the stock of illegals in the U.S.--after 30 days, 60 days, six months, a year? How "permanent" is the stock? Are non-Mexican flow/stock relationships similar to Mexican ones? These types of questions must be analyzed, although not necessarily answered, before standard definitions of flow and stock can be derived. Another aspect of the definitional process is the INS administrative classification system for EWI's, fraudulent document holders, and visa abusers. A third and potentially most important aspect of definition is impact on the U.S.: what are the impacts of the various types of illegal alien? Are there beneficial impacts? What are the non-economic adverse impacts of illegals? Obviously, there are many more questions and classifications to be addressed in the process of deriving the illegal alien definitions.

INS SHOULD RESTRUCTURE INTERNAL DATA SYSTEMS FOR IMPROVED DECISION-MAKING

The review of the INS data systems by the study team included a thorough analysis of both formal (e.g. INS G-23 series) and informal reports. The review of the various reports and data elements was supplemented with a series of interviews held with senior staff members of INS. The interviews were held to give the study team a current picture of the various operations and programs of INS and to shed some light on the internal decision-making process.

It is clear from the review and analysis described above that the formal INS data systems are designed to produce information on operational workloads. The reports contain historical data on apprehensions, case processing, legal aliens (by status), and many other categories of operational activities--all in terms of level of effort. The study team did not find that the data currently collected by INS were used for decision-making; although the data could have been used for comparisons of efficiency and resource allocation on an operational level, such was not the case. The data currently collected and circulated within INS seem to have but two clear uses: publication of the Annual Report and workload analysis.

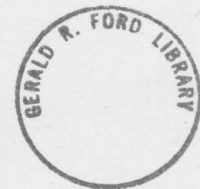
Data collection, processing, and analysis should support decision-making within INS; the decisions may be both operational

(e.g., Border Patrol resource allocation) and programmatic (e.g., fraudulent documents). One result of the failure of the data systems to support decision-making is that INS has no measures of effectiveness in terms of its dealing with the illegal alien problem. Without a lead as to effectiveness, decisions on program design, allocation of program resources, and staff utilization are very difficult to make. Some data systems within INS could be very useful to the analysis of the illegal alien problem. For example, the data contained in the Overstay Index (from the I-94 reports) could be quite helpful in determining the input from this source (visitor overstays) into the total stock of illegal aliens. A statistical project could be designed to make use of the I-94 data, but the data is not now used by management and, as can be expected, the data system has degenerated to poor quality.

Another example of potential usefulness can be found in the alien registration system; this system is not now used by INS for any other purpose than as an input to the Annual Report. The alien registration system could be very useful as a source of information for planning the illegal alien program. More specifically, the residential survey, as discussed in the Task 2 report above, could be greatly aided by reliable current data from the alien registration system concerning the potential location of clusters of illegal aliens; the initial step of this process would be to test statistically the hypothesis that illegals tend to establish residence where legal aliens of the same nationality reside.

Specific revisions and improvements to the current INS data systems should proceed based on the results of the systems analysis as recommended and described above in an earlier section of this Task 3 report. The current data system should provide the framework for the necessary revisions; in other words, INS should not seek to scrap the current data systems and begin anew. It is generally much easier to revise and modify ongoing data systems than to start up completely new systems. This is not to say that new subsystems, reports, processing, etc., should not be implemented to bolster the current systems.

These recommendations are concerned with making the current INS data systems more responsive to the needs of the illegal alien program planners and managers. But, although it was not in the scope of the present study, the study team believes that the data system findings can be generalized to include all other INS program and operational decision-making needs.



FILE NOTE

EXECUTIVE DIRECTOR CABINET COMMITTEE FOR ILLIGAL ALIENS

DORIS MEISSNER

DEPT. OF JUSTICE

ATTORNEY GENERAL'S OFFICE

739-4608





The Great Mass Migration

Farmworkers, Government Seek to Dam Flood of Illegal Aliens

By Wesley Pruden, Jr.
FROM SAN LUIS, ARIZ.

The two young men stood in the brown gritty dust up to their ankles, slowly rocking an old DeSoto out of ruts up to its hubcaps. The old car did not want to move, and the work was exhausting. Sweat ran down their faces in small streams. They finally gave up and walked away, back to a ragged tent set back from the dirt street.

"We were out very early this morning," said the first man. "We persuaded three men not to come across." He shrugged helplessly, and made a motion of frustration with his outstretched palms. "But they will be back. They always are."

The two men with the balky DeSoto are farmworkers, members of Cesar Chavez's United Farm Workers, and they are part of a citizens patrol along the lonely stretches of the U.S.-Mexican border, seeking to discourage the flood tide of illegal aliens flowing across the unguarded frontier in search of jobs and a better life.

Without Green Cards

Like dozens of others stationed along the border in similar tent compounds, these men have no official standing, no way to make their persuasion stick. But, like a growing number of Government officials, they are alarmed by the flood of illegal aliens who arrive to take a job, any job, at pay, any pay, that would otherwise go into the pockets of unionized American farmworkers or aliens with a "Green Card" permitting them to hold American jobs.

The commissioner of the U.S. Immigration and Naturalization Service (INS) calls it part of "one of the greatest mass migrations in history" and says that the number of illegal aliens now in the United States might be as high as 12 million. Last year alone the INS caught nearly 800,000 such illegal

come into the United States through Canada, though Canada's lower unemployment and relative affluence make it attractive enough that Canadian immigration authorities have problems of their own. Thousands more enter through New York City, Miami, or Washington, D.C., arriving with student or visitor visas from Haiti, the Dominican Republic, or Central America, and then dropping from sight as soon as possible.

The INS cites these examples of illegal aliens apprehended in 1974:

✓ A French baker in a Washington restaurant was arrested when he could not show suspicious immigration officers documents permitting him to hold his job—for which he was earning \$8 an hour, or nearly \$17,000 a year.

✓ A Guatemalan builder was arrested and cited for deportation when immigration officers discovered him to be staying in the United States without a proper visa; he had nearly completed his own \$18,000 house, for which he had a Federally guaranteed 1 per cent loan under a Government self-help program.

✓ Two Greek merchant sailors were arrested in Providence, R.I., after they had jumped ship and got jobs as house painters, earning \$8.65 an hour. A Mexican illegal was discovered working as a \$400-a-week foreman on the Metro subway-construction project in Washington, D.C. In Houston, illegals were found laying utility cables at \$6.50 an hour, and earlier this year two illegals were arrested while working as painters atop the Statue of Liberty in New York harbor—just above the famous Emma Lazarus inscription, "Give me your tired, your poor, your huddled masses yearning to breathe free. . . ."

Maria came up from Hermosillo—

times beyond. Street estimates here last week pegged the price of passage from Hermosillo or Chihuahua to Nogales at \$200, to Los Angeles or Phoenix at \$250, to Denver or Idaho at \$300. A ride to Chicago or Cleveland costs \$1,000—with nothing guaranteed. An illegal alien pays his money and takes his chances.

Penalties for Employers?

Recently a cop in Los Angeles flagged down a truck, opened the back door, and found 24 illegal aliens inside. Some were unconscious, and none had had anything to eat or drink in two days. The driver was charged with smuggling aliens.

The Immigration and Naturalization Service says the only way to stem this tide is to lay penalties on employers, and so do some congressmen. A proposed law—called the Rodino Law for its author, Rep. Peter Rodino of New Jersey—would require employers to inquire into an applicant's citizenship before hiring. The Justice Department would go even further: It wants a law requiring all American citizens to show an identity card on applying for a job. Penalties on employers now are light, and agricultural employers are excluded from penalties if they're found to have illegals working for them—it's known as the "Texas exclusion."

Carlos had heard stories about the Mexican-American Friendship Park in San Luis even before he left Mexico. "If you have the money you can buy a Green Card or a driver's license or a Social Security card or sometimes even a birth certificate. But it took all I had just to get here." The park is a dusty square hard on the border, the first thing a traveler sees on U.S. Highway 95 after he clears the immigration formalities. A few



Strangers at the gate: New lan

bags. A dog, out early, sniffs through a few dusty Hershey wrappers, and the sighing of the desert wind is broken only by the Spanish wall of a transistor radio tuned to a distant station. "You have to be careful," Carlos says, hunching his right shoulder toward the window of a coffee shop across the highway. "Someone is always watching. I have my Green Card now. If I didn't I wouldn't be seen talking to you. I can always feel eyes on me. I feel them now."

The Green Card is a Government

it, an alien found charged with illegal meanor, or even citizenship, a felon one is, The Border them home.

Hostile eyes are stretch of the border Farm Workers called lemon growers just harvest was coming Workers accuse the encouraging the have no choice but wages and no been burned. store

Mr DeBaca

COULD WE GET TOGETHER A KIND OF "ANSWER" TO SOME OF THE CRITICISMS THAT ARE COMING IN TO THE "ILLEGAL ALIEN" PROBLEM.

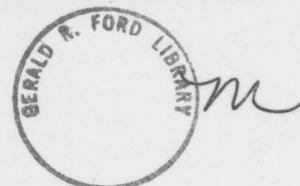
SUGGESTION: (something along these lines?)

Your question: "How can you call a person a 'worthy alien' if he disobeys the law? A person who breaks the law is deemed not worthy."

A law does not dictate moral character. A law is a statute legislated by a governing body. A law is enacted by a legislature who may enact any law it chooses; and a man is legally judged on whether his actions did or did not, in fact, break the law. He is judged morally on the reason or motivation for his actions. A lawbreaker may be a "not worthy" person, but this judgment is made in a wider context than a legal decision; and a lawbreaker may be, indeed, a worthy person if his motivation and actions are ^{and conscientious} those of fine/participator in the earning of a living for himself and family and upholding honest standards of behavior, etc.

By working with these people to develop cooperative participation in projects for enriching the land and the lives of the people--from reforestation and educational programs to cooperative boot-strap lifting of the poverty section in both countries, etc. we would not only benefit ourselves but we would be cultivating here on our own ground the spirit of brother hood that they really desire and would be laying foundations for ourselves and for them for the solutions of divisions in their own homelands.

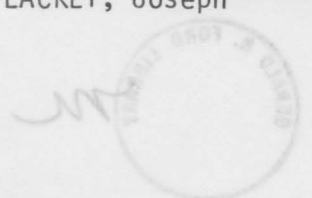
Paraphrased from
copy of a letter
4/1 to Senator
Sparkman



COUNCIL ON INTERNATIONAL ECONOMIC POLICY

<u>Name</u>	<u>Extension</u>	<u>Location</u>
BELL, Carl T.	2777	213, EOB
BELL, Carol	2932	227, EOB
BURDEN, Doreen	2923	286, EOB
BYRNE, Mary	6774	204, EOB
CAREY, Susan	6597	213, EOB
CHRISTENSON, Gyneth	6257	349, EOB
CLAPP, Allen	2932	227, EOB
COLEMAN, Geneva	6420	210, EOB
COOK, Bob	2937	204, EOB
D'AMICO, Jennie	2975	219, EOB
DENEND, Leslie	2248	200, EOB
DUNN, J.M.	6435	208, EOB
EVANS, David	2975	219, EOB
EVERS, Robert	6597	213, EOB
FARMER, Clara Y.	6433	219, EOB
GARDNER, Camilla	2777	213, EOB
HARTQUIST, David	2923	286, EOB
HAUSCHILDT, Elaine	6774	204, EOB
HULLANDER, Edwin	6752	349, EOB
HULSEY, Marvin	2934	209, EOB
JURICH, Anthony	2126	457, EOB
KOSTERS, Marvin	6426	284, EOB
LACKEY, Joseph	2282	207, EOB

*Just in house office of paper
manuscripts*



TO: Fernando
FROM: Clayton
SUBJECT: Illegal Aliens
Aug. 25, 1975

Here are several editorials on the illegal alien problem:

Illegal Aliens Remain

CONGRESS APPEARS no closer now than it has been on several occasions in the past to solving the problem posed by the illegal alien.

The U.S. Immigration and Naturaliza-

the Senate now, has died in Senator Eastland's subcommittee in the past.

Also opposed to the House measure is the National Association of Manufacturers, which believes that it is the federal

From The Cincinnati Enquirer,
Cincinnati, Ohio, Aug. 22, 1975

From The New York Sunday News,
Aug. 17, 1975

Comentario gráfico

Por ARMANDO CAMPERO



ARMANDO CAMPERO

— LAS DOS CARAS DE TUNNEY —

Comentario gráfico

Por ARMANDO CAMPERO



CAMPERO 75
LA BANDA 10 (B)

¡NUEVA BANDERA!

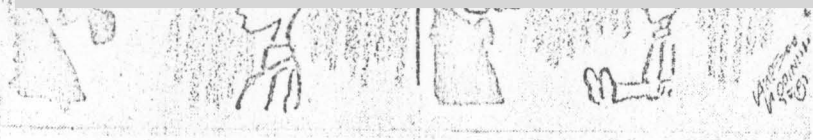
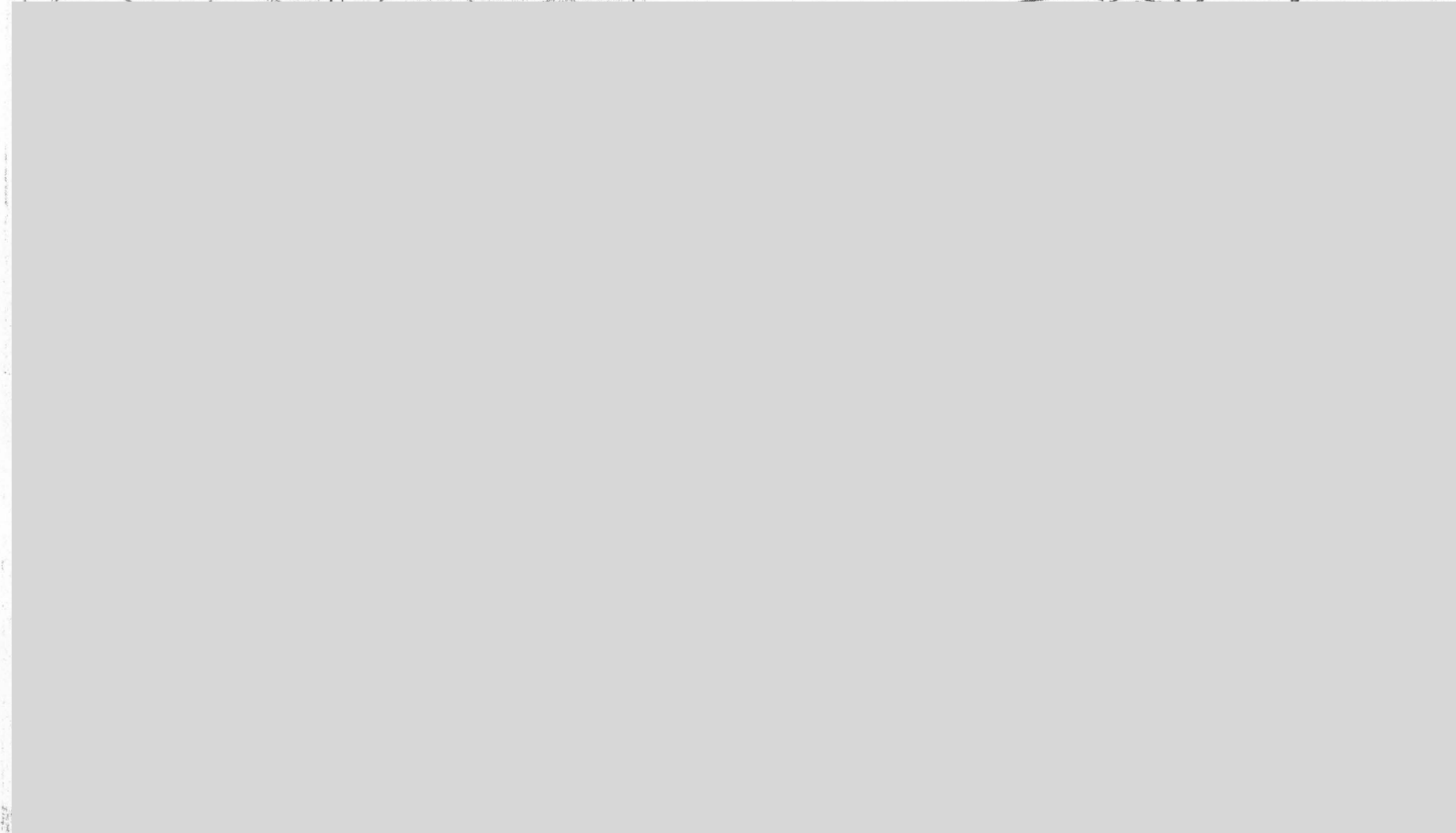
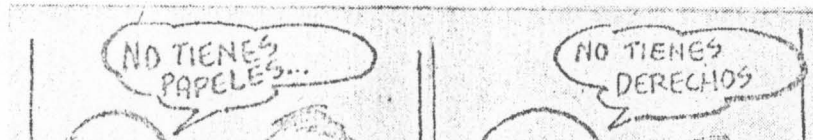


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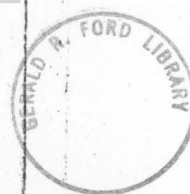
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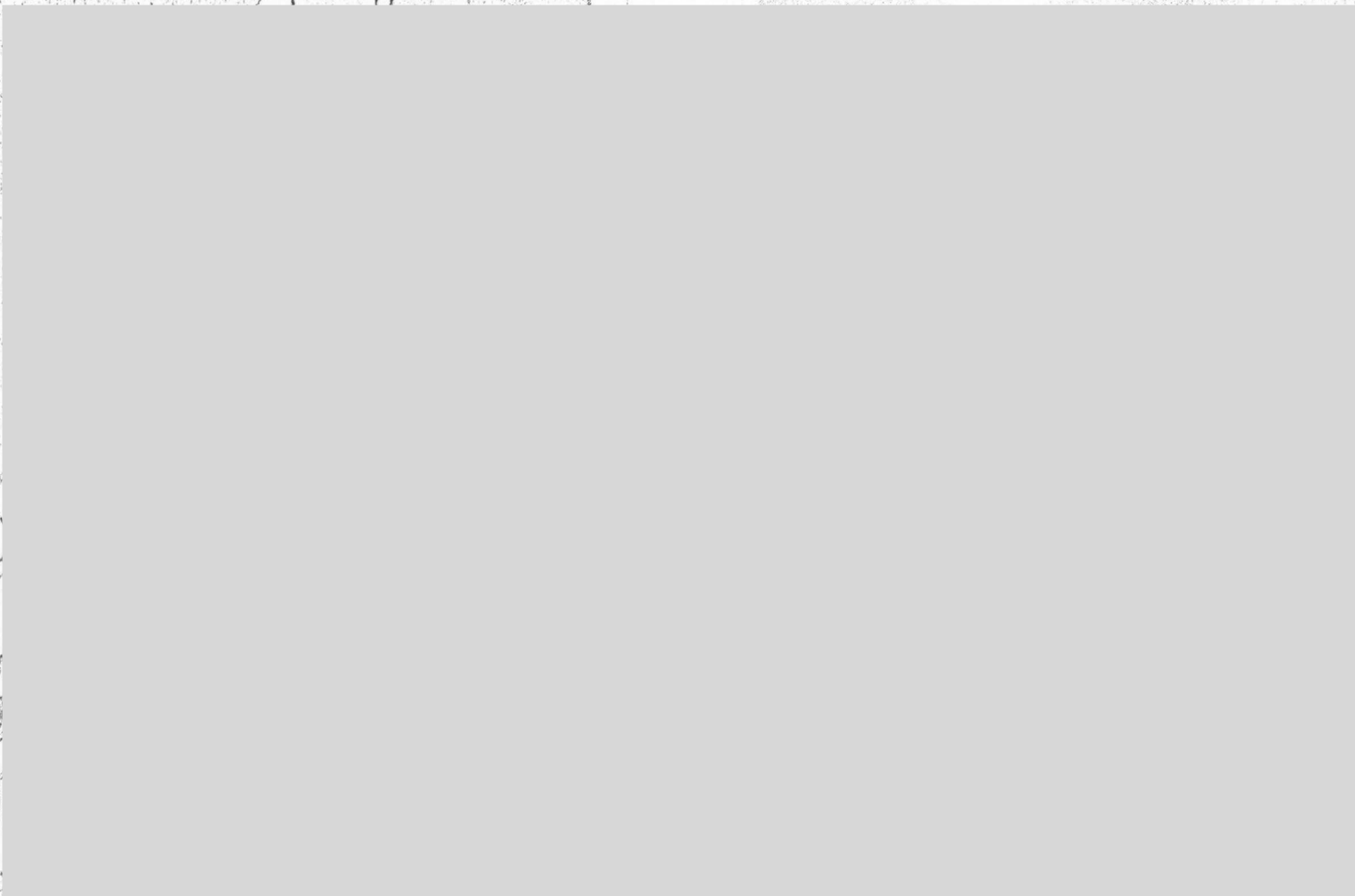


—LOS TRES MOSQUETEROS.



Comentario gráfico

Por ARMANDO CAMPERO



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LA OPINION

— UN RAYITO DE SOL —

Comentario gráfico

Por ARMANDO CAMPERO

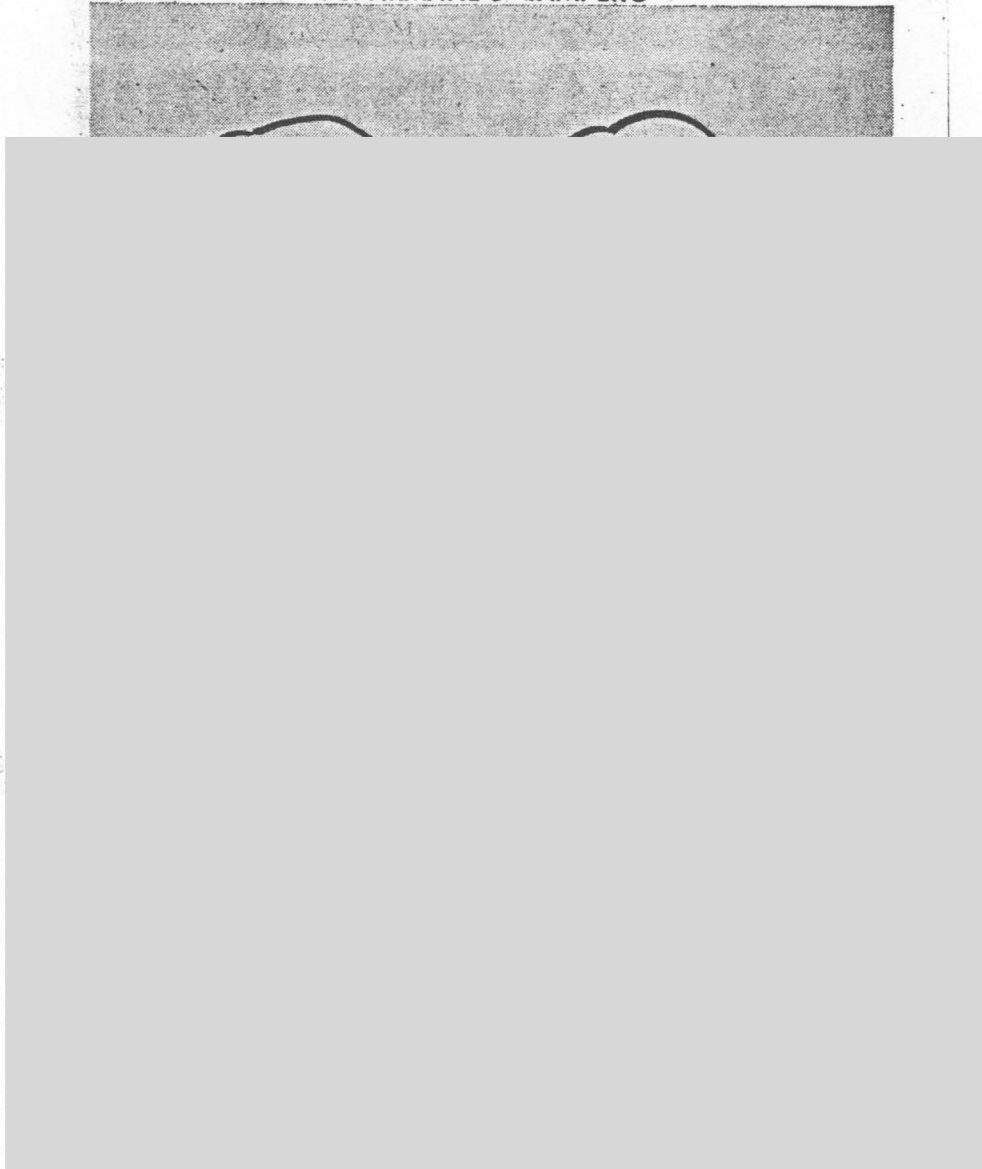


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Comentario gráfico

Por ARMANDO CAMPERO



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LA OPINION ©

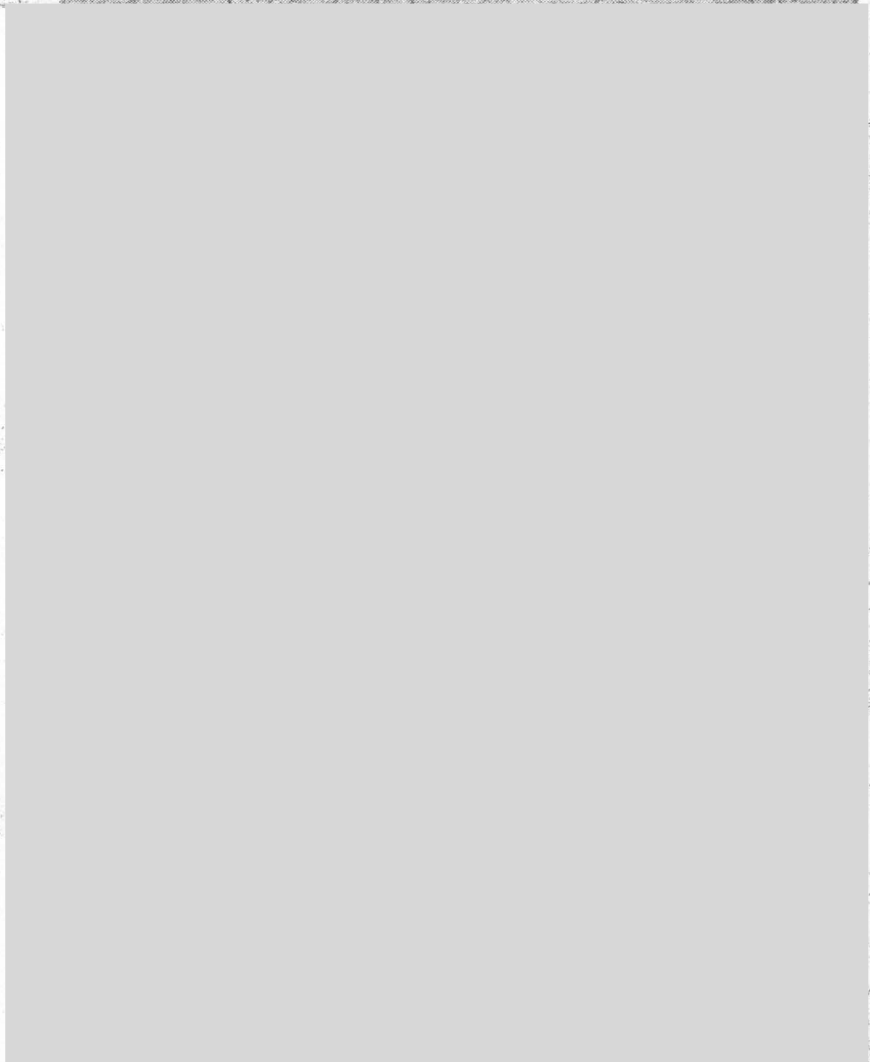
— LAS DOS CARAS DE TUNNEY —



August 23, 1975

Comentario gráfico

Por ARMANDO CAMPERO



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LA CAMPERO

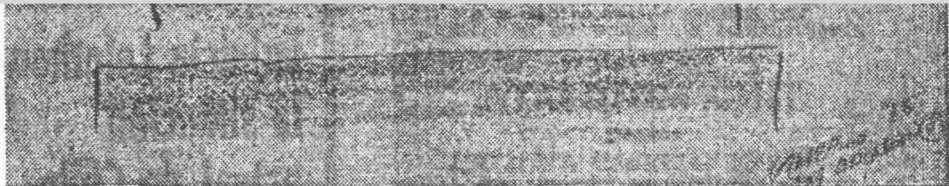
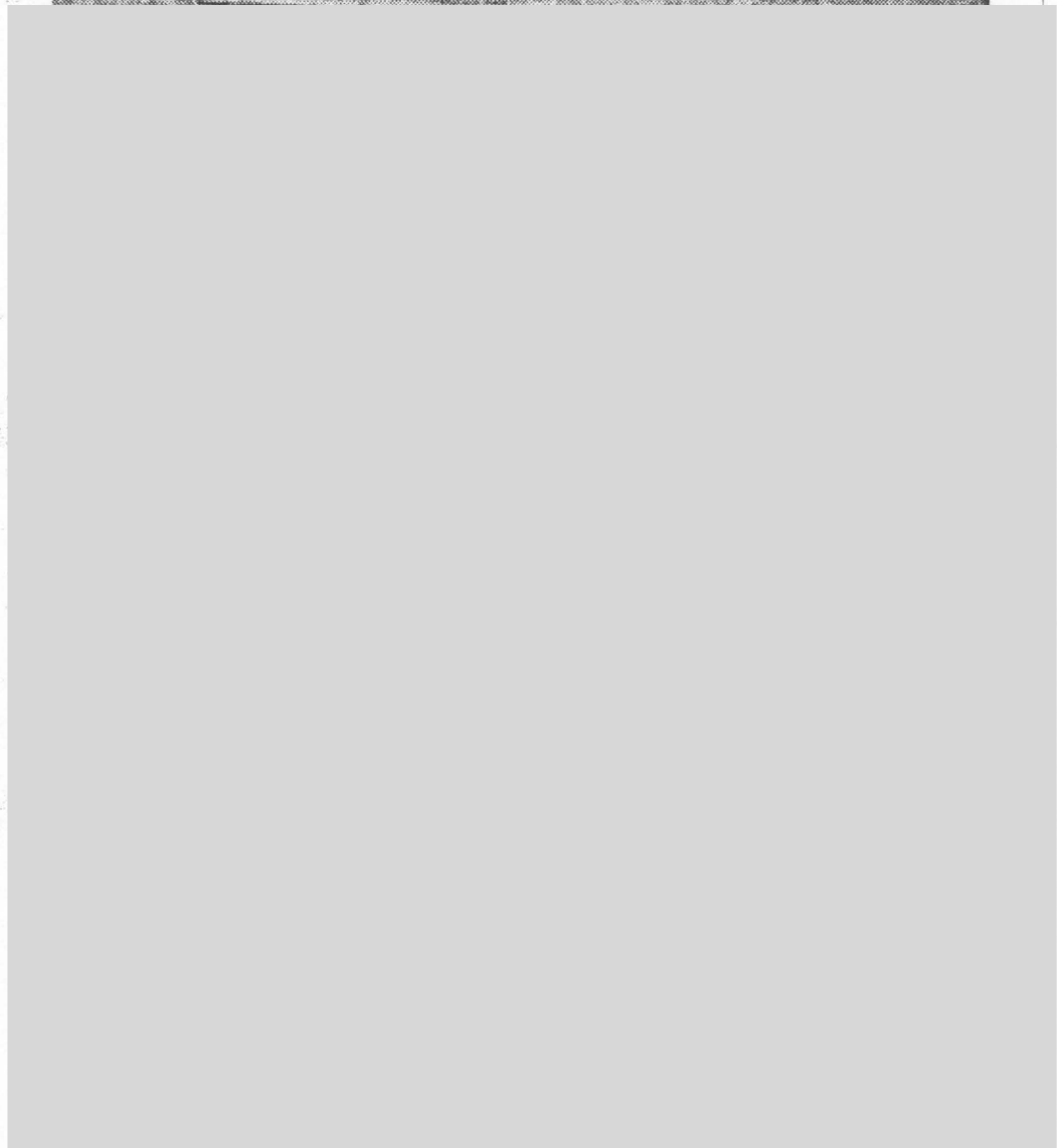
—AMNISTIA... UN NUEVO AMANECER...

Jack Anderson



COMENTARIO GRAFICO

— Por ARMANDO CAMPERO —



PROMESA CUMPLIDA



Dramática Denuncia Formulada por la M.A.P.A.

10 mil Niños Mexicanos Viven Como Prisioneros en E.U. Porque sus Padres se Hallan Ilegales

Un número aproxima-
do de diez mil niños me-
xicanos, hijos de gente

bajar.
Esta dramática de-
nuncia fue formulada

Por Felipe Morales ORTIZ
de MAPA (Mexican
American Political As-
sociation) estuvo aver

bros de MAPA votarán
por la formula de dicho
partido en las eleccio-

que son principalmente
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GERALD

Francisco Amaro...

Roberto L. Ferrara...

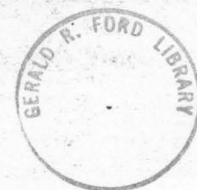
José Cerecero Piña...

COMMITTEE ON PROBLEMS OF UNDOCUMENTED PERSONS

Changes Made in Report by Staff as a Result
of Committee Meeting of 7/18/75

1. Add roster page
2. Page 10 - Add final sentence to give information provided in meeting by Mr. Murphy.
3. Page 10 - Delete paragraph on problem of trained Asian aliens.
4. Page 13 - Add paragraph reflecting concern in meeting about general description of employers as exploitative.
5. Page 15 - Add paragraph on food stamps as discussed in meeting. Paragraph submitted by Jean McDowell of Committee.
6. Page 17 - Revise Recommendation 1 to accurately reflect that problem is Federal as well as State regulations.
7. Page 17 - Insert "County Department of Health Services" in Recommendation 4 as requested by Mr. Witherill.
8. Page 18 - In Recommendation 8 add phrase "study and consider instructing" to first line and add a second paragraph as submitted by Mr. Witherill.
9. Page 19 - In second line of Recommendation 2.b. add phrase "by all applicants" as requested by Mr. Avila.
10. Page 19 - Revise Recommendation 9 to clarify that rights apply to resident aliens and these persons should be made aware of these rights.
11. Page 20 - Add a Recommendation (#10) on local agencies not being required to report clients to INS.

In addition, the data on tax contributions of undocumented aliens, which now appears to be out of date, has been moved to the appendix of the report. Some minor editing has been done to improve the language of the report.



PROBLEMS OF PERSONS WITHOUT IMMIGRATION DOCUMENTS
IN THE CENTRAL LOS ANGELES REGION

United Way-Region V
July 1975

Revised 7/23/75



United Way-Region V
Regional Planning Council Board

COMMITTEE ON PROBLEMS OF UNDOCUMENTED PERSONS

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Wilshire Boulevard Temple and
United Way Regional Planning Council Board

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Human Needs

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1.0 INTRODUCTION

Early in 1975 the United Way Central Los Angeles Region Planning Council Board instructed its staff to conduct a series of interviews in low income neighborhoods of the Region. The purpose of the interviews was to identify some key problem areas which might be amenable to planning and action by United Way. One of the problems most often mentioned was the large number of persons without immigration documents, or "illegal aliens" who face many serious problems.

In terms of human services planning this is a large population who, because of their legal status or because of fear, frequently do not receive services provided by public agencies.

The planning staff of Region V of United Way gathered information about the characteristics of undocumented persons as well as problems presented by this group in terms of human needs and public policy issues. This information was drawn from local and national publications, transcripts of legislative hearings, and from interviews with individuals in voluntary and governmental organizations that serve or are knowledgeable about undocumented persons.

The Honorable Edmund D. Edelman, member of the L. A. County Board of Supervisors, was asked to chair a Committee on Problems of Undocumented Persons, by Rabbi Alfred Wolf, Chairman of the Regional Planning Council Board. The purposes of the Committee were to review and augment the information that had been gathered about undocumented persons in Central Los Angeles, to assess the availability of services to meet emergency needs of this group, to examine major legislative proposals for dealing with problems of undocumented persons, and to recommend a program of action that would lead to improvements in the service-delivery system as well as possible legislative remedies.

In the course of the meetings of the Committee, all members were called upon to propose actions that, based on their experience, seemed needed to improve services and legislation. Two Sub-Committees, one on Services and one on Legislation, were established to discuss thoroughly all suggestions and to try to reduce proposals to those that seemed most practical.

The recommendations in the section of this report titled Action Proposals are the result of the deliberations of these Sub-Committees and final evaluation by the full Committee.



2.0. SOME HISTORICAL BACKGROUND

Since many undocumented persons in the Los Angeles area are Mexican nationals, any discussion concerning illegal immigration must consider the unique relationship that has existed between Mexico and the United States. First, the proximity of the two countries and the thousands of miles of border, resulting in relatively easy access, need to be acknowledged. Secondly, until the war between Mexico and the United States, which ended in the Treaty of Guadalupe-Hidalgo in 1848, California, as well as much of the rest of the southwestern United States, was Mexican territory. Consequently, there has been a tradition of free interchange back and forth across the border. Third, the difference in the respective levels of economic development of Mexico and the United States has made migration to the Los Angeles area an attractive option for many Mexican nationals.

There appears to be a historic pattern to the dominant attitudes and the policies of government officials towards immigration from Mexico (including "illegal immigration" in the period since restrictive immigration laws were instituted earlier this century). The pattern is such that in times of prosperity and labor shortage immigration is encouraged and "illegal immigration" is tolerated. However, in times of economic problems and high unemployment, attitudes shift towards discouraging immigration and there is pressure for governmental officials to take action.

Utilization of Mexican immigrant labor at low wages has long been practiced by American employers. In the period following the acquisition of the Southwest by the United States until the 1920's there was an open door to Mexican immigrants.

Immigration was unobstructed and actually encouraged, as long as the young industries of the sparsely settled Southwest--agriculture, mining and the railroads - needed a plentiful supply of cheap labor. 1/

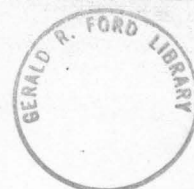
However, during the Great Depression, attitudes and policies were such that thousands of Mexican immigrant families were "encouraged to repatriate".

A common method of encouraging repatriation was to threaten an end to relief assistance unless a family agreed to leave. Another was for an agency, like Los Angeles County, to pay train fare to the border for whole trainloads of Mexican-American families. Like refugees, Los Repatriados usually took with them only a few important belongings. They also took with them many children who were U.S. citizens. Estimates of the number of Mexican-Americans repatriated at that time range from 90,000 to 200,000. Estimates for California vary from 50,000 to 75,000 with half of them from the Los Angeles area. 2/

The bracero program was instituted during war time out of concern for meeting the demand for agricultural labor in the southwestern U.S. The program provided for the temporary employment of non-immigrant aliens under conditions agreed to by the

1/ Los Angeles Times, February 23, 1975, Part V, p. 5.

2/ Ibid.



United States and Mexican governments. Under this program, many Mexican farm-workers worked temporarily on farms in California and elsewhere in the southwest and returned to Mexico after completing their labor contracts. However, even during the bracero program illegal entry was common. In 1954 "Operation Wetback" was conceived as the Federal government's response to illegal immigration. In that year more than one million deportations took place as a result of the efforts of a "special mobile force" of 800 immigration officers who concentrated their efforts in Southern California and Texas.

The bracero program, until its termination in 1964, served to some extent as a "safety valve" for Mexico's unemployed. The end of the program in 1964 brought on a dramatic rise in the presence of undocumented persons in the Los Angeles area. Table 1 illustrates the increase in apprehensions of "deportable aliens" by the INS between 1968 and 1972. The number of apprehensions for 1974 was 788,000. 3/

Although the "illegal problem" has traditionally been thought of as a rural problem, it is now very much an urban problem. This can be in part attributed to the shift in demand for low cost labor from the agricultural sector to the urban labor markets.

As concern over the nation's economic troubles and high unemployment increases, the pattern described above appears to be holding true. The pressure for governmental action to "deal with the problem" has been increasing. This is exemplified by a speech late last year in which then-Attorney General Saxbe advocated another round of massive deportations. 4/

This discussion of the historical background of the problem has focused on the majority of the undocumented population which is of Mexican origin. However, according to INS commissioner Leonard Chapman, hundreds of thousands of non-Mexican undocumented persons, from virtually all countries in the world are present in the United States. 5/ A large number of persons of Asian origin can be found in Los Angeles County since Southern California traditionally also has had a large Asian community.

3/ Los Angeles Times, February 23, 1975, Part IV, p. 5.

4/ ZPG National Reporter, December, 1974, p. 3.

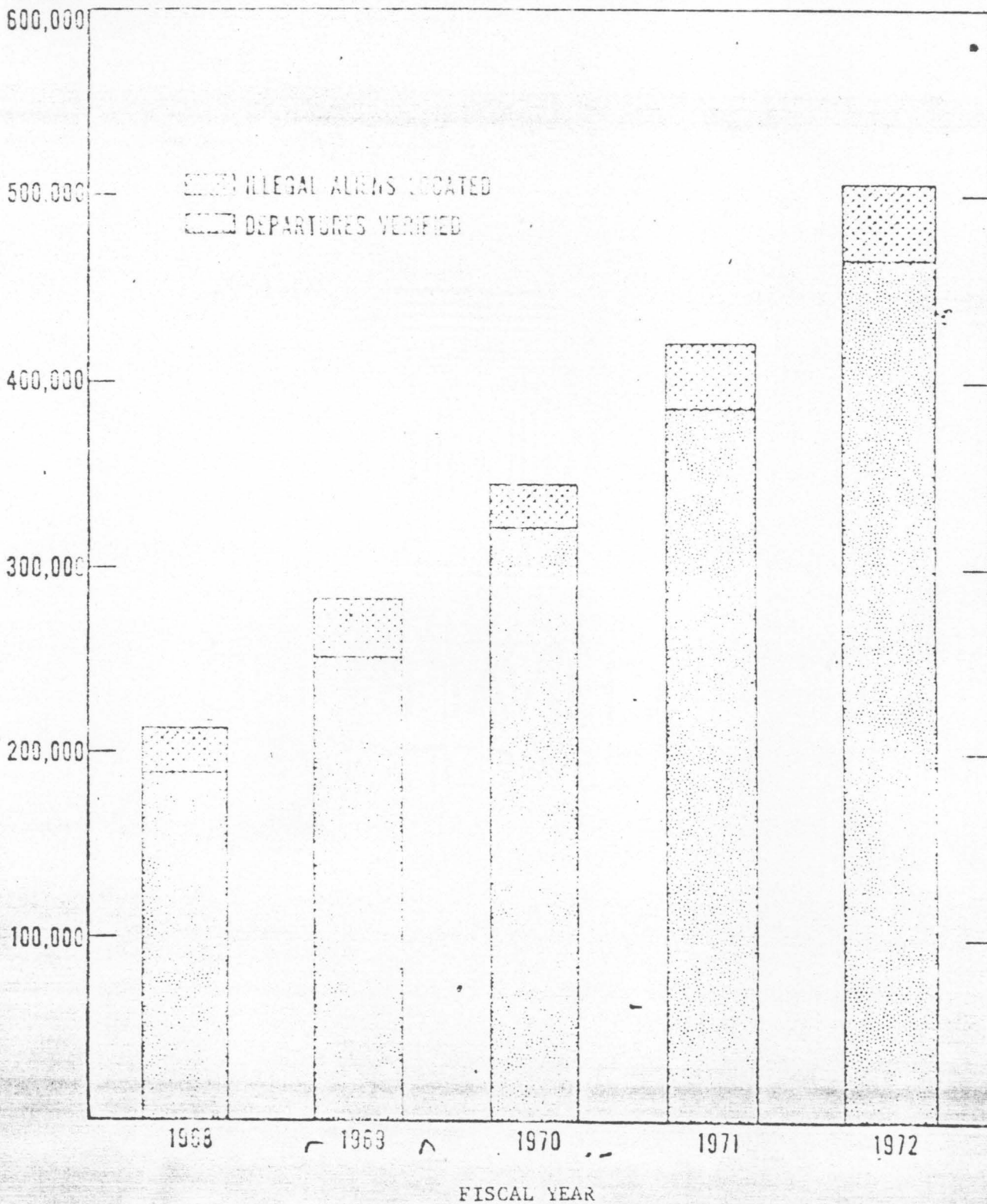
5/ Los Angeles Times, March 13, 1975, Part I, p. 9.



TABLE 1

ILLEGAL ALIENS LOCATED AND DEPARTED

ILLEGAL ALIENS



(Source: U. S. General Accounting Office, More Needs to Be Done to Reduce the Number and Adverse Impact of Illegal Aliens in the U.S., Wash. D.C., 1973)



3.0. ESTIMATED SIZE OF THE POPULATION

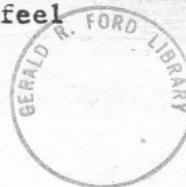
An accurate count of the undocumented population does not exist. All that is available is a range of estimates (educated guesses) which people familiar with the problem have made recently. Estimates for Los Angeles County include:

1. 54,000 - 600,000; estimates used by the Los Angeles County Administrative Officer in a report prepared at the request of Supervisor Edelman (the CAO cited recent media reports as the source of these estimates).
2. 1,000,000 for the Southern half of California; 1/2 of these in Los Angeles and San Diego Counties; estimate of INS District Director Joe Surek.
3. 300,000 - 700,000 for Los Angeles County; "Ballpark estimate" by Professor Joan Moore, USC Population Laboratory (telephone communication, August, 1974).
4. 350,000 - 400,000 for all of Southern California; 250,000 to 300,000 for Los Angeles County; Gary Manulkin, One-Stop Immigration Center (personal interview, April, 1975).

Although the impossibility of accurately estimating the undocumented population in Region V is fully recognized, a methodology was developed for arriving at a rough estimate. The methodology is based on the assumption that this population is made up almost entirely of Spanish-speaking persons and that it would tend to be distributed in a pattern similar to the "Spanish-American" population counted by Los Angeles in 1970. It is thought that because of the cultural and linguistic familiarity afforded by concentrations of Spanish surname population this assumption is valid. The ratio of the Spanish-American population of Region V to that of Los Angeles County, according to the 1970 census, was 38% (i.e., 492,218 or 38% of the County's 1,289,311 Spanish American residents resided in Region V in 1970). Applying the 38% ratio to a range of estimates for the undocumented population of L. A. County results in the following range of rough estimates for Region V:

<u>Estimated Population of Undocumented Immigrants Los Angeles County</u>	<u>Portion Residing in Region V</u>
100,000	38,000
300,000	114,000
500,000	190,000
700,000	266,000

If one assumes an undocumented population for Los Angeles County of 400,000 (a middle range of the estimates listed above), then the undocumented population of Region V would be approximately 150,000. It must be emphasized that this is not intended as an accurate estimate. Rather, it is intended to provide a rough feel for the magnitude for the problem in Region V.



Map 1 on the following page indicates the distribution, according to the 1970 census, of the foreign-born members of the Spanish-American and Asian populations (the latter derived using the "other" category in the census) who immigrated in the years 1960 to 1970. The map shows the region divided into 33 "community study areas" utilized by United Way for research and planning purposes. In addition, the location of Region V in relation to the rest of Los Angeles County is shown on the larger map (#2). This is the best readily available indication of the locational distribution of recently arrived Spanish-speaking and Asian immigrants. If one accepts the assumption that undocumented Spanish-speaking and Asian immigrants would tend to reside in the same communities as immigrant aliens and new citizens from the same countries of origin, then the maps can be seen as indicators (admittedly very rough) of the relative presence, by community study areas, of undocumented aliens. It must be emphasized that the value of the maps is they indicate which neighborhoods in Region V have relatively high concentrations of recent Spanish-speaking and Asian immigrants and, therefore, likely concentrations of undocumented aliens.



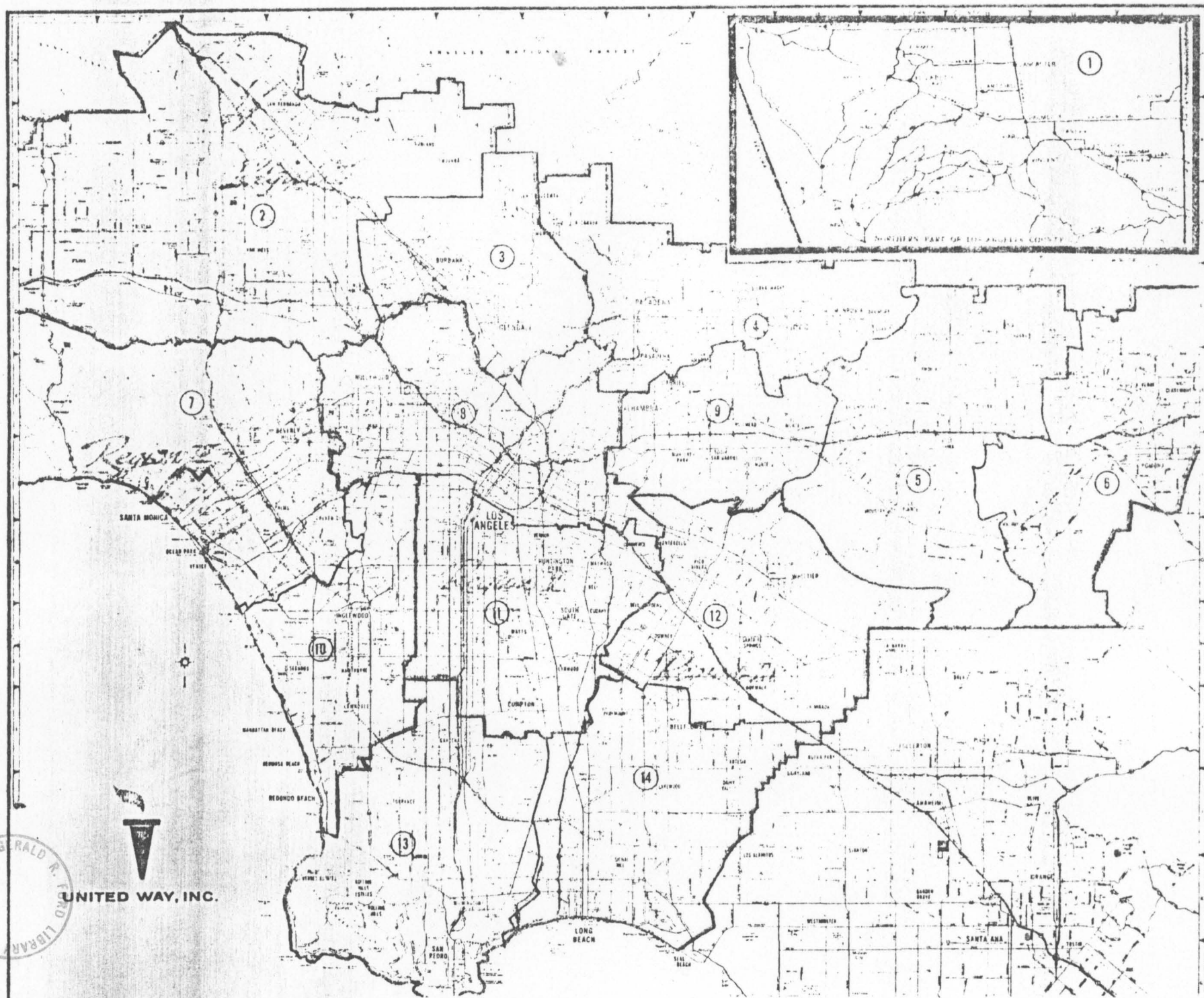
DISTRIBUTION OF FOREIGN-BORN SPANISH-AMERICAN AND "OTHER" (ASIAN) POPULATION WHO IMMIGRATED BETWEEN 1960-1970, BY REGION V STUDY AREAS.

(SOURCE: 1970 CENSUS)

KEY:

- = 1,000 SPAN.-AMER.
- ◐ = 500 SPAN.-AMER.
- = 1,000 ASIAN
- ◑ = 500 ASIAN





4.0. CHARACTERISTICS OF THE POPULATION

According to a 1973 report to the Congress by the Comptroller General's Office -

The Immigration and Nationality Act (8 U.S.C. 1101) contains the statutory provisions for entry and stay of aliens. Aliens are categorized by three broad groups: immigrants who seek permanent residence; non-immigrants who enter for temporary periods for such purposes as business, pleasure, schooling, or work; and aliens who enter illegally, such as those who sneak in, use fraudulent visas or documents, or make false claims to citizenship. Illegal aliens deportable under the Act include those who entered illegally and those who subsequently violated the conditions of their entry. Immigrants become deportable by certain actions or convictions as defined in the law. Non-immigrants become illegal aliens by overstaying their permitted time or taking unauthorized jobs. 6/

In the Los Angeles area it appears that many of the recently arrived undocumented aliens are Mexican nationals who either cross the border clandestinely (many with the help of smugglers who charge up to \$300 and \$400 per person), cross with falsified documents or enter with temporary visas and overstay the periods specified by their visas. The next largest group is made up of other Western Hemisphere nationals who either enter clandestinely through Mexico or directly from their country of origin with temporary visas and overstay the conditions of their visas.

There is also a smaller but still significant number of Asian undocumented aliens. In this case the pattern is one in which people come with temporary visas (mainly visitors and students, but also some crewmen) and stay on after their status has lapsed.

Detailed information on the characteristics of the population is not available at this time because of the unavailability of census data. A more detailed profile of the characteristics of the undocumented population will be available soon. As part of the Los Angeles County Bar Association's study on the legal problems of this population, a sample of the clients of the One-Stop Immigration Center is being analyzed in terms of its demographic characteristics. Preliminary data from this source are summarized in the appendix of this report.

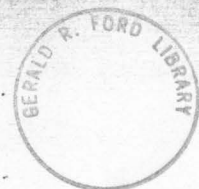
6/ U.S. General Accounting Office; More Needs to be Done to Reduce the Numbers and Adverse Impact of Illegal Aliens in the U.S. (Washington, D.C.; Government Printing Office, 1973) p. 5.



In the minds of many people who are not familiar with the undocumented immigrant population, the image of the "typical" Latin American member of this population is that of a young man, either unmarried or with a wife and children left in his home town, who is here with the idea of working for a few months and returning home with some savings. This image is probably a hold over from the days of the bracero program.

It appears that in fact, most undocumented residents are here as part of family units, some having brought wives and children from their homeland and some having been married here (marriages of undocumented immigrant men to resident alien and U. S. citizen women are thought to be common by some persons knowledgeable about this population). In one group of undocumented aliens about which detailed information was available, it was found that in a majority of these families there were one or more children who were actually legal U. S. citizens. It was also found that a higher proportion of the population is made up of women than has been traditionally thought. Contrary to the view that undocumented persons typically remain in California a short time, it is the opinion of many persons familiar with this population that most come with the intention of remaining. Consequently, it is estimated that a majority of the undocumented population residing in the Los Angeles area has been in the country for more than three years.

There is strong evidence, based on a sample of undocumented aliens known to voluntary agencies and on recent testimony presented to the Los Angeles County Board of Supervisors, that a very small percentage of undocumented aliens actually seek or receive public welfare assistance. Out of 13,000 cases cleared by Los Angeles County Department of Public Social Services with the Immigration and Naturalization Service as of July, 1975, it was determined that 2 were illegal aliens, 1,000 were referred to Washington, D.C. for clearance because there was no record locally, and the rest were verified to be legal, documented residents.



5.0. LEGISLATIVE BACKGROUND & PENDING LEGISLATION

The existing Immigration and Nationality Act has been criticized on a number of counts. Since in general the main attraction for undocumented aliens is the possibility of employment, the lack of a means of deterring their employment has been much criticized, especially by organized labor. Another ground for criticism is the difference in the way the law treats Western Hemisphere immigrants as opposed to those from the Eastern Hemisphere. First, the annual quota for Eastern Hemisphere immigrants is 170,000 as opposed to 120,000 for the Western Hemisphere; secondly, the law permits Eastern Hemisphere aliens who wish to change their status to remain in the U. S. while doing so, while it requires Western Hemisphere aliens to return to their country of origin and apply through the U. S. Consulate. The latter is the cause of the separation of family units and of a great deal of hardship. An alien head of household may lose his job while waiting for an appointment with the consul. This forces his family in the U. S. to go on welfare. The Consulate may then reject the applicant since he has no firm job offer and his family has become a public charge. The alien is then forced to re-enter the U. S. illegally to support his family. ^{7/} Another set of problems has to do with issues such as the right to legal representation for aliens at deportation hearings and other issues of basic protection under the law. These and other related issues are being covered in a study now underway by the Los Angeles County Bar Association.

In the past five years a number of legislative remedies have been proposed. A good deal of the pressure for legislation has come from organized labor, which has expressed much concern about the impact of undocumented workers on U. S. unemployment, the alleged effect of depressing wage rates and the use of illegal aliens as strike breakers by employers.

In 1971 the Dixon Arnett bill was passed by the California Legislature and signed into law by Governor Reagan. The bill provided for fines and imprisonment of employers who knowingly employed "illegal aliens". The employer was to be held responsible for verifying the citizenship or immigration status of all prospective employees. In February, 1972, before the Act took effect it was declared unconstitutional. "There were two bases for the decision; the federal government had preempted the field of immigration and naturalization and, as an enactment with criminal sanctions, the act was too vague, indefinite and uncertain". ^{8/}

On the federal level a great deal of legislation has been proposed - at least 20 bills aimed at some aspect of this problem have been introduced in the current Congress. Of these there are 3 major bills which deserve attention - the Rodino, Kennedy and Sisk bills, each of which will be discussed briefly here.

The Rodino bill proposes a similar concept to that of the Dixon Arnett bill, i.e., criminal sanctions for employers who knowingly hire illegal aliens. The bill was twice passed by the House of Representatives but has yet to be reported out by the Senate Judiciary Committee. The bill would put the burden for verifying a pro-

^{7/} Los Angeles Times, January 23, 1973.

^{8/} Ibid.



spective employee's immigration status solely on the employer. The proposal has been criticized on similar grounds as the Dixon Arnett bill - the employer will be asked to do the job of the INS and, given the complexities of the Immigration and Nationality Act there is a good deal of margin for error; the bill would invite employers to "play it safe" and only hire persons who "look like citizens" - i.e., light-skinned people without accents.

Because of this proposed mandate for differentiation in the treatment of actual or potential employees, there would be deprivation of equal protection of the law. Moreover, because the Rodino bill encourages employers to investigate into, and then discriminate between, employees on the basis of race or ethnic background, it obviously contravenes principles expounded in federal civil rights laws.^{9/}

Partly as a result of these concerns, the Sub-Committee on Immigration and Naturalization of the House Judiciary Committee voted unanimously to allow illegal aliens, who have resided in this country since June 30, 1968, to legalize their immigration status by petitioning the Attorney General. This amnesty provision was offered as an amendment to the Rodino Bill.

The main feature of the Kennedy Bill is its provision for the change of status to permanent resident for undocumented aliens who have resided continuously in the U. S. for 3 years or more. Should this bill or a bill with a similar provision pass, it would result in a flood of people who would be eligible for amnesty needing legal counsel.

The Sisk Bill would require that specific alien and citizenship status information be provided prior to the issuance of a Social Security card. It would require that each card be unduplicatable and that it be presented to employers by all prospective employees. It calls for penalties for employers who hire persons without this card. The Bill thus offers an alternative to the concept of the Rodino Bill for dealing with the "magnet of employment" while avoiding the problems inherent in putting the burden on the employer for verifying status and thus the likelihood of discrimination against those who "look foreign."

^{9/} Ibid.



6.0. ISSUES RELATED TO HUMAN PROBLEMS OF UNDOCUMENTED ALIENS

6.1. Language Problems and Cultural Adjustments

Undocumented aliens share with all newly arrived residents from non-English speaking countries the problems of functioning in a new language and cultural environment. A recent report prepared by the Task Force on the non-English speaking for the Los Angeles County Commission on Human Relations discusses serious problems faced by the non-English speaking in the areas of service delivery, employment, acculturation, immigration and intergroup tension. The problems outlined in that report are of course experienced by the undocumented population and in fact are compounded greatly by fear of apprehension and by problems related to eligibility for publicly supported human services.

6.2. Exploitation by Employers

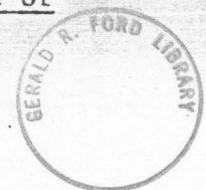
The willingness of U. S. employers to hire undocumented workers sometimes extends to recruitment of undocumented workers, including offers of employment extended through friends and relatives already in the U. S. to prospective employees in Mexico and other countries. According to testimony taken by the Sub-Committee on Immigration of the U. S. House of Representatives' Committee on the Judiciary, exploitation of undocumented workers is a common practice. Also, undocumented workers are not eligible for unemployment benefits nor disability insurance if they are laid off or unable to work due to illness or injury.

"Because their presence in the U.S. is in violation of the law and they are in constant danger of discovery and deportation or, if they come in illegally, of fines and imprisonment, they are in no position to complain if their employer pays them poorly or treats them unfairly. As a result, their employment is characterized by substandard wages and denial of rights and benefits normally associated with employment in America." 10/

Although the use of undocumented labor by agricultural employers has long been practiced, the employment of members of this population in urban areas is now common. According to testimony taken by the California Assembly Committee on Labor Relations, employment of undocumented workers is very common in the following industries: Construction, hotels and restaurants, the garment industry and other small scale manufacturing, services (i.e., car washes) and employment as domestic help.

Two points of view were expressed in discussion of the Los Angeles situation. One stressed the need to prevent exploitation of undocumented persons and to enforce laws governing labor conditions. The other urged that recognition be given that not all employers are exploitative and that some try to help employees to legalize their status.

10/ Testimony of Andrew J. Biemiller, Director, Department of Legislation, AFL-CIO Hearings before Sub-Committee No. 1, Committee on the Judiciary, House of Representatives, on Illegal Aliens, p. 75.



6.3. Immigration Counseling

Many persons without documents have a tremendous need for legitimate, reasonably priced immigration counseling to assist them in meeting conditions for obtaining immigrant alien status.

According to a recent Los Angeles Times article on the subject -

The Immigration and Nationality Act contains 192 separate sections of law and immigration and 100 on citizenship all with numerous subdivisions. In addition, any practitioner in the field must be familiar with the regulations and operating procedures of the U.S. State Department and many of its overseas consulates, the Department of Labor and the Justice Department's Immigration and Naturalization Service - all typical bureaucracies with unique quirks and wide discretionary authority. Even a well-educated alien can become lost in the maze of laws and regulations, so most seek out some kind of assistance when they attempt to legalize their status as immigrants. 11/

Due to the legal complexities and the fear of deportation, persons without documents are very vulnerable to victimization by unscrupulous "immigration counselors." A common complaint is that such firms charge high fees for services which are of no use to the client when the client has no legal basis for adjusting his status.

There are some private non-profit agencies which are providing low cost or free of charge immigration counseling services. Some of those which are located in Region V are: Catholic Welfare Bureau, CASA, CSO, International Institute, Nationalities Service Center, Oriental Service Center, and One-Stop Immigration Center. However, one problem is that they are not able to reach all those who need the service because of their limited resources. Furthermore, only a few agencies have attorneys who are specialists in immigration law on their staff. There is a great need for providing immigration counseling by attorneys as well as by more social workers who are authorized to represent clients in immigration proceedings.

11/ Los Angeles Times, April 21, 1975, Part I, p. 14.



6.4. Lack of Accessibility to Publicly Supported Services

The question of services provided to undocumented residents by publicly supported agencies has received a great deal of attention. The issue is usually mentioned in the context of the cost to the taxpayer of services provided to members of this population. Fear of exposure to immigration authorities keeps most members of this population from seeking human services provided by publicly supported agencies and most undocumented persons will not seek health services unless a problem has reached crisis proportions. Regulations requiring that non-citizens who request public assistance sign a statement certifying that they are not under order of deportation represent another barrier. Prior to January of this year an alien could not receive assistance until the INS verified that person's status. A DPSS representative, Mr. David Fox, stated that between December, 1973 and January, 1975, 40,000 applicants for assistance had to file statements on their status. During the same period of time 2,284 alien applicants for public assistance refused to sign the statements. According to Mr. Fox, the backlog in INS's processing of these statements is approximately 34,000 referrals. A January, 1975 court decision in Sacramento (Varela vs. Swoop), ordered discontinuation of regulations developed to implement the 1971 Welfare Act. The court said the regulations had incorrectly interpreted the Act. Since that decision, assistance must be provided to applicants whose alien status is being varied by INS. Aid must be continued unless and until INS reports that an applicant is ineligible because of immigration status.

An additional factor which prevents undocumented aliens and immigrant aliens from requesting public assistance is the prohibition of change of status or attainment of citizenship by aliens who incur debts with public agencies. All the above factors work to make public assistance inaccessible to undocumented aliens. Although the January court decision makes it technically easier for undocumented persons to receive aid, the fear of exposure to immigration authorities remains as a powerful deterrent.

A special problem exists in the administration of the food stamps program. "Verification of citizenship or alien status is not required except in questionable cases." This section of the state and federal regulations (63-2208 and 732-1 2208) should be clarified for the eligibility workers who certify applicants for food stamps. The vagueness of terminology leaves great latitude for workers to exercise their own judgment which in many cases is colored by stereotypes of various ethnic groups. It is important to clarify in what specific situations an applicant should be required to provide evidence of status in order to ensure against discrimination.

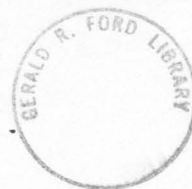
Examples of situations in which aliens in need of financial assistance commonly find themselves include: 1) persons with immigrant alien status who are in the waiting period for obtaining citizenship and will not go to public agencies for assistance since they will jeopardize their chances; 2) Western Hemisphere aliens who return to their country to have their papers changed through the American Consulate may lose their jobs due to their absence and return to the Los Angeles area with no financial resources; 3) persons unable to work because of illness or injury but who are not eligible for disability insurance payments; 4) persons laid off due to the current economic crisis but are unable to collect unemployment benefits.



In light of the lack of accessibility to public assistance and the kinds of problem situations cited, undocumented aliens in dire financial straits are faced with the alternatives of requesting aid of friends and relatives (many of whom have few resources of their own) or requesting aid of clergymen and/or the few private organizations (mostly religiously affiliated) which provide emergency food, cash and shelter to those who need it.

However, the resources available to provide emergency assistance of this kind are not enough to meet the need.

Some attempt has been made to estimate the amount of public health and welfare services used by undocumented aliens as compared to the estimated taxes paid by this group. These estimates, which appear in the appendix of this report, suggest that this group contribute more in taxes than they receive in services. Furthermore, more recent hearings indicate that the numbers of undocumented persons assumed to be using public services in Los Angeles County have been overestimated and not borne out by clearances of names with the files of the Immigration and Naturalization Service.



7.0. ACTION PROPOSALS

The Committee on Undocumented Persons has reviewed those facts that are known about the undocumented alien population in Central Los Angeles, the human needs of this population, proposals made for extending services to meet crisis needs of these people, and legislative proposals that could lead to a long-term solution to an extremely complex problem.

The action proposals that follow are divided into two groups: those that could be implemented almost immediately through improvements in the services-delivery system and those that are long-range, requiring changes in the immigration laws and in State and Local governmental regulations affecting undocumented persons.

Short Term Proposals

1. There is a need to change federal and state regulations regarding eligibility for food stamps which prevent non-residents from receiving this assistance. There is also a need to change regulations regarding eligibility for general relief for the elderly which prevent undocumented elderly persons from receiving aid even though they may have resided and may have worked here for many years.
2. United Way funds should be distributed on the basis of basic human need regardless of the immigration status of service recipients. Private agencies offering emergency assistance to undocumented persons should be assisted.
3. Los Angeles County should allocate general revenue sharing monies to private agencies, especially since undocumented persons cannot go to public agencies for assistance.
4. There is a need to communicate effectively to the community that the County Dept. of Health Services and the County USC General Hospital do not report persons with immigration status problems. Private community agencies should make a concentrated effort to communicate this fact to the population.
5. There is a need to extend legally backed low cost immigration counseling to eligible persons who do not know how to legalize their status. The service should be made available in more locations, concentrating on areas which have significant populations of recently arrived Spanish-speaking and Asian immigrants. Training for para-professional immigration counselors should be provided to meet the staffing needs of this expansion of service. An effort should be made to establish cooperative relationships with non-exploitive employers who wish to help their employees adjust their status.
6. Army Reserve legal officers are a source of free legal advice to immigrants. A program to utilize this resource should be developed in cooperation with appropriate Army Reserve officials. This resource



should be made available on a permanent regular basis. Under the supervision of the Central Los Angeles Region Planning Council Board the Region V Planning Staff should contact Army Reserve officials and offer assistance in developing such a program.

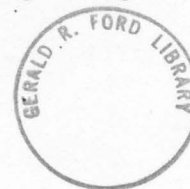
7. The INS budget for fiscal 1975 gives priority to enforcement for the West Coast. More emphasis should be placed on services to people with immigration problems.
8. DPSS & the County Health Dept. should study & consider instructing eligibility workers to inform clients of the legal ramifications of receiving aid in terms of the "public charge" provision of the immigration and nationality act. This is important information for undocumented persons who may desire to change their status at some future date. This information should be provided both verbally and in writing. Eligibility workers should receive thorough training in applicable sections of immigration law and procedure in order that clients be provided with accurate information on this matter.

In the event this is determined not to be legal or feasible, eligibility workers should have clear instructions, training, and procedures to refer clients to appropriate legal resources.

9. Recent immigrants and other aliens authorized to work should be employed in programs which provide services to the undocumented population.
10. There is a need for improved coordination among all involved institutions including appropriate Mexican government officials. Specifically, there should be coordination among INS, the Department of State (especially consulates at border cities in Mexico), private agencies that serve the undocumented population with immigration counseling, and Mexican government officials.
11. There is a need for innovative, broad-based programs for immigrants aimed at realizing the potential of immigrants as a valuable resource to the community. Services should be offered beyond assistance in changing status and an ongoing relationship should be maintained since the immigrant's problems are clearly not solved just by the fact that he has adjusted his status. Included should be orientation to the various complex institutions with which we constantly come in contact. The Puerto Rican government has done extensive work in the area of assisting Puerto Rican migrants in adjusting to life in the Mainland. This experience should be studied and similar assistance should be provided to immigrants in the Los Angeles area.

Long Range Proposals

1. There should be an extensive effort at compiling objective statistical data on the undocumented population in the Los Angeles area. The information developed through this effort should form the basis for a public information effort aimed at providing an accurate picture to the general public of the nature of the undocumented population and its alleged "impact on the taxpayer."
2. The Committee should advocate legislation which takes into consideration that most undocumented persons now living in the U. S. are productive individuals who, together with their families, are part of our community; and, which also provides for a sensible, non-discriminatory approach to controlling illegal



immigration in the future. This could best be accomplished by the passage of federal legislation which:

- a. Provides for amnesty and change of status for undocumented persons who have resided continuously in the U. S. for three years or more and who are not convicted felons. There should be a suspension*of deportation and authorization to work for an individual who applies for the amnesty until a decision is reached on his or her petition.
- b. Required that specific alien and citizenship status information be provided by all applicants prior to the issuance of a social security card, that social security cards which cannot be duplicated (using a magnetic imprint) be issued, that these cards be presented to employers by prospective employees before obtaining employment, and that provides for criminal penalties for employers who hire employees not possessing a social security card which indicates that they are of a status which allows for accepting employment. (Introduced to the 95th Congress as H.R. 3737 by Congressman Bernie Sisk.)
3. The immigration and nationality act should be amended to permit Western Hemisphere aliens to adjust their residence status while remaining in the U. S., as is now possible for aliens from the Eastern Hemisphere.
4. Refugees admitted as permanent residents should not be charged to Hemisphere quotas.
5. Legislation should be enacted to regulate the functioning of notaries and other private firms who offer immigration counseling for fees. Included should be a provision which substitutes the term "official witness to signatures" for the term notary as a safe guard against exploitation of Spanish-speaking immigrants who associate the term notario with the legal profession and political influence.
6. The State Education code should be amended to delete the requirement that the names of undocumented students be reported by school districts (ultimately to the INS) in order that the district receive county funds (nearly \$700 per pupil per year) to meet the special needs of these pupils.
7. There is a need to develop safeguards against selective enforcement of immigration laws.
8. There is a need to develop safeguards against discrimination in employment against "alien-looking persons."
9. Title VII of the federal Civil Rights Act applies to resident aliens and information should be distributed to resident aliens so that they are aware of these rights.



10. Responsibility for determining legal status of undocumented persons should be the sole responsibility of staff of the Immigration and Naturalization Service and the Social Security Administration. Local health, education, and social service agencies should not be required to report clients to the Immigration and Naturalization Service since this would interfere with the delivery of essential human services.

The program of action proposed by the Committee on Problems of Undocumented Persons is the result of a careful assessment of human and legal issues by people who work with different aspects of the problems presented by this group in Central Los Angeles. This program points the way toward lending assistance to undocumented persons within the framework of law and in ways that respect the human rights of citizens and non-citizens.



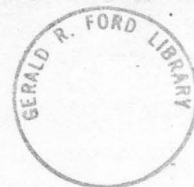
8.0. APPENDIX

A Sampling of Undocumented Persons Known to One-Stop Immigration Center in 1973

In 1973 questionnaires were filled out on a group of 1,258 undocumented persons of Mexican origin who sought assistance from the One-Stop Immigration Center in Los Angeles in connection with immigration problems. Although it cannot be determined whether this group is typical or atypical of undocumented persons in general, the information obtained is different from the stereotype of the undocumented alien. It suggests the need to look at each person and each problem on an individual basis. Some of the characteristics of these 1,258 undocumented persons follow:

<u>Sex</u>	<u>No.</u>	<u>Percent</u>
Male	789	62.7
Female	463	36.8
Not reported	<u>6</u>	<u>.5</u>
	1,258	100.0

<u>Marital Status</u>	<u>No.</u>	<u>Percent</u>
Married	808	64.2
Single	321	25.5
Widowed	27	2.1
Divorced	22	1.7
Separated	31	2.5
Unwed mother	17	1.4
Not reported	<u>32</u>	<u>2.6</u>
	1,258	100.0



Children with Legal Status

<u>Number of Children</u>	<u>Children Have Legal Status</u>	
	<u>Cases</u>	<u>Percent</u>
1	484	38.5
2	158	12.6
3	41	3.3
4	21	1.7
5 or more	23	1.8
None	196	15.6
Not reported	<u>335</u>	<u>26.5</u>
	1,258	100.0

Number in Household Who Were Employed

	<u>No.</u>	<u>Percent</u>
1	817	64.9
2	170	13.5
3 or more	24	1.9
None	156	12.4
Not reported	<u>91</u>	<u>7.3</u>
	1,258	100.0

Total Family Income

	<u>No.</u>	<u>Percent</u>
Under \$4,000	325	25.9
\$4,000 to \$8,000	520	41.3
\$8,000 to 12,000	129	10.3
\$12,000 and over	29	2.3
Not reported	<u>255</u>	<u>20.2</u>
	1,258	100.0

When Last Entered United States

	<u>No.</u>	<u>Percent</u>
This year (1973)	41	3.3
1972	257	20.4
1971	215	17.1
1970	163	13.0
1969	122	9.7
1968	102	8.1
1967	72	5.7
1966	37	2.9
1965	31	2.5
Before 1965	120	9.6
Not reported	<u>98</u>	<u>7.7</u>
	1,258	100.0



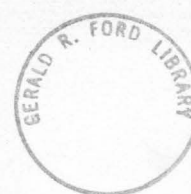
<u>Fluency in English</u>	<u>No.</u>	<u>Percent</u>
No English	511	40.6
Poor	484	38.5
Fair	175	13.9
Fluent	62	4.9
Not reported	26	2.1
	1,258	100.0

<u>Received Welfare</u>	<u>No.</u>	<u>Percent</u>
Presently receiving welfare	101	8.0
Previously received welfare	60	4.8
Never received welfare	531	42.2
Not reported	566	45.0
	1,258	100.0

<u>Type of Assistance Requested</u>	<u>No.</u>	<u>Percent</u>
Immigration	1,074	85.4
Housing	8	.6
Employment	14	1.1
Citizenship	7	.6
Medical	2	.2
Legal	12	1.0
Education	5	.4
Family relations	5	.4
Not reported	131	10.3
	1,258	100.0

Source of Previous Service in
Connection with Immigration Problem

	<u>No.</u>	<u>Percent</u>
Attorney	52	4.1
Notario	114	9.1
Non-profit social agency	44	3.5
Other	80	6.4
Not reported	968	76.9
	1,238	100.0



Tax Contribution of Undocumented Aliens

It is frequently argued by those pressing for tighter immigration controls that undocumented immigrants represent a large net loss to the tax payer due to "their consumption of costly, publicly-supported human services". The Los Angeles County Chief Administrative Officer recently prepared, at the request of Supervisor Edelman, an estimate of the cost to the County of services provided to undocumented residents by County agencies. The cost estimates were based on reports made by the County's Health Department and DPSS. The tax estimates were based on a range of population estimates made in recent news articles and taking into consideration the principal types of direct taxes paid by consumers. The CAO's report, as all other reports of this nature, is based on unverified data. The report states "because of the unreliability of data related to illegal aliens, such estimates can only be considered the grossest possible measure of their possible support to government". ^{12/} However, if the estimates suffer the same weaknesses as other reports of this nature, it is also as good as any other estimate available.

The results of the tax estimate for the population range is shown in table 2. The estimated cost to the County are \$8.2 million for health services and \$1.3 million for DPSS (of which all but approximately \$205,000 was reimbursable by the State and Federal Governments). The tax contribution of the undocumented population was estimated by assuming a low income "tax payer profile", described at the top of the table. The average amounts paid in various tax categories for that income group were then applied over a range of population estimates. As can be seen from the table the total taxes paid by the undocumented population at the lowest population estimate is nearly \$15.5 million - compared to \$9.5 million of estimated cost to the tax payer for health and welfare services to undocumented aliens. The middle population estimate produces a total taxes paid of more than \$84 million while the highest population estimate results in total taxes paid of \$172 million.

More recent hearings suggest that the numbers of persons assumed to be illegal aliens receiving public health and welfare services has been greatly over-estimated and not substantiated by clearances with the files of the Immigration and Naturalization Service.

^{12/} L. A. County CAO, Tax Effort & Service Cost of Illegal Aliens, 3/20/75, p. 2.

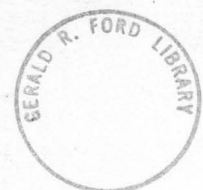


TABLE 2
ESTIMATED TAX CONTRIBUTIONS
BY "ILLEGAL ALIENS"

<u>Taxpayer Profile:</u>	Single; earning \$2 per hour and working 40 hours per week; living in rented housing and pays rent commensurate with the General Relief rent allowance; as an inner city dweller, drives about 7,000 miles per year; pays income, sales, and gasoline taxes based on IRS allowable deductions.		
<u>Estimated Population:</u>	<u>54,000</u> (Based on L.A. Times, Aug. 1974)	<u>135,000</u> (Based on L.A. Times, Oct. 1974)	<u>600,000</u> (Based on NBC News, Mar. 1975)
<u>Employment Level:</u> (46% of County population is considered as the work force; 135,000 estimate was an "employed" estimate)	24,840	135,000	276,000
<u>Total Estimated Annual Income for Employed Aliens:</u>	<u>\$103,334,400</u>	<u>\$561,600,000</u>	<u>\$1,148,160,000</u>
<u>Estimated Taxes Paid:</u>			
--Federal Income (standard deduction) at \$334 per person	\$ 8,297,000	\$ 45,090,000	\$ 92,184,000
--State Income (standard deduction) at \$19 per person	472,000	2,565,000	5,244,000
--State & Local Sales (IRS allowance) at \$77 per person	1,913,000	10,395,000	21,252,000
--Gasoline-State & Federal (IRS allowance) at \$55 per person	1,366,000	7,425,000	15,180,000
--Property Taxes (all jurisdictions) estimated at 20% of \$68 per month rent and \$25 renter tax credit per employed person	<u>3,428,000</u>	<u>18,630,000</u>	<u>38,088,000</u>
Total Taxes Paid	<u>\$ 15,476,000</u>	<u>\$ 84,105,000</u>	<u>\$ 171,948,000</u>
County General Fund Property Taxes-31% of total property taxes	<u>\$ 1,062,280</u>	<u>\$ 5,775,300</u>	<u>\$ 11,807,280</u>



The Washington Post

AN INDEPENDENT NEWSPAPER

Illegal Immigration: First Steps

THERE ARE FEW dilemmas the U.S. government faces more poignant than that posed by the illegal immigrant. This is, after all, a nation of immigrants, and the very notion of "legal" and "illegal" as it applies to aliens is relatively new. Yet, contemporary America has a problem. Simply stated, the signs of the finite dimensions of

As critics of this legislation—ourselves among them—pointed out when an earlier version was advanced, this is a solution that brings with it serious problems. To begin with, it places the burden of enforcement to a large extent on employers; some will use that opportunity willfully to evade the law; others may err out of ignor-



ALIENS 'SCAPEGOATS'

Denver Activists Lash Saxbe

By JOAN ZYDA
Denver Post Staff Writer
Mexican-American activists in Denver have accused U.S. Atty. Gen. William B. Saxbe of trying to make illegal aliens from Latin America scapegoats for the nation's economic ills.

"The country has to have a scapegoat," said Gonzales. "The obvious one is the Mexican worker. There is this big, emotional hysteria every time this country is in economic chaos.

"The real blame for inflation should be put on Rockefeller and the U.S. government."

DEPORTATION ASKED

He called for the deportation of one million illegal aliens next year and added that the expanded Immigration Service could "then find those (aliens) who have burrowed more deeply into our society."

needs them, like for breaking farm workers' strikes, then it recruits them, fast," said the Rev. Mr. Lara. "When they're not needed, they're booted out.

"I think the illegal aliens are simply hungry people looking for a better life. Can you blame them? Saxbe is being arrogant in using them as an excuse. I don't think anyone takes him seriously. But if Saxbe does see it through, it will be a king-sized headache for him with all

the U.S.-Mexican border.

Casneros said he endorses legislation that would make it a crime for employers to "knowingly" hire illegal aliens. Such legislation, called the Kennedy-Rodino bill, is now in the U.S. Senate before the immigration-subcommittee of the Judiciary Committee.

More militant Chicano factions denounce the legislation, however, saying it would single

(ILLEGAL ALIENS)

WASHINGTON (UPI) -- BISHOP JAMES RAUSCH, GENERAL SECRETARY OF THE UNITED STATES CATHOLIC CONFERENCE, TODAY URGED THE HOUSE RULES COMMITTEE TO DELAY SENDING TO THE HOUSE FLOOR PROPOSED LEGISLATION DEALING WITH ILLEGAL ALIENS.

IN A LETTER TO COMMITTEE CHAIRMAN RAY MADDEN, D-IND., RAUSCH SAID HOUSE ACTION SHOULD BE DELAYED ON THE CONTROVERSIAL BILL BECAUSE THE RECORD IS "FAR FROM COMPLETE".

THE PROPOSED LEGISLATION WOULD IMPOSE PENALTIES ON EMPLOYERS WHO HIRED ILLEGAL ALIENS AND RESULT IN THE DEPORTATION OF ALLEGED "ILLEGALS" WHO HAVE ENTERED THE COUNTRY SINCE 1963.

"THE FACT IS," RAUSCH TOLD MADDEN, "THAT NO ONE KNOWS HOW MANY JOBS ARE HELD BY 'ILLEGALS'."

"MOREOVER, IT IS WIDELY CONCEDED THAT MANY ILLEGAL ALIENS HOLD JOBS THAT WOULD NOT BE SOUGHT OR ACCEPTED BY CITIZENS," HE SAID.

RAUSCH SAID THAT IN CITING A LACK OF INFORMATION AS A JUSTIFICATION FOR DELAYING ACTION ON THE BILL HE DID NOT WANT TO DENY THE EXISTENCE OF THE PROBLEM OR SUGGEST THAT SOME FORM OF LEGISLATION IS NOT NECESSARY.

"THE IMMIGRATION AND NATURALIZATION SERVICE HAS ITSELF FORMALLY RECOGNIZED THE INADEQUACY OF ITS INFORMATION," HE SAID.

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TIME

HOME
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EDITION

The Phoenix Gazette

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WHITE HOUSE
NEWS SUMMARY OF
ROOM 127 EOB
WASHINGTON DC 2

Vol. 95, No. 96

271-8000

15 CENTS

PHOENIX, ARIZONA, WEDNESDAY AFTERNOON, DECEMBER 4, 1974

CIRCULATION 271-8381 CLF
OTHER DEPARTMEN

the Bureau of Business and • Inflation will be in the

Hot Words Mark Food Stamp Talk

By LEE BISHOP

Legislative leaders and welfare officials shouted at each other, exchanged bitter comments and could not reach any solutions to the

problem of lengthening lines at state food stamp centers.

William Mayo, director of the Department of Economic Security (DES) and his top executives met with a contingent of legislators headed by Sen. Hal Runyan, R-Litchfield Park, at the State Capitol yesterday.

The inability of Mayo and his staff to communicate with the lawmakers was evident from the beginning. The bureaucrats failed to explain, even in general terms, what the basic problems were.

THE DES officials were not able to break figures down into categories of people unable to explain

Dr. Bond said agriculture in 1975 will be "much similar to that of 1974," moping will remain relatively stable in terms of production, and construction will continue weak, though lower interest rates and pent-up demand "may reactivate the housing market" late in the year.

Manufacturing will remain weak, the economist predicted, very similar to the last quarter of 1974. Wholesale and retail trade will hold their own — with no real gains, but services will show growth on the expectation of a good (not excellent) winter visitor season.

On the national scene, Dr. John A. Cochran, ASU professor of economics, said that all is not gloom and doom for 1975.

ALTHOUGH 1975 should be a trying year for everyone concerned with the national economy, it should bring the

Turn to • STATE, Page A-4

Illegal Aliens In U.S. Hold 1 Million Jobs, Official Says

By RICK LANNING

The nation's rising unemployment rate could be "eliminated overnight" if the Immigration and Naturalization Service received enough manpower and legislation to rid the country of illegal aliens, a top-ranking immigration official said.

Leonard Chapman, commissioner of the Immigration and Naturalization Service, told a House of Representatives subcommittee his service could "make available in months" one million jobs in this country for jobless Americans.

More than 100,000 jobs held

by illegal aliens are in Arizona, said Donald Brown, district director.

"THESE ARE NOT menial jobs," declared Brown, who took over his Phoenix post in August.

"Some are highly sophisticated positions that pay up to \$10 per hour."

In a recent Law Enforcement Day luncheon in Baltimore, Md., Chapman unveiled the following statistics:

• The United States has anywhere from seven million to 12 million illegal aliens

and the number is growing at an "unbelievable rate."

• Most of the illegals are Turn to • ILLEGAL, Page A-10

Mother In Dire

Picture On Page 1

A house without furniture is home.

CAROLERS HIT A SOUR NOTE

DAYTON, Ky. (AP)—Strolling Christmas carolers on local streets must have a license from the city.



NATIONAL CONFERENCE OF CATHOLIC BISHOPS/UNITED STATES CATHOLIC CONFERENCE
SECRETARIAT FOR THE SPANISH SPEAKING



TO: Persons Interested In Immigration Legislation
FROM: Paul Sedillo, Jr., Secretary for the Spanish Speaking
SUBJECT: Mark-up of H.R. 982 (RODINO BILL)

As indicated in the telegram of 20 June 1975, our office will continue to update you on the status of the so-called "illegal alien" bill which is presently pending before the Congress (H.R.982).

Attached are several documents which should both indicate the status of the bill to date and the effort the USCC is making to see that a generous amnesty provision will be included in the bill.

We have received copies of the telegrams and letters which some of you have sent to the subcommittee. As the status report indicates, the subcommittee is considering the question of amnesty so you see that those letters and telegrams have made an impact. However, in order to make a considerable impact on the bill as it proceeds through the full committee of the Judiciary we need generate in each of our areas, more individuals to participate in this effort. We hope that you are organizing your constituents on this issue.



NATIONAL OFFICE

MIGRATION AND REFUGEE SERVICES

1312 MASSACHUSETTS AVENUE, N. W. • WASHINGTON, D. C. 20005 • 202/659-6625

INTEROFFICE MEMORANDUM
June 27, 1975

TO: Field Offices
FROM: Donald G. Hohl
SUBJECT: Mark-up of H.R. 982

A handwritten signature, likely of Donald G. Hohl, in dark ink.

As you know, the House Subcommittee has completed hearings on H.R. 982, the illegal alien bill. It is now in the process of marking up the bill which means that the Subcommittee is drafting final legislative language, section by section to be voted upon by the entire Subcommittee and thereafter to be reported to the Full Judiciary Committee for its consideration. The Full Committee, of course, can make amendments before voting the bill out to the House for debate and passage.

The mark-up session took place on Monday, June 23. The Subcommittee considered the bill as a whole and suggested means by which the sanctions provision could be strengthened. One suggestion from the Department of Justice was that the Attorney General be given injunctive powers which could be levied after the citation is given to an employer who violates the law. If the employer commits a second violation, he could be cited for contempt or he could be found guilty of the civil penalty which is step #2 in the sanctions provision.

There was also some consideration given to eliminating step #2 and levying the criminal penalty (step #3) immediately after the second offense.

Amnesty was considered and the suggestion was made that the registry of entry date under section 249 be moved up to 1970 (it is presently set at June 30, 1948). The Subcommittee, thus, for the first time, is considering relief for those who are here in a more realistic light. We, of course, are not satisfied with the 1970 date but it is a step in the right direction. (See the attached letters from Msgr. Higgins of June 17 and 24 which went to all members of the Subcommittee.)

Great concern was also expressed about actual or potential discrimination in hiring practices as a result of the proposals contained in H.R. 982. One suggestion was that the present laws regarding discrimination in employment practices be broadened to forbid discrimination as regards alienage.

The second mark-up session scheduled for Wednesday, June 25, was cancelled as the necessary number of Subcommittee members could not attend. The Congress will be in recess until Monday, July 7, and it is expected the next mark-up session will take place immediately thereafter.

We would encourage you to continue your efforts in having a meaningful amnesty provision approved by the Subcommittee.

Testimony
1975-0

June 17, 1975

Hon. Joshua Eilberg, Chairman
Subcommittee on Immigration, Citizenship, and International Law
Committee on the Judiciary
House of Representatives
Washington, D.C.

Dear Congressman Eilberg:

It is my understanding that your Subcommittee is scheduled to markup HR 982, the so-called "illegal alien" bill, on June 18. I have enclosed for your use an additional copy of the statement I presented to the Subcommittee, on behalf of the U.S. Catholic Conference. I would urge you to give serious consideration to the recommendations contained in the statement.

Specifically, a meaningful amnesty provision is the basis for the solution to the problem of the illegal alien in the United States. Amnesty for all who are here would enable us to start afresh in taking the steps required to prevent a recurrence of the problem.

By granting amnesty as of March, 1974, we can solve the problem of employment of illegal aliens for employers. As of that time all applicants for social security cards had been screened by the Social Security Administration as to their right to take up employment. The grant of amnesty coupled with the right to take up employment for those who possessed the card prior to the cut off date would make it possible for the social security card to be used as evidence of the right to take up employment by any applicant for a job. The strict enforcement of the social security laws enables the government to penalize employers who violate that law and there is, therefore, no need to enact new legislation. The economic incentive for seeking entry for the purposes of illegal employment would be removed.

Hon. Joshua Eilberg, Chairman

Page Two

June 17, 1975

Finally, through the establishment of a preference system for the Western Hemisphere, the incentive to enter illegally or to overstay for the purpose of keeping the family unit intact would be removed.

We feel that by taking these two basic steps it would be possible to clear up the present problem and to prevent it from arising again.

Thanking you for your consideration, I am

Rev. Msgr. George G. Higgins
Secretary for Research

SECRETARY FOR RESEARCH

1312 MASSACHUSETTS AVENUE, N.W. • WASHINGTON, D. C. 20005 • 202/659-6795

UNITED STATES
CATHOLIC CONFERENCE



June 24, 1975

Hon. Joshua Eilberg, Chairman
Subcommittee on Immigration,
Citizenship, and International Law
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

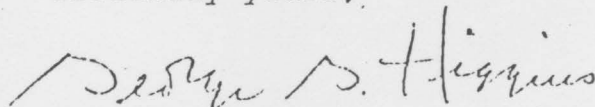
Dear Mr. Eilberg:

I was gratified that the Subcommittee, at its initial markup session on H.R. 982, the so-called "illegal alien" bill, gave indication of favorable consideration of an amnesty provision. As the testimony of the U.S. Catholic Conference points out, this would remedy a serious deficiency in H.R. 982. As stated in my letter of June 17, by granting amnesty as of March 19, 1974, the effective date of the regulations on the general policy for issuing social security numbers (implementing P.L. 92-603), the social security card would become the control factor, and the status of those aliens who are here now would be equitably addressed.

In addition, I would commend the Subcommittee's recognition of actual and potential discrimination, and your desire to report a bill which will not result in discrimination. The use of the social security card by all applicants for employment would eliminate any possibility of discrimination in hiring. The adoption of this procedure together with a generous amnesty provision, is the surest means of preventing discrimination.

With every best wish, I remain,

Cordially yours,



Rev. Msgr. George G. Higgins
Secretary for Research

April 22, 1975

CONGRESSIONAL RECORD — HOUSE

H 3123

*Illegal alien
file*

file

order to provide for the entry into the United States of certain categories of Vietnamese nationals. The House Committee on the Judiciary was kept advised concerning the development of these procedures as well as the proposed use of the parole authority by the Attorney General for the various categories of Vietnamese nationals.

I wish to insert into the RECORD at this point letters which I have received from the Commissioner of the Immigration and Naturalization Service, Leonard F. Chapman, describing these procedures and the actions undertaken by the Department of Justice:

OFFICE OF THE COMMISSIONER,
IMMIGRATION AND
NATURALIZATION SERVICE,
April 21, 1975.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington,
D.C.

DEAR MR. CHAIRMAN: This is to inform you of those special actions taken by the Service in the current Vietnam and Cambodian crises. These special actions are presented below:

1. Our field offices have been notified to withhold the forcible departure of natives of Vietnam and Cambodia now in the United States and to permit such aliens to accept gainful employment, if necessary.
2. Authorized the parole of some 2000 orphans for whom appropriate visa petitions had been filed.
3. Authorized the parole of some 3000 Vietnamese relatives who are in Vietnam with their United States citizen or lawful resident alien relatives.
4. Authorized the parole of about 3000 Vietnamese relatives for whom visa petitions have already been processed by relatives in the United States.
5. Undertaken action to assure that those Vietnamese and Cambodian children paroled into the United States whose "orphan" status has not yet been clearly established are under proper supervision and that no action looking toward their adoption is undertaken until a satisfactory inquiry is completed showing them to be "adoptable".
6. Instructed all of our field offices to expeditiously process visa petitions and verifications of lawful entry filed on behalf of Vietnamese relatives now in Vietnam and to inform the American Embassy in Saigon of such action immediately.
7. Agreed to have our field offices act as an intermediary in transmitting information on relatives or friends in Vietnam from persons in the United States to the American Embassy in Saigon.

You will be kept informed of other actions in this regard as they occur.

Respectfully,
L. F. CHAPMAN, Jr.,
Commissioner.

OFFICE OF THE COMMISSIONER,
IMMIGRATION AND
NATURALIZATION SERVICE,
Washington, D.C., April 22, 1975.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington,
D.C.

DEAR MR. CHAIRMAN: Supplementing my letter to you dated April 21, 1975, concerning special actions taken by this Service in the present Vietnam and Cambodian crisis the following additional special actions have been taken.

1. Authorized the parole of some 10,000 to 75,000 natives of Vietnam who are the immediate relatives of United States citizens or the close relatives of lawful permanent resident

aliens. This latter group includes parents of lawful resident aliens and unmarried brothers and sisters living with the parents.

2. Authorized the parole of some 50,000 natives of Vietnam who are in the "high risk" category because of their close association with the United States Government in Vietnam.

3. Authorized the parole of some 1000 Cambodian diplomats who were airlifted by the United States Government to Thailand.

Interested persons in the United States should contact the closest Immigration and Naturalization Service office which will be prepared to assist them to have their relatives in any of the classes enumerated above identified for parole. The information obtained will be cabled to the American Embassy in Saigon to assist that office in arranging for the person's parole. Presentation of Form I-151 (Alien Registration Receipt Card) will be accepted as evidence of lawful permanent residence in these cases. Further, Service files not showing sufficient evidence of the required relationship will nonetheless be approved conditioned upon satisfactory proof of relationship to the Consular Officer. In the event an individual requires assistance for persons not within the enumerated classes, our field offices are instructed to record such information and furnish it to the American Embassy in Saigon for whatever help it might be to the officials there.

Respectfully,
L. F. CHAPMAN, Jr.,
Commissioner.

CAMBODIAN AND VIETNAMESE
REFUGEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, during the past few weeks there has been a definite lack of available information concerning which categories of Vietnamese nationals will be eligible for admission to the United States in the event they are able to depart from South Vietnam.

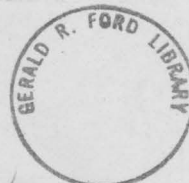
At the same time, there are several questions which have arisen regarding the procedures which have been developed by the Departments of State and Justice in order to facilitate the admission of Vietnamese nationals, particularly those who are related to U.S. citizens and permanent resident aliens. Several measures have been taken to expedite the admission into the United States of those individuals who are the beneficiaries of approved relative petitions which have been submitted in their behalf by U.S. citizens and permanent resident aliens. Likewise, the use of the parole authority under section 212(d)(5) of the Immigration and Nationality Act has been recommended by the President in

!acción!

United Farm Workers of America, AFL-CIO

July

1974



Gilbert Padilla
(202) 587-0570



UFW CAMPAIGN AGAINST ILLEGAL ALIENS--FARMWORKERS ASK FOR CITIZENS' DRIVE AGAINST ILLEGAL WORKERS

The United Farm Workers are intensifying a nationwide campaign against importation of illegal aliens across the Mexican Border into Arizona and California. We are launching a drive against what is in effect a massive, well-organized black market on slave labor in U.S. agriculture. We ask you to write strong letters of protest to your Congressmen and Senators right away asking that they exercise their Congressional power over the Justice Department's Immigration and Naturalization Service by pressuring Attorney General William Saxbe to enforce Immigration laws, to clean up the corruption among INS officials, and to remove the hundreds of thousands of illegal aliens now working in the fields of the Southwest and West.

Illegal workers have traditionally been allowed into the U.S. from various countries to serve the interests of agribusiness in the West and Southwest. Hundreds of thousands of illegals from Mexico (estimates now run from 1/2 million to 3/4 million in Arizona and California fields) are now displacing domestic workers, forcing them into unemployment. They are breaking farm workers' strikes and are depressing agricultural wages. Collusion among federal Immigration authorities and Western ranchers has long existed, and the blatant non-enforcement of the law is denying America's poorest workers decent living and working conditions. Approximately 80%-90% of the workers now harvesting Arizona and California crops are illegals.

Rep. William J. Randall (D-Missouri), Chairman of the Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations, is currently conducting closed hearings on the corruption of the Immigration and Naturalization Service. Indications are that the Subcommittee will soon publicize names of high-level officials in INS who are guilty of corruption and participation in transporting of illegal aliens, in narcotics trade, and in running and protecting the prostitution business. When you write your Congressmen and Senators, ask them to commend Rep. Randall for his work and to urge him to continue his hearings.

Following is one example of a rancher's use of illegals. The UFW has documented information from sworn affidavits from workers in the fields concerning hundreds of similar cases in Arizona and California. We emphasize that everything in these and other documented reports has been reported to the Immigration and Naturalization Service's Border Patrol, whose officials have generally chosen to ignore the reports and the illegal activities.

SENATOR GOLDWATER'S BROTHER TRADES IN SLAVE LABOR IN ARIZONA

Robert Goldwater, brother of Senator Barry Goldwater (R-Arizona), purchases illegal workers from Mexico for \$80 per worker for his 4200-acre Arrowhead Ranches in Glendale, Arizona. Bob Goldwater is a major partner of Arrowhead Ranches and President of the Corporation. Arrowhead Ranches is a partnership which is one of the incorporators of GOLDMAR, INC., an Arizona development and investment company now operating the ranch and involved in numerous Arizona real estate deals. The ranch produces grapes, lettuce, and citrus.

The ranch regularly uses 200-300 illegals. Arrowhead Ranch foremen are linked with a system of smuggling illegal workers, and the ranch often provides illegals to other ranches in the area and in California.

Illegals have been found this summer living in cardboard boxes and under tarps in the citrus groves of Arrowhead Ranches. There are no bathrooms, toilets, or washing facilities in the fields where they live. In the spring of 1974, according to 5 illegal workers who left Arrowhead Ranch and described their experiences, some illegals are transported to the ranch from Casa Grande, Arizona, by labor contractors who receive \$80 per worker. Other illegals testified that they were brought by foot across the desert from Nogales to Arrowhead Ranch. Illegals are given a number when they arrive at the
(continued on Page 2.)

RECEIVED
JAN 29 1975
CENTRAL FILES

ranch and are referred to by that number. When labor contractors from California or other states or ranches need workers, illegals are arbitrarily assigned to those contractors without any choice on the workers' part. Workers are warned by Arrowhead foremen when the U.S. Border Patrol approach, and are ordered by the foremen to disperse and hide when federal authorities arrive.

In April 1974 illegals worked approximately 10 hours a day, 6 days a week. Wages averaged between \$30-60 a week, in obvious violation of minimum wage laws. Social Security deductions were taken from paychecks even tho workers had no S.S. numbers.

Because federal Immigration authorities in Arizona and California have repeatedly ignored reports of these activities, the United Farm Workers hope that a citizens' protest through Congress to pressure the Attorney General will result in effective law enforcement on the Mexican border and will result in the removal of these illegals from the United States. For more information, call UFW, 587-0510.

NEW STRIKE FILM AVAILABLE--If you wish to show the new UFW strike film, Why We Boycott, which portrays 1973 strike activities in Calif., to your friends or organization, call UFW, 587-0510. A neighborhood premier of the film will be shown to raise funds for the UFW.

EX-D.C. SCHOOL BOARD MEMBER & CITY COUNCIL CANDIDATE ROSENFELD HARASSES UFW PICKETS

UFW asks you to protest the violence directed against our pickets by Woodley's Liquor store, 3423 Connecticut Ave., N.W., whose owner Albert Rosenfield is an ex-D.C. School Board Member and candidate for D.C. City Council. We ask you to demand of Woodley's that they stop selling Gallo wines until the UFW has won the right to elections in California.

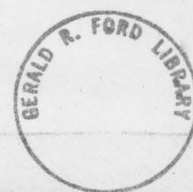
Woodley's betrayed their agreement to stop selling Gallo wines by June 1 and have hired "goons" to beat up UFW pickets. They have organized with the D.C. Gallo wine distributor Forman Brothers and with other liquor retailers to get a court injunction against the UFW. Owner Albert Rosenfield has told the UFW he "will never go along with" us and has slandered Union members by referring to UFW pickets as "liars" to a fellow School Board Member. On July 9 one of Mr. Rosenfield's employees beat up UFW staff member Curt Barger, who was peacefully leafletting in accord with the court's Temporary Restraining Order against the Union. Mr. Barger suffered impaired vision, facial bruises, and cuts requiring stitches. This violent attack on one of our members must not go unnoticed. The attack was unprovoked, vicious, and senseless.

Mr. Rosenfield has the full cooperation of the Metropolitan Police force, who guard the store, verbally harass and mock Union pickets, and urge customers to buy Gallo wines at Woodleys. Acting on the store's behalf, the police illegally enjoined UFW pickets, citing nonexistent "police regulations" against singing, talking, leafletting and numerous other peaceful picketing activities which are protected by the law and the Constitution. Please call Mr. Rosenfield to protest his violent actions against our nonviolent leafletting and picketing. His home, EM2-2444. Woodley's, WO6-4400.

UFW WINS APPEAL AGAINST COURT INJUNCTION--FIRST AMENDMENT RIGHT UPHELD!

On Aug. 2, a three-judge appellate court issued a stay against the injunction obtained by Gallo's D.C. distributor and 8 retailers. The injunction, issued on July 19 by D.C. Superior Court Judge Edward Beard, violated UFW legal and First Amendment rights to peacefully picket. The Plaintiffs' case was financed by Forman Bros., sole distributor of Gallo Wines for greater Washington. This is an apparent violation of federal anti-trust law, but Judge Beard refused to hear evidence on violation of this law. UFW has information that some liquor retailers were coerced by Gallo's distributors to join them as plaintiffs.

We ask our D.C.-area supporters to protest Gallo's unjust treatment of farm workers by calling Forman Bros. Tell them that the Gallo wines they sell in their \$28 million a year business are products of oppressed workers who are struggling to free themselves from oppression, and that they, Forman Bros., have a moral obligation to cooperate with the UFW. Their phone: 398-3300; Address: 4325 Sheriff Rd., N.E., D.C. 20019. And please celebrate with us our victory in court by joining our picket lines at these stores (all were plaintiffs against us, some "testified" by lying to the judge that we are "violent"--!!): Woodley's (see above); FoodMart, Georgetown; Morris Miller, at Silver Spring line; Calvert, Wisconsin, N.W.. Call us at 587-0510 for day and time of each picket line.



THE WHITE HOUSE
WASHINGTON

Date: 9/26/74

Memo to: Fernando DeBaca

From: Fred Slight

Please prepare reply for Mrs.
Armstrong's signature _____

For appropriate handling _____

For your information ☒ _____

Per your request _____



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NEWS



SEP 26 1974
U. S. DEPARTMENT OF LABOR
OFFICE OF INFORMATION, WASHINGTON, D. C. 20210

CONTACT: Marian Nelson
(202) 961-5044
AFTER HOURS: Ledford Day
(703) 860-0851

USDL -- 74-520
For Release: A. M. Editions
Tuesday, September 24, 1974

PUERTO RICAN FARM WORKERS GET MINIMUM WAGE INCREASE

Minimum wage rates for Puerto Rican agricultural workers are being raised under a wage order recently issued by the Department of Labor.

Bernard E. DeLury, Assistant Secretary of Labor for Employment Standards, said the new rates became effective September 13. About 16,000 farm workers in Puerto Rico are currently covered by the minimum wage law.

The new hourly rates and the worker categories affected by the changes are:

Agriculture, other than sugarcane farming:

-- \$1.60 - Drivers, tractor operators, machinery operators, milkers, and craftsmen.

-- \$1.40 - Other workers on livestock, dairy and pineapple farms.

-- \$1.28 - Other workers on tobacco, coffee and other farms

Sugarcane farming:

-- \$1.60 - Principal operators of mechanical loaders, harvesters and sowers, operators of other mechanical equipment, and craftsmen.

-- \$1.45 - Other workers on sugarcane farms.

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