

July 6, 2000

MEMORANDUM TO THE PRESIDENT

FROM: Maria Echaveste
Mickey Ibarra

RE: Arizona-Mexico Border Issues

CC: John Podesta

In response to your recent conversation with Governor Hull and the Washington Post article you read (see attached), below a status report on Arizona-Mexico border issues follows.

Racial Tension

With respect to the Washington Post story, since April 1999, there have been about 15 incidents along the Arizona-Mexico border in which private citizens have detained undocumented migrants. The DOJ Civil Rights Division has been investigating the cases where the private citizens have used guns to intimidate the migrants but so far they have found no evidence that federal laws have been violated. The U.S. Attorney has been working with state and local prosecutors to investigate these cases and has offered to help them with any State investigation or prosecution.

The Department of Justice's Community Relations Service (CRS) provided community relations training to border patrol agents and arranged meetings with the U.S. Attorney and key Latino leaders. This approach may be having some effect – the most notable of the Arizona ranchers involved in this issue, Mr. Barnett, has not detained an illegal immigrant since May 20. Notwithstanding this progress, a CRS assessment indicates that the Douglas rancher situation is and will remain volatile for the next 6-12 months and that it is "one bad incident" away from becoming an open and dangerous confrontation. CRS will continue to monitor and assess the situation closely and will provide direct conciliation and technical assistance.

Immigration Issues

As you know, concerted and effective efforts of the INS along the Texas and California border has led to increased illegal migration traffic along the Arizona-Mexico border – press accounts indicate that there are as many as 10,000 illegal crossings into the State every day.

INS has responded with increased personnel and resources:

- Since May 6, 2000, the Border Patrol has deployed to the Tucson Sector 50 new permanent agents and 180 temporary agents and will send an additional 179 agents by October 31, 2000. Additionally, the Border Patrol is sending infrared scopes and low-light television cameras, permanent and portable lighting, new helicopters and fixed-wing aircraft for air support, 24

more all-terrain vehicles and a horse patrol for ground coverage and almost double the number of existing underground sensors (699 to 1269).

- INS has strengthened the ranch patrol units in Douglas, Arizona and has established a 24-hour toll free hotline for area residents to call and report migrant traffic and related problems.
- The Deputy Attorney General, INS and the U.S. Attorney all have held meetings with community groups and government officials in Arizona and Washington, DC, and those contacts are on going.
- One critical and recent change in the Arizona border management is the assignment of USBP Chief David Aguilar to the Tucson Sector. Since his arrival, all parties have acknowledged a noticeable difference in the development and implementation of the INS' enforcement strategy. During meetings that DAG Holder has held with Governor Hull and Senator Kyl (R-AZ), each has commented on the improvement of the Border Patrol's efforts due, in large part, to the work of Chief Aguilar.

Temporary Guestworker Legislation

Governor Hull asked you to support Representative Kolbe's efforts to modify the current temporary guestworker program process and to establish a commission to study the border. Rep. Kolbe has not introduced his own H-2A temporary agricultural worker bill. Rather, he is a co-sponsor of the Agricultural Opportunities Act (H.R. 4548), a bill authored by Rep. Richard Pombo (R-CA). Among other things, this bill purports to streamline procedures for the temporary admission and extension of stay of nonimmigrant agricultural workers and to establish a commission to study the problem of housing for such workers. The Administration strongly opposes this legislation because it would reduce work opportunities for U.S. citizens and other legal residents and depress wages and work standards for American workers.

Construction of Border Fence

DOJ is working to expedite the construction of fences and roads along the border by initiating an Environmental Assessment (EA) for the fence between the Douglas and Naco border stations, which should be completed by September. This EA will allow the INS to carry out its planned construction while the more detailed and protracted Environmental Impact Study (EIS) for the entire Yuma and Tucson Sectors is being completed.

The Governor is incorrect to blame EPA for the EA process. DOJ, by initiating the EA process is ensuring a fast track designed to allow certain fencing, road and lighting activities to take place before the longer EIS (for the Yuma and Tucson Sectors) is completed. Failure to comply with environmental laws can result in protracted litigation. Indeed, DOJ currently is defending INS in two such cases along the Texas border.

Pollution of the San Pedro River

The environmental issues surrounding the San Pedro are centered on balancing the appropriate types and levels of public use with protection and enhancement of the sensitive natural resources present in the San Pedro Riparian National Conservation Area (NCA). Increasing development and illegal immigration within the river basin is creating strain on the groundwater resources at the north and south ends of the NCA, where perennial flows no longer exist. Your Administration has offered significant help in this regard. First, your FY 01 budget proposal included \$838,000 to protect the NCA's sensitive natural and cultural resources, provide visitor services, law enforcement, environmental education and address the impact of undocumented aliens passing through the areas from Mexico. Second, your budget requests about \$3 million from the Land and Water Conservation Fund (LWCF). These funds would be used to purchase some of the private in-holdings inside the NCA. These lands currently are being used for agriculture, which is draining the river and destroying habitat. Some of the property owners are willing to sell either their lands in fee or conservation easements, which would allow BLM to retire the water rights and protect the river and habitat.

6-26-00

Emotions on the Edge

Ariz. Ranchers, Mexican Migrants Face Off Along Border

By WILLIAM BOOTH
Washington Post Staff Writer

A1

DOUGLAS, Ariz.—Rancher and propane salesman Roger Barnett says he does not speak much Spanish, just a couple of words and phrases, "but I'll tell you, the Mexicans know the game is up when they see the gringo and his dogs coming up on them." He also makes his point by wearing a pistol in a holster on his hip.

Over the last two years, Barnett and his brother Don say, they have apprehended and detained about 3,000 illegal immigrants on his ranch before turning them over to the Border Patrol—a practice that has given rise to vigorous defenses of Barnett and other ranchers for protecting their property rights, as it has to condemnation of them as vigilantes who enjoy "hunting" for humans.

In this Wild West desert country along the border with Mexico, migrants have always come across, looking for work and new lives. But while once dozens came, now thousands do every day, as the Border Patrol has made crossing into Texas and California much more difficult, thereby pushing the human traffic into Cochise County in southeast Arizona.

The anxiety on both sides of the border has reached crisis level, drawing in governors of several Mexican and U.S. states, Secretary of State Madeleine K. Albright and her counterpart from Mexico. South of the bor-

der, a group has offered bounties worth thousands of dollars for killing Border Patrol officers. And on the U.S. side, there are the armed ranchers.

"The rush of undocumented workers [is] casting a dark shadow" in the communities on both sides of the border, said Arizona Gov. Jane Hull (R). "Tensions and emotions are running very high—higher than I've ever seen."

The situation here mirrors other confrontations all along the 2,000-mile U.S.-Mexico border, as the federal government has poured agents and resources into closing areas to illegal traffic, at the same time that the booming American economy has demanded ever more workers to do a lot of the lower-wage jobs that citizens apparently do not want.

Critics of U.S. immigration policies contend that the Border Patrol does not so much stop illegal entry as move it around, simply shifting the problem from one community to another. This has given rise to renewed calls by Hull and others for the federal government to rethink immigration and consider something like a guest-worker program to stem the illegal flow and bring undocumented workers into the system.

Here in Cochise County, after the migrants slip across the border, sometimes led by smugglers known as coyotes, they might walk for miles through the desert, along train tracks and up dry creek beds, and across private property.

Rural homeowners and ranchers complain that nightly they hear or see migrants crossing their land, which, along some well-worn trails, is now littered with empty water jugs, discarded clothes and human waste. The migrants or their smugglers knock down fences, leave cattle gates open and cut water hoses to drink.

"It's like an environmental disaster out there," said Cochise County Sheriff Larry Dever. "The country is just getting trashed."

Rancher Marie Ladd, whose family has worked land along the

border for 100 years, says: "They've just gotten just so smart-alecky. They come right up by the house at night. You don't know who they are or what they want."

Members of the Ladd family, unlike the Barnetts, do not detain the crossers, nor do they carry guns on their rounds around the ranch. If they spot a group of migrants, they call the Border Patrol.

"They're just coming to work, I understand that, and it's just so hypocritical of the government," said Marie's husband, Jack Ladd. "They don't want to stop them. They just want to move the problem someplace else."

Others have taken matters into their own hands. Roger Barnett is the most outspoken of the ranchers, and he makes his disgust for his government plain, saying Washington lacks the guts to bring in the National Guard or the Marines to defend the border against what he calls "an invasion."

His 22,000-acre spread begins two miles north of the border east of Douglas—and it's a dry, desolate and beautiful landscape. There is no high metal fence or bright lights marking the border out here, as there is around Douglas, which sits across from Agua Prieta in Mexico. There's nothing but a bit of barbed-wire fence and cows.

When told that the 3,000 illegal immigrants he says he and his brother have detained and turned over to the Border Patrol seems like a lot, Barnett guffaws. "They're catching 2,000 a day around Douglas. How many you think slip through? Another 4,000, another 8,000?"

On a recent night in the area around Douglas, the Border Patrol apprehended about 1,400 illegal migrants. In May, in Cochise County alone, they detained and returned to Mexico about 43,000 crossers.

Every weekend, Barnett says, he or his brother catch migrants on their land. "Last weekend, we got 16," he said. "Yesterday, all we got was seven." Might be the heat of the approaching summer, he guesses, that has slowed it down a bit.

1/2

Indeed, the heat is killing migrants. About 40 people have died in the deserts here since October.

Barnett views what he's doing as checking the property and fence lines, and looking after his 200 head of cattle. Others, particularly in the Mexican media, charge that Barnett is "hunting" for migrants.

Barnett says he is not hunting. "They're on my land, they're trespassing, and I have a right to protect my property," he said.

He does not deny that he looks for fresh tracks and visits migrants' favorite hiding spots. But Barnett says he is no vigilante. He tells the migrants to stop, sit down and wait while he calls the Border Patrol. He says he offers them water. "We have guns to protect ourselves," he said. "But I don't pull my gun unless I plan to use it."

Asked why he doesn't just call the Border Patrol when he spots migrants, as other ranchers do, Barnett answers, "If I got to fix the down fences, I'm going to have the pleasure of catching them."

The actions of ranchers such as Barnett have been the subject of high-level discussions between Albright and Mexican officials in Washington. Their activities, too, were the talk of a recent meeting of eight U.S. and Mexican governors in Sacramento.

The official response, overall, has been to decry any attempts at vigilantism, but to support the ranchers' rights to protect themselves and their property.

Law enforcement officials here generally defend the ranchers and property owners, while warning that tensions are running so hot they fear that sooner or later, somebody is going to get shot.

"Honestly, what's going on is property owners are simply protecting their own property, families and livestock. Vigilantism ... is not being done out there," said Rob Daniels, spokesman for the Border Patrol sector that includes Cochise County.

Sheriff Dever, too, defends the ranchers. "There would be very little outcry if they were detaining outlaw biker gangs," he said. "But the fact that these people are flee-

ing from an oppressed economy, that gets people's sympathy."

Dever and Border Patrol officials say that pressure in other sectors has driven the traffic into Cochise County. Also, except during the hottest summer days, the climate here is mild. There are no high mountains to cross; there is a sizable transportation hub in Agua Prieta; and the area is close to boomtowns such as Tucson and Phoenix, which have the airports and bus stations to help migrants on their way to Los Angeles or Chicago.

Wherever the migrants end up, here the mood is getting more raw by the day. A few weeks ago, someone distributed an anonymous brochure inviting outsiders to come down for some "fun in the sun" and bring their RVs, halogen spotlights and infrared scopes to help in the "Neighborhood Ranch Watch." The brochure might have been a joke, but nobody is laughing.

The League of United Latin American Citizens and other groups have denounced the brochures as "blatant race baiting" and accused the ranchers of forming vigilante groups.

Government officials in Mexico are considering suing ranchers who detain their citizens.

This month, an also somewhat mysterious citizens group in Reynosa, Mexico, allegedly placed a \$10,000 bounty on U.S. Border Patrol agents. That might have been a joke, too, but the Border Patrol urged its agents to be on heightened alert.

In Douglas, Mexican Consul Miguel Escobar decried the bounty offer, but he also fears that things could get out of hand. He has investigated 25 incidents of migrants being detained by private citizens; 15 of the cases involved the Barnetts.

"They tell us they feel intimidated and fearful for their lives," Escobar said. The Barnetts use dogs, he says, and carry sidearms. He declined to call the actions vigilantism, but as for the "hunting" of humans, as the Mexican media has dubbed the actions? "That word depends on your perspective," he

said.

The mayor of Douglas, Ray Borane, is frustrated by a policy he calls "a charade."

"These people are not marauders," he says of the migrants. "These people are commuting to work."

"It's obvious that the government and the employers have no real interest in stopping this. We need the workers. Mexico has workers. This needs to be handled in Washington and Mexico City. We just happen to be right in the middle of it," Borane said.

"This place is starting to look like an armed camp, and nobody really gives a damn."

In the little border town of Naco, Mexico, recently, a group of seven Mexicans said they were planning on crossing into the United States later that night. Two had been caught previously. One of the men, who asked that his name not be used, said in English, "I'm going back to Phoenix." He already has a job, he said, at a restaurant. He has lived, on and off, in Phoenix for a decade. "Seven dollars an hour is good money," he said. As for the ranchers, he shrugged. He said he was more worried about the dogs.

2/2

6-26-00

JP
we don't want
them to get out of
hands - is there anything
else we can do -

BZ

copied
Podesta

Michael
Mancini
who you
following up?
(JGS)

Border Safety Initiative Press Event Q&A's (INTERNAL USE ONLY)

INS Border Strategy Is Cause of Increased Deaths

Isn't it the INS' own border strategy that is driving aliens into dangerous areas, which result in all these deaths?

Smugglers are public enemy number one. Our questioning of migrants shows that the overwhelming majority (approximately 90 percent) of the aliens we apprehended were guided by smugglers. We also find that smugglers, who are only interested in money, leave behind or otherwise abandon migrants who become ill or for any other reason can't keep up.

One of the new initiatives of the Border Control Strategy is to build border safety into all operational plans along the border (deployment of personnel and equipment). For example, as we identify high risk crossing areas for migrants, we deploy resources to these areas even though they may not necessarily be the highest traffic areas.

The mission of the Border Patrol is to enforce immigration laws. And as this border safety initiative underscores, we attempt to do so as humanely as possible.

Vigilantes – Q&A

Does the Border Patrol encourage local ranchers and others along the border to arm themselves or to make citizen arrests, i.e. become vigilantes? Is this helpful?

No. The INS Border Patrol absolutely discourages ranchers from taking matters into their own hands. Border Patrol agents attend community meetings to listen to concerns. Our sectors encourage the public to report illegal activity. Agent teams respond as quickly as possible.

New equipment, together with the increases in personnel at major crossing points along the border will strengthen the Border Patrol's enforcement efforts, particularly its ability to assist area ranchers and residents. For example, in Tucson, the Sector plans to double the number of agents assigned to its "ranch patrol" teams. Those teams are responsible for responding to calls from ranchers and citizens in remote sections of the Douglas-Naco corridor.

Are you concerned about reports of vigilante activity along the border?

The INS is committed to enforcing the rule of law along the border. We are deeply concerned about recent incidents along certain sections of the border in which private individuals have detained Mexican immigrants. The government of Mexico has shared its concerns about these incidents as well. We have informed them of the steps we are taking, and have asked for their assistance in preventing illegal migration and in breaking up alien smuggling rings.

The job of enforcing federal and state laws is best left to trained law enforcement personnel. We are not aware of any violations of federal law to date, but we will continue to monitor the situation and take appropriate steps. We also will continue working with local and state law enforcement officials who are assessing the conduct on a case-by-case basis.

We recognize the concerns of residents who feel overwhelmed by the flow of illegal migrant traffic, but we urge them not to try and take the law into their own hands. It is important that local residents contact the Border Patrol rather than risk their own safety by confronting persons whom they suspect to be smugglers or illegal migrants.

McAllen Drowning Q&A

Earlier this month, two Honduran migrants drowned in the Rio Grand in full view of the U.S. Border Patrol and Mexican law enforcement officials as well as a crowd of people on the nearby international bridge and a Mexican TV crew who shot video of the whole incident. From the clips that we saw on Mexican TV, it looked like the Border Patrol agents did nothing to help? Is that true?

I am told that our agents threw a rescue disk (just like the orange disk on display at the table) right to the men. They got it right to the men several times, but they didn't grab the disk. We can only guess that they thought they were going to make it back to the Mexican shore. This turned out to be a fatal error on their part. (Note: You can see a flash of the orange disk on the video.) Jumping into fast moving water with treacherous undercurrents is not a good strategy for a potential rescuer – too often they become another victim.

Q & A's for Tucson/Douglas

What new resources is the Border Patrol going to bring to the Douglas area?

In the coming months more than 200 additional immigration officers will be deployed to southern Arizona. In addition to these officers, the area will also be getting new equipment that includes 14 All-terrain Vehicles, seven remote video surveillance cameras, and almost 2 miles of permanent high-intensity lights along the border.

Is this the answer to the overwhelming situation facing Douglas today?

These enhancements, together with the increase in personnel, will strengthen the Border Patrol's enforcement efforts, particularly its ability to assist area ranchers and residents. The Sector plans to double the number of agents assigned to its "ranch patrol" teams. Those teams are responsible for responding to calls from ranchers and citizens in remote sections of the Douglas-Naco corridor.

Rose Ochi, CRS
John Grawsvorn, OSE
Stuart I, CRO

Agenda
Southwest Border Meeting
State of Affairs in Arizona
4/28/00

I. Introduction

Michael Perez, Counsel to the Deputy Attorney General
The Honorable José de Jesus Rivera
United States Attorney, District of Arizona and
The Attorney General's Special Representative for Southwest Border

II. Arizona Border Overview

The Honorable José de Jesus Rivera
United States Attorney, District of Arizona and
The Attorney General's Special Representative for Southwest Border

(A) Border Patrol Initiative, Policy and Strategy for Arizona

Gus De La Vina, Chief of Border Patrol

(National Perspective)

1974-100 agents Count-400 B.P., Environ. improve

(B) David Aguilar, Chief, Border Patrol, Tucson Sector *been there 2m*

(Local Perspective)

*Quality of life - improving this
Crime - 40 bandits, been reduced.*

*BSI (Border Safety I) - 10. when smugglers
outred to country B.P. associate in country.
Citizen Army*

(C) Federal / State Relationship

The Honorable José de Jesus Rivera

United States Attorney, District of Arizona and

The Attorney General's Special Representative for Southwest Border

Just

Border Liaison

(D) Civil Rights Perspective

Albert Moskowitz, Chief

Criminal Section, Civil Rights Division

III. Open Discussion

12 Laws
*Official contact - B.P. - 16 and
residents under color of law B.P.
must report to C.R.D. 24 hrs.
photo, file - FBI or return to INS*
*Non-color of law (ie ranchos) - based on late crime statistics, must prove out of violence,
motivated by race + must be helped w/ fed. protected rights treaty, edue, used state
facility, public accommodation - Beyond of a reasonable doubt.*

OS + As *Sally Holcombe*

*Quality of life - has ~~been~~ improved slightly but asked citizenship frequently w/ a safety
Only problem - drug corruption is ~~not~~ not focused on focus on immigrants not aware
of the transition.
- Don't know what to do - can we help.
- too many Border Patrol agents.
- have a ranches in family + not everyone*

- Problems occurring in N.M.

- Sat memo to DOJ

Root Cause for
Linda murder

-Should forget the coyote

ARIZONA BORDER DELEGATION FOR PEACE AND JUSTICE

Arizona Border Delegation: Biographies

Maria Jimenez

- Director, AFSC's Immigration Law Enforcement Monitoring Project (ILEMP) since 1978
- Coordinator of ILEMP Network with affiliated groups in Harlingen, TX, El Paso, TX, Tucson, AZ and San Diego, CA
- Recognized expert on border and immigration policies and human rights issues

Jose Matus

- Director, Coalición de Derechos Humanos/Arizona Border Rights Project and Alianza Indígena Sin Fronteras (Indigenous Alliance Without Borders)
- Yaqui Traditional Leader in Tucson, AZ and Sonora, Mexico
- Recognized expert on rights of border mobility for indigenous communities and human rights issues of the Arizona/Mexico border

✓ **Isabel Garcia, Esq.**

- Director, Pima County Legal Defender's Office
- Fifth generation Tucsonan
- Affiliated with numerous civil/human/labor rights organizations
- Recipient of numerous awards for recognition of civil/human/labor rights and legal work in the community of Tucson, AZ and Texas
- Recognized expert on immigration and border policies and civil/human rights issues

✓ **Jesus Romo Vejar, Esq.**

- Attorney, Tucson, AZ
- Litigated numerous cases involving civil rights violations of immigrants and border residents in Phoenix, Tucson, Nogales and Bisbee, AZ
- Former organizer of farmworkers in Arizona/Mexico, principally undocumented workers
- Recognized expert on immigration and border policies and civil/human rights issues

RICHARD FIMBRES, ULLAC.

TERRY MARTINEZ, ULLAC.

✓ **Father Robert Carney**

- Ordained 1991, Diocesan Priest, Diocese of Tucson, AZ
- Pastor, St. Luke's Catholic Church, Douglas, AZ
- Priest in good standing
- Douglas, AZ resident, five years
- St. Luke's Church is the center of Douglas activities around border issues
- St. Luke's serves ranchers, immigrants and residents of Douglas-Agua Prieta

✓ **Linda Morales**

- Currently works as a Prevention Specialist II for Southern Arizona Behavioral Health Services, New Turf Prevention
- Develops and coordinates The Mentor Connection Clearinghouse, provides various training to youth and adults in the community
- Mentor for two Youth Advocates groups in rural Cochise County
- Border resident for 15 years, bi-cultural and bi-lingual
- Community activist and member of Citizens for Border Solutions

✓ **Sally Holcomb**

- Fifth generation native to the border area of southern Arizona
- Director of Community Development and Prevention for Southern Behavioral Health Services
- Oversees a variety of community based organizations and youth efforts
- Serves on several community and state boards and committees including the Governors' Commission on Parenting and the State Gang Task Force
- Community activist and member of Citizens for Border Solutions

Charlie Sotelo

- Born in Bisbee, AZ, third generation
- USMC 1964-1970, 3rd Battalion, 3rd Marines Viet Nam service
- Former police officer
- Owner/Broker Valle Realty & Development
- Member, Arizona-Mexico Commission
- Involved in cross border development in Arizona and Sonora

Andrew J. Hummel-Wood (Morales)

- Recent honor student of the 2000 graduating class of Naco Elementary
- Will attend Bisbee High School as a Freshman next year
- Participant of the New Turf Prevention Youth Advocate Program
- Border resident, fourteen years
- Involved in activities in both the United States and Mexico

HUMAN RIGHTS CRISIS AT THE U.S. MEXICO BORDER

Arizona Border Delegation for Peace and Justice
General Delivery, Tucson, Douglas, Bisbee, Arizona

Historically, the communities of Southeastern Arizona have shared cooperative and friendly relations with our neighbors in Mexico. Many of us have friends and family in Mexico, and visit on a regular basis. We have worked very hard to implement community and school based projects like Hands Across the Border and Sister Cities, promoting cultural exchanges, cooperation and understanding. We encourage people on both sides of the border who promote eco-tourism, small scale manufacturing, and international economic exchange. We support all opportunities to increase the quality of life through various means including employment that is respectful and protects our environment.

At this time, however, our attention is focused on the growing crisis impacted by the hundreds of thousands of economic refugees seeking work on farms and in cities in the U.S. Many of our citizens are concerned and some are frightened. A few may have even taken the law into their own hands. To make things worse, divisive groups from other areas have seized upon this as an opportunity to promote fear, hate and polarization. This all adds up to a very volatile mix.

As the Arizona Border Delegation for Peace and Justice, our main concerns are:

- Mass migration has great impact on our land and people. This includes the financial impact to struggling rural counties, tremendous environmental trauma, and worse, that people are dying unnecessarily. More than 45 people have died in our area from exposure in the last few weeks alone, including a pregnant mother. These facts that face us daily. They horrify and devastate local citizens who are moved by compassion.
- Increased presence of Federal Agents has greatly affected our quality of life as citizens of the Border. The citizens live under constant surveillance and suspicion. There is an increase in the frequency of the local citizens being stopped by Federal and local law enforcement and asked numerous questions about their daily business, even on their own property. This gives residents a feeling that they live in an occupied territory.
- Rumors and misinformation are escalating reactions and imply inflated levels of divisiveness locally and internationally. Allegations of vigilantism and other wrong doing by ranchers and migrants need to be resolved and sensationalism diminished.
- The present reactionary measures are ineffective, short-term actions to the imminent crisis. These actions are short sighted and leave the local residents to deal with consequences without assistance. We are at a critical point that can either be used as an opportunity or could be escalated to a tragic crisis. Suppression methods are being represented as the primary and often the only solution. These methods will contribute to the current problems and may interfere in finding the lasting solutions. The underlying social and economic causes must be considered as a part of a larger strategic plan.

- A large portion of the Federal monies that are being appropriated to meet Border issues (not suppression) do not reach the actual communities. The monies should support actual services and infrastructures that are impacted by the current situation. A strong review of current appropriations to the Border needs to occur.

Local citizens are mobilizing and realize that:

- Militarization of the Border will only increase tension and fear and adversely affect our quality of life. At best, additional militarization would only deflect the situation elsewhere and long term solutions that address root causes will not be sought.
- Government officials need to support and guarantee the rights of all people – be they migrants in this country without documentation, or ranchers and others who feel the impact of this migration.
- We request an in-depth examination at all levels of government of the effectiveness of investment, immigration, and employment policy, with input from the local citizens at every phase of assessment, decision making, planning and implementation.
- We support actions that would calm the situation and bring all key players together to find lasting solutions.

With all of these concerns in mind, we therefore respectfully request that elected officials at all levels of government:

1. **Support and change policy that affects humanitarian gestures of local concerned citizens who come upon undocumented immigrants whose lives are endangered by exposure.**
2. **Work to ensure equal justice under the law for all.** Allegations of vigilantism have been made against some rancher and allegations of criminal behavior have been made against undocumented immigrants. These allegations create fear, distrust and polarization. We ask that all allegations be thoroughly documented, investigated and prosecuted where warranted. Stronger sanctions on the “coyotes” who lead unsuspecting individuals in to life-threatening to their enormous profit. Not to do so only encourages violation of the law. Where allegations are unwarranted we would like to encourage clarifying statements to be made public to quell rumors and fears.
3. **Divert and provide Federal Assistance to the effective areas.**
4. **Examine the economic and social causes of this problem in solution-focused hearings held on the Border including:**
 - a. Aspects of NAFTA, IMF and investment policy that encourage the displacement of farmers from their lands in rural Mexico and Central America to work for agri-biz or in maquiladoras.
 - b. Violation of workers’ rights/needs and environmental standards in regard to international agreements.

We call upon the President and Attorney General, Janet Reno to immediately review policies regarding the increase of Border Patrol and other Federal Agents on the southern border. An immediate review of the impact to local communities where maneuvers have been concentrated and Federal assistance appropriated is requested.

Thank you for considering these points. As proactive citizens of the Border, we are committed to finding positive and workable solutions to these issues. We request that meetings held locally on the Border to provide the opportunity of gathering all perspectives of these issues from the various viewpoints. Please contact us as soon as possible about these vital concerns, what actions you may propose to remediate them, and how we can best be of assistance.

Sincerely,

Citizens for Border Solutions

P.O. Box 759

Naco, Arizona 85615

Contact person: Linda Morales (520) 432-5174

Lisa Barnett (520) 432-9112

www.my.treeway.com/borders

Derechos Humanos Coalition
*** Meetings/Juntas: ***
 every **Thursday, cada Jueves,**
5:30 pm
 Sam Lena Library, 1607 S. 6th Ave
Everyone Welcome

Para mas informacion/For more info. call:
 Jose Matus, Maritza Broce, o Roberto
 Martinez at **520-770-1373**

We Need You! Lo Necesitamos!
 You can help. Please fill out this box and mail
 it. Usted puede ayudar. Llenc esta forma y
 mandacela al siguiente domicilio:

I am willing to contribute/Estoy dispuesto a
 contribuir

\$5 ___ \$10 ___ \$20 ___ other/otra \$ ___
 to help Derechos Humanos promote human
 rights. /para ayudar a Derechos Humanos con
 su causa de promover los derechos humanos.

Please send me more info. on how to volunteer.

Favor de mandarme mas informacion en como
 puedo ayudar.

Name/Nombre _____

Address/Domicilio _____

Phone/Telefono _____

Mail to/Mande esta forma a cargo de:

Coalicion de Derechos Humanos,
 631 S. 6th Ave Tucson, Az 85701
 fax: 520-623-7255 azbrp@aol.com

¡NO DEJES QUE EL ABUSO
SE QUEDE SIN DOCUMENTAR!
 ¿Te han gritado, insultado, o maltratado?

¡Esto es un abuso!

Have you been yelled at, treated rudely, or called names?

¿Te Han amenazado
 de alguna manera?

¡Esto es un abuso!

Have you been threatened in some way?

**¿Te han parado unicamente
 porque te ves "Mexicano"?**
¡Esto es un abuso!

Have you been stopped just because you "looked Mexican"?

¿Te han detenido sin darte una razon especifica?
¡Esto es un abuso!

Have you been detained without explation?

¿Ha sido tu propiedad confiscada,
 danada, o destruida?
¡Esto es un abuso!

Has your property been seized,
 damaged, or destroyed?

**SI TE HA PASADO ESTO, O A ALGUIEN QUE TU
 CONOZCAS, Y SI LA PERSONA QUE TE HIZO
 ES UN OFICIAL O AGENTE DE LA MIGRA, O
 DE LA ADUANA ¡HABLA!**

If this has happened to your or someone you know,
 and if the person was an INS official, Call!

El Proyecto de Vigilancia de la Aplicacion de Leyes Migratorias

1-800-682-4280

770-1373

LET NO ABUSE GO
UNDOCUMENTED!

COALICION DE DERECHOS HUMANOS

The Coalición de Derechos Humanos/Arizona
 Border Rights Project is a grassroots
 organization working to fight discrimination,
 law enforcement harassment and the abuse of
 authority at the border and urban areas. We
 promote respect for human and civil rights by
 agencies that enforce immigration laws.



As a coalition, Derechos Humanos has both
 individual and group members. Our diverse
 membership includes: lawyers, union leaders,
 students, teachers, immigrants, Chicanos/
 Mexicanas, Indigenous people, clergy, etc.

Through community organizing and networking
 with other groups we work to educate and
 empower all those living in our communities.
 Please join us to help strengthen respect for
 human dignity & human rights.



Our Commitment to promoting human rights is expressed through the following projects:

•**Community Organizing and Outreach**-to promote the philosophy of "Somos Parte"-We Belong and create bridges and community collaboration within the Chicano, Indigenous, immigrant and community at large. The Coalicion de Derechos Humanos strengthens the respect in the community for human rights through press conferences, demonstrations, marches, vigils, symposiums, and supporting other human rights campaigns.

•**Human Rights Monitoring Patrol**-to promote law enforcement accountability the project coordinator and volunteer human rights activists join together for the "Migra Patrol". Together we follow the border patrol and other law enforcement agencies with video cameras and Know Your Rights cards," informing people of their legal rights when detained or stopped. We witness and document any abuses of authority and violation of human/civil rights. Join us to peacefully inform people of their rights and oppose these racist and abusive attacks.

•**Teatro LUNA**-is a diverse group of people fighting anti-immigrant hysteria, racism, sexism, homophobia, law enforcement abuses and intolerance by transforming our rage into biting, action packed theater! We smash stereotypes on the streets of Tucson and beyond. Everyone is welcome to join us.

•**Media and Communication**- production of *Unity Crosses Borders*, a bilingual video about the rising tide of anti-immigrant hysteria that has flooded Southern Arizona and captures our communities struggle for human rights. Press conferences, a quarterly newsletter, and the distribution of up to-date information on a variety of human rights/immigration issues helps create much needed public awareness.



•**Influencing Public Policy**-through letter writing campaigns, participation in public forums, and meeting with law enforcement & government officials.

•**Documentation of Abuses by Law Enforcement**- since 1992, violations of human rights abuses have been documented by the Coalición. This information has been shared with organizations, universities and other concerned individuals. If you or somebody you know has been abused by any law enforcement officers, document the abuse! Let no abuse go undocumented!

•**Raza Youth**-work as interns and volunteers to empower the entire community. We are committed to providing resources to all the young people who are using their creativity and energy to promote respect for their and our human/civil rights.

•**"Know Your Rights" Workshops**-to empower individuals to protect themselves by informing them of their legal rights, how to document and report law enforcement abuses. We raise public awareness about the problems of border and law enforcement abuses, recruit and train volunteer legal rights "promoters" to provide ongoing rights education in their communities, and establish an advocacy network. Call us to schedule a presentation for your workplace or neighborhood!

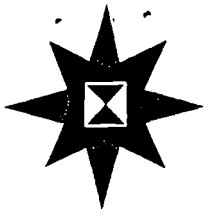
•**Alianza Indigena Sin Fronteras**

Formed in August of 1997, the first Indigenous Border Strategy Consultation was hosted by the Coalicion de Derechos Humanos/ Arizona Border Rights Project. The Alianza was created to help build a grassroots movement for Indigenous rights at the border. By organizing to empower Indigenous border residents, documenting abuses, and working in coalition the Alianza is a powerful force in exercising Indigenous sovereignty and confronting discriminatory border policies and practices.

•**Building Police Accountability**- together with the Southern AZ Chapter of the National Lawyer's Guild and People's Congress for Social and Economic Justice, the Coalición de Derechos Humanos was instrumental in improving citizen review of the Tucson Police Department. A citizen police advisory committee was replaced with the Citizen Police Advisory and Review Board (CPARB) and an independent police auditor. We are continuing the struggle to improve accountability and the end of police brutality/harassment.



NO HUMAN BEING IS ILLEGAL



American Friends Service Committee

1501 Cherry Street, Philadelphia, Pennsylvania 19102-1479

Phone: 215/241-7000 • www.afsc.org

DONALD S. GANN
Chairperson

DON REEVES
General Secretary (Interim)

Building Bridges—Not Blockades THE AMERICAN FRIENDS SERVICE COMMITTEE AND THE MEXICO-U.S. BORDER

The American Friends Service Committee (AFSC) has a long-standing commitment to the Mexico-U.S. border region. For over 20 years, AFSC programs have worked with border communities on issues ranging from farmworker health, to immigrants' rights, to labor and environmental issues in the maquiladoras, the foreign-owned plants clustered on the Mexican side of the border. This direct involvement with communities on both sides of the border is what guides our national outreach efforts—with policy makers, the media, researchers, and advocacy groups and coalitions.

AFSC's Immigration Law Enforcement Monitoring Project (ILEMP)

ILEMP in partnership with organizations like Derechos Humanos Coalition of Arizona, has worked since 1987 to support border communities in their efforts to restrain abusive and discriminatory treatment by U.S. authorities and private citizens and to speak out against human rights abuses at the border.

ILEMP's efforts are carried out through a combination of—

Human rights documentation and monitoring, which has established the existence of persistent, systemic abuses of human rights by the U.S. Border Patrol and other agencies involved in border enforcement. ILEMP monitoring has shown that such abuse is a problem for border residents regardless of their citizenship or immigration status.

Community organizing, which has helped mobilize local communities throughout the border region to demand a voice in the development of border control policies and practices. The ILEMP network includes the project's national office in Houston as well as grassroots partner groups in Harlingen and El Paso, TX, Tucson, AZ, and San Diego, CA.

Public education on border and immigration issues, including media outreach, sponsorship of academic research, development of publications on border issues, and appearance at conferences and workshops nationwide.

Policy advocacy to support the development of border control policies to emphasize professionalism by the Border Patrol and other border enforcement agents, public accountability, and respect for human rights and dignity. Local and regional as well as national advocacy campaigns are carried out by the ILEMP network.

The guiding vision for ILEMP's work on border issues is not so much one of a world without borders, but one where borders are a product of mutual agreement and are mutually acknowledged, jointly administered, and disarmed. We believe the voice of border communities must be heard in national debates over border policies—and that policy makers must consider the human impact and human costs of their actions.



HERE'S AN INTERESTING FAX...

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6/27/00

Fax to:

Shene Berens

Fax Number:

456-1907

From: Donald Mueller

/ Maria Cardona

Pages (Including Cover):

13

Comments:

1. Q & A's: Border Safety Initiative
2. News release
3. Fact Sheet

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE
Washington, DC 20536



Contact: Media Services
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NEWS RELEASE

June 26, 2000

INS Intensifies Life-Saving Measures Along the Southwest Border

WASHINGTON – Immigration and Naturalization Service (INS) Commissioner Doris Meissner and U.S. Border Patrol Chief Gustavo De La Viña today announced plans to intensify safety efforts to reduce injuries and prevent fatalities along the Southwest border.

The new measures are designed to ensure that all Border Patrol agents on the Southwest border have appropriate safety training. They include the development of swift-water rescue training programs in sectors where agents patrol along rivers and canals.

"Protecting our borders includes the obligation to protect lives. Since its launch two years ago, the Border Safety Initiative has greatly strengthened our ability to meet this obligation," said Meissner, noting that more than 2,000 migrants have been rescued from life-threatening situations since the initiative's inception in June 1998. "We must continue to build and redouble safety efforts, because just one death is one too many."

The Border Safety Initiative, developed in close cooperation with Mexican officials, is designed to educate migrants about the risks and dangers of crossing the border illegally and to assist those who do not heed the warnings. It has three elements: prevention, search and rescue and identification.

The Initiative draws on longstanding public safety measures practiced locally by the Border Patrol along the Southwest border. "With this foundation, we have developed an aggressive borderwide safety program," said Chief De La Viña. He added, "Our goal is to further strengthen this program by continuing to heighten training and awareness among all agents, from Brownsville to Imperial Beach, of the dangers migrants face."

INS is enhancing the current initiative by focusing on agent training. In addition to specialized training programs for rescues in swift waters, the Border Patrol sectors are also establishing refresher programs in CPR and advanced emergency first aid, subjects taught to all agents during basic training. The Border Safety Initiative is being incorporated into the operational plan of each station on the Southwest border so that safety is incorporated into all operational decisions.

In accordance with a Memorandum of Understanding with the Mexican Government, INS will participate in joint training exercises with their Mexican
(more)

INS Intensifies Border Safety Efforts

Page 2

counterparts in order to keep agents on both sides of the border prepared and trained in public safety measures. INS and the Mexican Government will continue to share critical information and where appropriate, equipment that will allow both governments to increase public safety along the border.

Border Patrol sectors are continuing their outreach efforts to warn migrants of the dangers of crossing the border illegally through local public service announcements that are aired in the border region in both the United States and Mexico. Posters that warn would-be crossers about the dangers of putting their lives into the hands of smugglers are being placed in highly visible areas in INS facilities in the hopes that the message will reach migrants who may be considering using a smuggler to bring family members across the border illegally.

"Intensifying our focus on public safety is critical, especially as we move into the summer months when the dangers associated with illegal crossings rise with the temperature," Chief De La Viña said.

These initiatives build on actions INS has already taken to increase the safety of the border region. As part of the Border Safety Initiative, INS has:

- Developed and implemented a comprehensive methodology for tracking migrant deaths and rescues;
- Mapped dangerous crossing points and developed reports outlining where deaths and injuries occur;
- Deployed technology and personnel to cover especially hazardous areas;
- Worked with Mexican officials to place warning signs at major transportation areas and especially dangerous crossing points;
- Expanded the coordination of public information efforts with U.S. and Mexican media outlets to warn would-be crossers about dangerous crossing points;
- Developed formal agreement with Mexican officials on the schedules for returns of migrants to Mexico with special provisions for children and women;
- Equipped all vehicles with extra water and coolers;
- Developed toll-free numbers in the United States for anyone to call INS if they see migrants who may be in danger and in need of rescue; and
- Worked with Mexican consuls, local medical examiners and INS officials to establish border-wide procedures to identify the deceased.

- INS -

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE

FACT SHEET

6/2600

INS Border Safety Initiative

Immigration and Naturalization Service (INS) Commissioner Doris Meissner first announced the INS Border Safety Initiative, an aggressive strategy designed to make the border safer for migrants, officers and border residents, in June 1998. The initiative has three elements: prevention, search and rescue and identification. Since that announcement, the U.S. Border Patrol (the uniformed enforcement arm of INS charged with protecting the nation's borders) has implemented a number of safety measures:

Prevention – Working with Mexican officials to identify dangerous crossing points along the entire Southwest border and address safety problems.

- INS is monitoring and reporting data on border deaths, analyzing the data and taking steps to address safety problems. For example, in response to the high number of migrant drownings in the All-American Canal in the El Centro area, INS put up warning signs, lighting and increased Border Patrol agent staffing.
- INS deployed more personnel to hazardous crossing points along the border. Border Patrol agents were deployed to eastern San Diego County; the All-American Canal; the desert regions of Imperial County, California; and the Yuma, Arizona region. These are areas that have been identified as the most hazardous areas, based on historical data of alien deaths.
- In a coordinated effort, Mexican Consuls have arranged for warning signs to be posted in Mexico much like the warning signs posted by the INS in dangerous areas along the U.S. border.
- INS expanded and coordinated public service announcements along the border where migrants are located to warn them about the hazards in crossing the border illegally. Efforts included national public service announcements developed in conjunction with the Mexican government and news releases for U.S. and Mexican newspapers, as well as radio and television spots. All nine Southwest border sectors have developed and implemented media campaigns on border safety. Some include messages warning about the risks of dealing with alien smugglers.
- INS continued its media outreach efforts to Mexico and Central America through telephone press conferences and television broadcasts. For example, in April, national Border Patrol Chief Gus de la Viña held a televised press conference on border safety sponsored by the Department of State with Mexican government officials and media.

Search and Rescue – Targeting hazardous areas where migrants may become lost, abandoned or in distress due to the difficult terrain and the willingness of smugglers to lead them into dangerous territory.

(more)

INS Border Safety Initiative

Page 2

- Several Border Patrol sectors have developed local toll-free hotlines for people to call if they believe friends or relatives who recently crossed the border may be in danger so that INS can initiate a search/rescue. INS is working to expand the hotline network.
- Border Patrol vehicles are equipped with extra water, electrolyte drinks and medical trauma bags to assist migrants found in the desert suffering from dehydration and/or hypothermia.
- Many Border Patrol agents have specialized training in water rescue techniques and all Border Patrol vehicles that patrol along or near canals and rivers are equipped with water rescue equipment.
- INS is working to ensure that all Border Patrol agents have advanced first-aid training. Many Border Patrol agents have completed optional Emergency Medical Technician training to better enable them to aid an injured migrant. In addition, INS is setting up refresher training in CPR and emergency first aid, subjects taught to all Border Patrol Agents during basic training.

Identification – Establishing procedures and resources to help officials to both identify migrants who die attempting to cross the border and contact surviving family members. Of the 114 deaths reported through the first eight months of FY 2000, 39 percent of the victims were unidentified.

- INS border officials are working with Mexican Consuls and local medical examiners to share information to identify deceased individuals.
- INS is working closely with the Texas Association of Counties to provide assistance when they encounter deceased individuals by helping to preserve the crime scene.

– INS –

This deployment is part of the long-term commitment that INS has made to regain control of the Arizona border. During the initial stages of operations, such as Operation Safeguard, there is a shift in illegal border-crossing traffic from routes that have been the traditional crossing points. As the deterrent effect takes hold, as it has in similar operations in California and Texas, the number of illegal border crossings and resulting apprehensions will decline and control will be restored to the area.

What is the long-term strategy to bring control to the Arizona border? The Southwest border?

The Immigration and Naturalization Service's long-term enforcement strategy in Arizona, and across the southwest border, has been to gain control of the busiest illegal crossing corridors, then expand that control to the more remote areas as new resources become available.

In FY 1995, the INS launched Operation Safeguard, an aggressive initiative that brought new agents, equipment and technology to the Tucson Border Patrol Sector. The goal of Operation Safeguard was to heighten deterrence and improve control along the nearly 300 miles of international border covered by the Tucson Sector.

Operation Safeguard was launched in Nogales, which was the busiest illegal immigration corridor in Arizona at that time. Operation Safeguard redirected illegal border crossings away from urban areas near the Nogales port of entry to comparatively open areas that the Border Patrol could more effectively control. By moving potential crossers away from urban areas where they were able to disappear into local communities, the Border Patrol has been able to take advantage of new equipment and technology and increased staffing to make apprehensions in areas where illegal entrants are more visible. Today there are more than 1,300 agents on duty in the Tucson Sector compared to 875 agents just three years ago.

As in other operations, the infusion of agents has been backed by a wealth of new equipment and technology.

Why has it taken the Border Patrol, INS, and the Dept. of Justice so long to realize that the Douglas area is out of control?

When INS started concentrating resources on Arizona through Operation Safeguard, the main area of focus was Nogales, which was the busiest illegal immigration corridor in Arizona. Since that time Border Patrol apprehensions in the Nogales area have gone down by more than 30 percent. During that same period, the crime rate in Nogales declined by more than 50 percent.

As expected, the increased enforcement pressure in Nogales forced the alien smugglers to shift their operations to the Douglas-Naco corridor. In response, the INS has increased the resources in that area significantly; by the end of this Fiscal Year there will be 534 permanent agents in the Douglas-Naco corridor, a 65 percent increase over 1997.

Are military personnel or the National Guard going to be used on the border, esp. in the Douglas area? If not, why not?

No. Border Patrol agents are uniquely trained to deal with illegal immigration and border issues. We use JTF-6 for construction projects, but that is the extent of using military personnel on the border.

Why was this situation allowed to develop in the first place--why were illegal aliens pushed into the Douglas area from elsewhere?

This situation was not allowed to develop by the Border Patrol but is a result of the movement of alien smugglers attempting to find new routes across the border as we took away their traditional crossing points elsewhere. We focused our initial efforts in Arizona on Nogales. With the infusion of resources in Nogales, we have seen quick results and a decline in apprehensions. We are now focusing attention on Douglas and to the dangerous desert areas to the west of Nogales.

How long is it going to take the Border Patrol to take control of the Douglas area of the border? Of the Arizona border?

We cannot set an exact time frame. We have had remarkable successes in San Diego, El Paso, and south Texas. With Operation Gatekeeper in San Diego, it took four years to bring the area to an acceptable level of control. This was done without the experience, resources, and improved technology that we have available today. Since we increased our efforts in Arizona earlier this year, we are already seeing more control in Nogales and the shift of traffic to Douglas. We are now focusing attention on Douglas. It will take some time, but we are committed to a long-term effort that will bring control to the Arizona border.

Why is INS not pressuring Mexico to do more to stop this influx?

The INS, together with other parts of the U.S. government such as the Department of State, is working with the Mexican government through regular meetings of the Bi-Lateral Commission to establish a safe, manageable border where people on both sides enjoy a better quality of life and the smooth movement of commerce and people between our two countries.

Alien Shot in Struggle-McAllen Sector

Q. Please describe what happened.

- A. The incident occurred on May 21, 2000, at approximately 5:30am, Port Isabel Station, McAllen Sector, US Border Patrol. According to our reports, four or five individuals were seen crossing the river from the Mexican side. The agent who saw the group crossing the river, radioed for assistance. Several agents responded to the call for assistance. Two of the men attempting illegal entry were immediately apprehended, however the other two fled the scene and ran

into the heavy brush.

After about 15-20 minutes, BP agents were able to locate the two remaining undocumented immigrants who had fled the scene. It was at this point that the struggle took place. One of the undocumented aliens again ran from the BP agents, however the second immigrant initiated physical contact with one of our agents. It was during the ensuing scuffle that the assailant was shot.

Q. How was the man shot?

- A. The struggle lasted several minutes. During the struggle, the assailant was able to knock the baton from the agent's hand and attack from the rear. As the struggle continued, the agent began feeling fatigued and feared for his well being as well as for the well being of others in the area. The agent made the decision to escalate the situation and use his weapon in self-defense. The agent, with the assailant still holding him from behind and still reaching for the agent's weapon, managed to maneuver his arm and body into a position that allowed the agent to aim behind him and fire his weapon. After the first shot, the assailant paused briefly and then resumed his attack and the struggle to control the weapon. The assailant, still on the back of the agent, attempted to pull the muzzle of the weapon towards the face of the agent. The agent, assuming that the first shot had missed, again managed to maneuver his arm and body into a position that allowed him to fire his weapon a second time. After the second shot was fired, the assailant stopped his assault and started to run away from the agent. After a few yards the assailant collapsed. Later investigations revealed that both shots had entered the assailant's body. The first shot entered the assailant's abdomen; the second shot entered the assailant's chest.

Q. Did the man shot die immediately, or was he taken to a hospital?

- A. Every effort to save the man's life was made. CPR was administered on site and continued until the EMS unit arrived. The subject was removed to the Valley Regional Medical Center at approximately 6:21am. All efforts by the emergency staff at the hospital failed to revive the subject. At 6:55 am the subject was pronounced dead.

Q. How long had the agent who did the shooting been with the Border Patrol?

- A. The agent has been with the Border Patrol a little over two years.

Q. With so many other agents in the immediate area, why didn't other Agents provide assistance during the struggle?

- A. All of the agents had spread out in search of the two individuals who earlier ran to prevent apprehension. It was early in the morning and it was still very dark, plus that area is very busy with brush growth. The other agents did not know that there was a struggle in progress. The agent involved in the struggle was not able to radio for help because during the struggle his radio had been knocked from his belt, plus the frequency

had also been changed during the struggle. The agent involved in the struggle did attempt to radio for help, but because the frequency had been changed during the struggle, he was not able to communicate his need for assistance.

Q. Was the second alien who fled the scene also apprehended?

A. No, the second immigrant was never found.

Q. Why is the FBI investigating this incident?

A. The FBI investigates all incidents that involve assaults of federal agents, or the firing of a weapon by a federal agent.

Q. Was the agent seriously hurt?

A. The agent was sent to the hospital and released. He was treated for scratches and bruises.

Q. From what country were the undocumented immigrants?

A. Two of the individuals apprehended were Mexican; one was from Honduras.

Q. When and how does an agent decide to use his weapon?

A. Agents are trained to use the minimum amount of force required to accomplish the task at hand. Deadly force is used only if the agent believes his life, the life of his partner, or the life of an innocent third party is at risk. In this case, the immigrant had already demonstrated aggression and a determination not to be apprehended. Additionally, the immigrant had gained control of the agent's baton and was threatening to gain control of the agent's weapon. Under these circumstances, the agent made a split second decision to use his weapon in self-defense. You must remember, these agents never know when they will find themselves in Harm's Way. They must be prepared to make quick, on the spot decisions. This incident had the potential of developing into a deadly situation to others in the immediate area. Recognizing this danger, not only to himself but to his fellow agents and private citizens nearby as well, he made the only possible decision he could have made.

**Q. Why did the agent have such a hard time subduing this individual?
Aren't all Border Patrol Agents trained in self-defense?**

A. Our Border Patrol agents undergo an intensive 16-week training course which includes defensive training. However, as we mentioned earlier, our agents never know with what situations they will be faced and at what level of aggression they will be confronted. In this particular case the assailant was very aggressive and strong. According to the testimony of another immigrant apprehended that morning, the deceased alien had confessed to him that he--the assailant--had extensive karate training.

The agent involved in the struggle later reported that the assailant twice yelled at him that he was going to kill him. All this contributed towards making this a very dangerous and unpredictable situation.

Reynosa and Border Incursions

What did you do in response to the alleged threat to Border Patrol agents from the citizens' group in Reynosa?

Reportedly, a citizen's group in Reynosa, Mexico has put a \$10,000 bounty on U.S. Border Patrol agents. The Immigration and Naturalization Service takes any such threats seriously. Officer safety is our primary concern. Agents have been advised to be constantly aware of their surroundings and exercise extreme caution.

The U.S. Attorney's office for the District of Arizona, which coordinates border issues for the Department of Justice, has been notified and is investigating.

The leader of this group in Reynosa has recanted on his original threat. Mexican government officials are also looking into this incident.

What have you concluded about the border incursion incident in New Mexico. Should the intruders have been arrested or held by U.S. authorities?

We have concluded that Chief Barker and the discipline and cool-headedness of our officers prevented a potentially explosive situation from getting out of hand. The incursion vehicle that was responsible for firing the shots had returned to Mexico and the group that actually surrendered to our officers had not been responsible for the shooting. Chief Barker and our agents handled this situation with the highest level of good sense, skill and diplomacy.

Worksite Q&A's

Why isn't INS going after the employers who hire the undocumented migrants, thus taking away the reason to come in the first place?

INS is strengthening its worksite enforcement efforts by focusing on smugglers, counterfeit document producers, transporters and employers who exploit and benefit from illegal immigration. In addition, our interior enforcement strategy calls for changing the hiring practices of employers and preventing undocumented workers from getting or keeping jobs. The strategy does this with increased support for employers who comply with the law and aggressive civil and criminal action against employers who defy the law.

INS always says that it is enforcing the worksite laws, but the numbers don't back this up. Why don't INS and the Administration do more to enforce immigration laws?

INS' goal is to reduce the size of the illegal population. We continue to arrest and remove undocumented aliens — criminal and otherwise — from the country. However, we have shifted our focus to the infrastructure of criminal organizations that promote and profit from illegal immigration.

SH

TIM

DOUGLAS

A FEW YEARS BACK, WHEN MEXICANS would stagger out of the desert onto Helen Hoffman's cattle ranch, her family would set up a card table for the parched visitors and give them gallons of water, grub and maybe a few days' work. But not anymore. Every morning now, when her husband Robert checks the cattle on their 500-acre spread near the border at Douglas, Ariz., he sees "heads poppin' up all over in the mesquite bushes," says Helen. Several times, bands of illegal immigrants tried to steal their pick-up and break into the Hoffmans' house under the tall cottonwoods.

A few nights ago, Robert, 84, had settled in front of the TV when he had the prickly sensation that somebody was watching him. He looked up and saw four pairs of eyes staring through the window. It took a while for Robert, who is still recovering from a triple coronary bypass, to fetch the shotgun now kept by the door, and by that time, the prowlers had vanished. Since then, Helen seldom ventures into the yard, even in daylight, without her 9-mm pistol. "I'm no racist. Why, I have a Mexican daughter-in-law," says Helen, 78, a stocky woman with the tenacity of a snapping turtle. "But we have a major invasion happening in this country, and nobody seems to give a damn."

This anger against the growing flood of 1 million illegal immigrants a year is rising fast among independent-spirited, gun-toting residents in the borderlands of Arizona, Texas and New Mexico. Over the past three years, the number of illegals streaming across the border has remained constant. They come from Mexico, where a third of the people live on \$2 a day or less, and from other countries where poverty, national disasters and political upheaval unleash an exodus of refugees. Since the early 1990s, the border patrol has partly sealed the Califor-

ROGER BARNETT has captured as many as 170 illegals in one day on his Douglas ranch



PHOTOGRAPH FOR TIME BY TODD BIGELOW—AURORA

nia frontier with its operations "Hold the Line" and "Gatekeeper." But they did not deter the illegal immigrants and their "coyote" smugglers for long. Instead, the crack-down has driven them into the Southwestern deserts, where much of the land adjacent to the unfenced U.S.-Mexican border is privately owned by ranchers and rural residents. It is these people, like the Hoffmans, who are on the front line of the Clinton Administration's losing battle to secure America's southern frontier.

For many Americans who believe citizens have the right to defend their property and privacy with firearms, these ranchers are true patriots, doing a job the government is too weak-kneed to carry out. Ranchers such as Roger Barnett from Douglas, who boasts of capturing illegals on his property—his record is 170 in a day—have become the heroes of anti-immigration activists around the country. Such groups as the American Patrol and the California Coalition for Immigration Reform often liken the ranchers in their literature to the Minutemen of the American Revolution.

But that propaganda can also carry a nasty edge. Flyers circulated in Douglas by an "R.U.A. Freeman" offer volunteers a chance to join in "ole western individualism" and help ranchers nab aliens. Envoys from the Ku Klux Klan put in an appearance last month at a town meeting in Sierra Vista, Ariz., hoping to offer solidarity but were chased off by locals who don't want their cause, which they see as a pragmatic one, tainted by zealots and adventurers who seem to want to hunt down poor Mexican families for sport. "I get three or four calls a week from volunteers—damned if a lot of 'em aren't women—from all over the country," says Barnett, 57, a rugged, athletic man in blue jeans. "But I tell 'em they'd do better by writing to their Congressmen."

Not surprisingly, the ranchers' militancy is provoking a Mexican backlash. Two weeks

CIPRIANO RAMIREZ ANAYA was shot by a rancher who says he was aiming at a wild dog

ago, Carlos Ibarra Pérez, a retired oil worker in Reynosa, across the line from Texas, announced a \$10,000 reward for the first person who kills a U.S. border-patrol agent. In the ensuing uproar, Ibarra withdrew his bounty, but it shows the depth of hostility growing between the U.S. and its neighbor.

This "red alert" issue, as the Mexicans see it, was raised in Washington talks last Friday between Mexican President Ernesto Zedillo Ponce de León and President Clinton. Both men agreed to tighten their side of the common border. Says Mexico's Foreign Secretary Rosario Green: "This is racist behavior that violates all international rules."

The conflict is becoming deadly. So far this year, three immigrants have been killed and seven others have been wounded in showdowns on the U.S. side of the border. Violence has come as the days get warmer. On May 14, Mexican Eusebio de Haro, 22, was shot in the groin and left bleeding to death after he and a companion

approached a rancher near Bracketville, Texas, pleading for a drink of water. Near the Arizona border town of Sasabe, Miguel Angel Palafox, 20, had eluded the border patrol on May 21 and was hiding north through hills covered with saguaro cactus. His dream was to reach Phoenix—when he was spotted by two horsemen dressed in black. One of them pulled out a rifle and shot Palafox in the neck. The young man wrapped his shirt around the wound and crawled back to Mexico in 115°F heat. "I thought I was going to die in the desert. There wasn't a single tree for shade," says Palafox. Once across the Mexican border, Palafox dragged himself another mile before reaching a farmhouse, where he asked for help. The two riders have yet to be found.

Along the 80-mile stretch of border in Arizona's Cochise County, there have been 25 incidents since April 1999 in which armed private citizens rounded up dozens of suspected illegals. Most of these actions

HIGH TECH VS. LOW TECH

Send Me Your Wired

FOUR YEARS AGO, CALIFORNIA Congressman David Dreier argued on the House floor that states should not have to pay to educate illegal-immigrant kids in public schools. "We are trying to decrease the magnet which draws people illegally into this country," said Dreier, a Republican then known as an immigration hard-liner. Now,

however, Dreier is just as emphatically championing his bill to bring more foreigners into the U.S. to do high-tech jobs. "Without these professionals, the prosperity we are enjoying today will be threatened," he says.

Has Dreier changed his mind about the role of immigrants in this country? Absolutely not. He sees no con-

tradiction—indeed no relationship at all—between his immigration positions and his effort to increase visas for high-tech guest workers. "It's a skilled-workforce bill, not an immigration bill," he says.

Until recently, Dreier and his fellow Republicans had managed to

Dreier: Fighting for high-skilled help from abroad

separate the two issues. California's rich, labor-hungry Silicon Valley companies have been pushing Congress to make it easier to import program and engineers rapidly. To

isfy the Valley, Congress war raise the cap called H-1B v for the second time in two y Last mon Republicans, mocrats and



volved rancher Barnett and his brother Donald, 54, who patrol a 22,000-acre spread about four miles from the Mexican border. It's mesquite country, with sparse grass and sandy creeks that are perfect trails for the coyotes and their clients, who pay \$800 apiece to reach Phoenix, \$1,500 to Chicago. Along the way, says Roger Barnett, they cut fences and let out cattle, deliberately break water pumps and litter the pasture with garbage that chokes the cattle. Sometimes the coyotes and drug smugglers crossing through are armed. "Out here," says Cochise County sheriff Larry Dever, "any rancher would be a fool who isn't prepared to defend himself." But the sheriff insists that so far, no "vigilante action" against the illegals has taken place in Cochise.

With his binoculars, an M-16 automat-

ic rifle and his sheepdog Mikey, Barnett sometimes tracks a group of illegals for miles, following their footprints in the sand and bits of clothing snagged on the mesquite thorns. In the summer it's harder for his dog to track them; the incandescent heat sears away their scent. "They move across the desert like a centipede, 40 or 50 people at a time," says Barnett. Once he catches them, Barnett radios the border patrol to cart them off his land. "You always get one or two that are defiant," says Barnett, who chuckles, remembering an incident a few weeks back. "One fellow tried to get up and walk away, saying we're not Immigration. So I slammed him back down and took his photo. 'Why'd you do that?' the illegal says, all surprised. 'Because we want you to go home with a before picture and an after picture—that is, after we beat the s___ outta you.' You can bet he started behavin' then."

Such antics have made Barnett a lot of enemies on both sides of the border. He is demonized as a vigilante bogeyman by the Mexican press, threatened with criminal charges by Hispanic human-rights groups in Tucson, Ariz. And the U.S. Attorney's office in Tucson is keeping a file open on Barnett for possible prosecution, according to police sources. Barnett has to watch his step in other ways too. Across the border in Agua Prieta, a dusty boomtown of cheap hotels, cantinas and shops specializing in plastic water jugs and can openers for the illegals' desert odyssey, Barnett is considered bad for business. More than 1.2 million illegals—Mexicans, Central Americans,

THE HOFFMANS Helen, with husband Robert, seldom leaves home without her gun

Chinese and a smattering of Europeans—poured through here last year. Yet during May and June, the number of aliens wanting to cross has fallen considerably, and some coyotes think this may be Barnett's fault; his notoriety has spread throughout Mexico. As a result, many illegals are heading west, to Nogales, Ariz. In the Azueta plaza where the coyotes meet their *pollos* (chickens), the smugglers say a bounty has been put on Barnett's head. Barnett was warned of these threats by the Cochise sheriff but says, "I'll just watch my back and keep doin' what I think is right."

In Tucson, border patrol officials predict that the number of apprehensions this year will beat last year's record high of 470,000. Still, for every illegal who is caught, at least two others slip through to jobs in the U.S. that nobody else wants, as meatpackers, fruit pickers, gardeners and motel chambermaids. Even feisty ranchers like Barnett admit that one way of keeping trespassers off his land is to legalize entry to more immigrants. "If we decide we need them for jobs, it should be through a legal port of entry—not across my land," he says.

The other option, one favored by 89% of Arizona residents, according to a recent poll, is to enlist the military's help in patrolling the border. But Douglas Mayor Ray Borane thinks this would raise tensions between the U.S. and Mexico and lead to more deaths. "Do we really need troops down here to fight ladies coming through with infants in their arms?" he asks. The U.S. military is barred by a post-Civil War law from taking on civilian law-enforcement duties except in a national emergency. Unless Washington lawmakers decide either to get tougher with illegal immigration or to fill the labor force by opening the frontier gates a little wider, the U.S. ranchers will keep up their rough sport with their unwanted trespassers.

—With reporting by

Ronald Buchanan/Mexico City



White House seemed to be onboard behind the increase. Committees in both houses of Congress passed bills raising the cap by differing amounts. Then the Clinton Administration, eyeing a window of political opportunity, upped the ante last month, proposing also to grant legal status to some illegal aliens. It's about "fairness and equity," says Gene Sperling, director of President Clinton's National Economic Council. Key De-

mocrats quickly adopted the initiative, targeted at immigrants from Central America and Haiti living in the U.S.

Republicans suddenly find themselves in a tough spot: they desperately want to boost the politically palatable H-1B visas, which go to educated people classified as temporary workers (though almost half apply to stay before they reach their six-year limit, according to estimates). But the traditional anti-immigrant politi-

cians shrink from the prospect of linking the visas to a provision embracing illegal (and often likely Democratic) immigrants—even though low-skilled workers are also in demand. Then again, rejecting the amnesty proposal could alienate immigrant voters during an election year. Says Frank Sharry, executive director of the National Immigration Forum, a pro-immigration group: "You have a battle between the two parties for

who has an advantage with new money and who has an advantage with new voters. In the end, Congress will probably approve more visas. But it won't be pretty. Says a frustrated C.O.P. aide: "This is no longer about a narrow economic issue that the high-tech guys think is important, but a political football. It reeks of partisan gamesmanship."

—By Amanda Ripley

With reporting by Elaine Shannon and Anne Moffett/Washington

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE

STATEMENT

06/05/00

Alleged Threat to Border Patrol Agents

Gustavo de la Viña
Chief
U.S. Border Patrol

Reportedly, a citizen's group in Reynosa, Mexico has put a \$10,000 bounty on U.S. Border Patrol agents. The Immigration and Naturalization Service takes any such threats seriously. Officer safety is our primary concern. Agents have been advised to be constantly aware of their surroundings and exercise extreme caution.

The U.S. Attorney's office for the District of Arizona, which coordinates border issues for the Department of Justice, has been notified and is investigating.

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE



Contact: Tucson Sector
(520) 670-6871

NEWS RELEASE

For Immediate Release

May 12, 2000

INS Announces New Permanent and Temporary Resources for Southeastern Arizona

TUCSON, Ariz. — Nearly 250 additional immigration officers will be deployed to southern Arizona in the coming months, the Immigration and Naturalization Service (INS) announced today. Those resources include 110 new Border Patrol agent positions earmarked for Arizona under INS' Fiscal Year (FY) 2000 resource allocation plan. The Arizona allocation, which was confirmed by Congress yesterday, represents close to one fourth of the new Border Patrol agent positions being deployed nationwide this Fiscal Year. Senator Jon Kyl and Congressmen Jim Kolbe and Ed Pastor were instrumental in securing those Border Patrol positions for Arizona.

Together with the personnel, the Tucson Border Patrol Sector will also be receiving an array of equipment and technology. These new resources will enable the agency to expand its immigration enforcement efforts in southeastern Arizona, particularly in the rural sections of Cochise County. The infusion of resources will also bolster the Sector's efforts to ensure the safety of migrants, ranchers, and local residents.

"These resources represent another important step in our Arizona border strategy," said Gus De La Viña, Chief of the U.S. Border Patrol. "We have restored order to Douglas and Nogales proper and we will now be able to intensify our efforts in the outlying areas of Cochise County."

INS will give top priority to hiring the 110 new agents for Arizona. Until those permanent resources become available, the agency is immediately deploying 40 additional immigration officers to southeastern Arizona from across the country, bringing the total number of agents detailed into the area to 180. Those new officers will be arriving next week as part of Operation Safeguard, the ongoing immigration enforcement effort, which is now focused on the Douglas-Naco corridor.

The expanded detail will include 30 Border Patrol agents, along with 10 INS investigators who have expertise in combating alien smuggling. When that complement of investigators arrives, the Tucson Sector will have 26 officers assigned full-time to anti-smuggling activities.

(more)

Additional Resources for Arizona**Page 2**

"The alien smugglers' greed and reckless disregard for the lives of others makes them public enemy number one," said Johnny Williams, INS Western Regional Director. "These additional investigators will enhance our ability to disrupt the smugglers' operations and bring them to justice."

In the first six months of this Fiscal Year, the Tucson Sector presented more than 2,000 smuggling cases to the United States Attorney's Office for prosecution, substantially more than any other Border Patrol sector in the nation.

In addition to the resources outlined above, the Tucson Sector has 121 new agents currently undergoing training at the Border Patrol Academy, 97 of whom will be assigned to the Douglas and Naco stations. By the end of this Fiscal Year (Sept. 30), there will be 534 permanent agents on duty in the Douglas-Naco corridor, a 65 percent increase compared to just three years ago.

"Arizona is now at the forefront of our national border enforcement strategy," said David Aguilar, Chief Patrol Agent of the Tucson Border Patrol Sector. "We have made significant strides, but this is still a work in progress and we are committed to getting the job done."

Besides the additional personnel, the Douglas-Naco corridor is also getting an infusion of new equipment and technology, ranging from all-terrain vehicles to high-intensity lighting. Those enhancements include:

- **Video Surveillance Capabilities** — The Sector will install the first of seven new remote video surveillance cameras in the Naco area. The Sector previously completed a series of upgrades to the existing camera system in Douglas, improving the system's nighttime surveillance capabilities, making round-the-clock coverage possible.
- **High Intensity Lighting** — The Sector has plans for 1.8 miles of new stadium-style lighting in Douglas. Those permanent light stands, together with the more than 70 portable lights already deployed to the Douglas-Naco corridor, will be used to illuminate high traffic areas along the immediate border.
- **Infrared Scopes** — The Sector will be receiving six additional night vision scopes. The scopes use infrared technology to vastly improve agents' surveillance capabilities after dark.
- **Border Fencing** — Construction is planned on 1.9 miles of new fencing west of the Douglas port of entry. Once the construction is complete, there will be more than six miles of border fencing in the Douglas area.

(more)

Additional Resources for ArizonaPage 3

- **All-terrain Vehicles (ATV's)** — The Tucson Sector, which currently has six ATV's, will receive 14 additional ones. The ATV's provide a highly mobile, cost efficient means of accessing remote stretches of the border.
- **Border Roads** — The Sector also plans to upgrade approximately 15 miles of border access roads in the Douglas area.

Those enhancements, together with the increase in personnel, will strengthen the Border Patrol's ability to provide better service to area ranchers and residents. The Sector is increasing the number of agents assigned to its ranch response units from 24 to 34. Those units are responsible for responding to calls from ranchers and citizens in remote sections of the Douglas-Naco corridor. Residents can contact the Tucson Border Patrol 24 hours a day using the Sector's toll-free number - **1-877-USBP-HELP (1-877-872-7435)**.

While the arrival of additional resources will enable the Tucson Sector to expand its enforcement efforts in the rural sections of Cochise County, the Border Patrol's strategy has already had a positive impact on Douglas itself. The heightened Border Patrol presence has curtailed the incidence of alien smuggling in the city itself. Moreover, the crime rate in the City of Douglas dropped 15 percent from FY '97 to FY '99, and continues to decline.

- INS -

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE



BACKGROUND

Contact: (520) 670-6871

May 2000

Immigration Enforcement in Arizona—1997-2000

The Immigration and Naturalization Service's (INS) long-term enforcement strategy in Arizona, and across the southern border, has been to gain control of the busiest illegal crossing corridors, then expand that control to the more remote areas as new resources become available.

In 1994, the INS launched Operation Safeguard, an aggressive initiative that brought new agents, equipment and technology to the Tucson Border Patrol Sector. The goal of Operation Safeguard is to heighten deterrence and improve control along the nearly 300 miles of international border in Arizona.

Early on, the main focus of Operation Safeguard was the Nogales area, and those efforts have paid off. In 1996, Nogales was the busiest illegal immigration corridor in Arizona. Since that time, Border Patrol apprehensions in the Nogales area have gone down by more than 30 percent. During that same period, the crime rate in Nogales declined by more than 50 percent.

The increased enforcement pressure in Nogales forced the alien smugglers to shift their operations to the Douglas-Naco corridor. In response, the INS has increased the resources in that area significantly; by the end of this Fiscal Year, 534 permanent agents will be stationed in the Douglas-Naco corridor, a 65 percent increase over 1997.

The aim of INS' comprehensive border enforcement effort, which includes Operation Gatekeeper in California, and Operations Hold The Line and Rio Grande in Texas, is to reduce the adverse effects of illegal immigration and improve the quality of life for residents along the immediate border and throughout the nation. In support of this effort, Congress has provided the INS with a substantial increase in resources. In the last three years, the number of Border Patrol agents permanently assigned to the Tucson Border Patrol Sector has increased by 54 percent, climbing from 875 in fiscal year 1997 to more than 1,350 today.

The new deployment strategy being implemented as part of the expansion of Operation Safeguard is designed to address this shift in border crossing patterns and build on the border enhancements that have already been put into place in Arizona. This Administration has made a long-term commitment to building a border that works, and promotes commerce and tourism, while at the same time deterring those who attempt to come here illegally.

TUCSON SECTOR BORDER RESOURCES

	FY 1997	Current	Remarks
Border Patrol Agents	875 permanent agents	1356 permanent agents	In addition, there are 127 temporary agents currently deployed to Tucson
Anti-smuggling Unit (ASU) agents	13 anti-smuggling unit agents	16 anti-smuggling unit agents	10 new ASU agents will be added this year
Fencing	8.4 miles of primary fencing	9.1 miles of primary fencing	An additional 2 miles of fencing is planned for the Douglas area.
Lighting	none	1.3 miles of permanent lighting in Douglas	Lighting additions: 15 portable lighting units, and 1.8 miles of permanent lighting.
Infrared (night vision) Scopes	16	22	Aids detection and deterrence of illegal crossers
Underground Sensors	699	1269	High-tech detection of illegal immigrants
Skywatcher Mobile Towers	none	3	Provides expanded surveillance capabilities
Low-light television cameras	Not available	13 cameras in Nogales 4 in Douglas 8 in Naco	Increases efficiency by allowing one agent to monitor multiple locations simultaneously
Vehicles	260	1,254	Fleet size has more than tripled.
Aircraft	5 helicopters	6 helicopters 2 fixed wing aircraft	Critical support for agents on the ground
All-terrain vehicles	none	6	An additional 14 ATVs will be added this year.
Horse Patrol	2 horse units	4 horse units	Patrolling in rough terrain

In Fiscal Year 2000 the Tucson Border Patrol Sector has submitted more than 2,000 alien smuggling cases to the U.S. Attorney's Office for prosecution. The Sector accounted for 31 percent of all Border Patrol prosecutions on the Southwest border in FY 1999. In addition, the U.S. Attorney's Office in Arizona leads the nation in prosecuting alien smuggling cases, prosecuting 328 smuggling cases in fiscal year 1999.

- INS -

May 23, 2000

RECOMMENDED PHONE CALL

TO: Governor Jane Dee Hull (R-AZ)
O: 602-542-4331 (POC XXXXXXXX)
H: 602-WAITING ON #!!

RECOMMENDED BY: Mickey Ibarra, (6-7060)
H: 301-951-3347

PURPOSE: You indicated your desire to return Governor Hull's call this week.

BACKGROUND: On Thursday, May 18, the Governor wrote you regarding illegal border crossing concerns between Arizona and Mexico. She called late in the evening requesting to talk with you also. IGA referred this matter to Eric Holder at the Justice Department for guidance following a conversation with her staff. Eric spoke to the Governor on Friday, May 19, regarding her concerns and our Administration's response. He plans to call her again at the end of the week. In addition, Attorney General Reno and Deputy Attorney General Holder met with Senator Kyl today to discuss this matter. U.S. Attorney for Arizona, Rivera, has stressed the need for complete intergovernmental and international cooperation to diffuse the border conflict. The Justice Department background information and Governor Hull's letter is attached.

TALKING POINTS:

- Governor Hull, I understand you tried to reach me last week regarding border concerns. I have also received your letter on this subject.
- I share your concern about recent incidents along the Arizona-Mexico border in which private citizens have detained Mexican immigrants. The job of enforcing federal and state laws is best left to trained law enforcement personnel.
- We are committed to enforcing the rule of law along the

border. This includes U.S. immigration laws.

- We are working to address the root cause of the problem - the increasing incidence of illegal immigration and smuggling through this area. INS and Border Patrol are identifying additional resources (agents and technology) to better patrol the border.
- I understand that, contrary to published reports, DOJ has not offered to assist the Mexican government in any litigation which they might bring against private citizens or the State of Arizona.
- We will continue to work with state and local officials to uphold the rule of law along the Arizona border and make the border community safer. (I encourage you to work with USA Rivera and Eric Holder.

Background and Talking Points for POTUS Call to Governor Jane D. Hull

Background

Rancher Activity

The efforts of the Immigration and Naturalization Service (INS) and Border Patrol along the U.S./Mexico border have resulted in reduced incidences of illegal migration along both the Texas and California border. This success has led to increased illegal migration traffic along the Arizona/Mexico border. While attempts have been made to bolster the enforcement of this area, property owners along the border have become more vocal and public in their displeasure with what they perceive to be a failed border policy. Since April 1999, there have been approximately 18 incidents along the Arizona and Texas border in which private citizens have detained Mexican immigrants that were discovered on their property. Most incidents involve the migrants being turned directly over to the U.S. Border Patrol. However, private citizens do use guns to intimidate the migrants, and a recent incident in Pima County, Arizona [captured on local news footage] is being investigated by the District Attorney and will likely be presented to a grand jury. This event aside, local prosecutors along the border have been reluctant to file charges against ranchers for possible criminal activity, in part due to state laws favorable to property owners, and in part due to concern for political fall-out on the local level.

Administration Response

The Department of Justice has expressed its concern regarding the volatile nature of the ranchers' activities. The Attorney General and the Deputy Attorney General have both told Mexican officials that the ranchers have legitimate concerns. The Department of Justice has asked the Mexican government to do its part to prevent its citizens from crossing illegally into the U.S., especially in areas known to be particularly dangerous for a variety of geographic and other reasons, and the INS is taking steps to patrol the border more aggressively. The Department's primary concern is that people's rights are being protected and nobody is hurt.

Deputy Attorney General Holder and U.S. Attorney (USA) for the District of Arizona Jose Rivera have each met with Governor Hull, and state and local officials, on several occasions. Department of Justice officials have underscored to the Governor that while federal jurisdiction exists for activity along the border, activity taken by ranchers on their own property against illegal migrants is a matter of state and local jurisdiction.

Deputy Attorney General Holder spoke with Governor Hull last Friday, and is planning on talking to her again at the end of the week. In addition, Attorney General Reno and Deputy Attorney General Holder met with Sen. Kyl today to discuss this matter. USA Rivera has stressed the need for complete cooperation to diffuse the border conflict. In the past, USA Rivera has made offers to both state and local prosecutors that resources from his office, including Assistant U.S. Attorneys, could be made available to help them investigate and

prosecute ranchers who improperly take the law into their own hands. The reaction on the local level has been tepid for reasons mentioned previously. In addition, Governor Hull has rebuffed suggestions that she call out the National Guard to help address the border problem.

Finally, Secretary of State Albright met with Mexican Foreign Minister Rosario Green in Washington, D.C. last week. Secretary Albright was quoted as saying, "We want to have an investigation and prosecution of those responsible for what has been happening in Arizona. Vigilante justice is unacceptable." (Dallas Morning News, 5/19/2000). This statement is potentially problematic because while the federal government has complete jurisdiction over the immigration issues along the U.S./Mexico border, it has no jurisdiction over the activity of the ranchers on their private property. Legal research conducted by the Department of Justice has identified no federal statute that could be used to prosecute these ranchers for action taken on their property.

Border Patrol/Immigration and Naturalization Service

The Border Patrol and INS are working to respond to the needs and concerns of U.S. citizens and local law enforcement officials along the Arizona/Mexico border:

The Border Patrol has strengthened ranch patrol units in Douglas, AZ to help stop the flow of illegal immigration;

INS is in the process of deploying additional personnel, equipment and technology to the area;

Since mid-1999, INS has increased the number of agents along the Arizona/Mexico border by 122 permanent agents and 28 temporary agents;

INS is committed to keeping the temporary Border Patrol agents in Arizona indefinitely, and at least through December 2000;

INS intends to increase the total number of new Border Patrol agents along the Arizona/Mexico border between now and December 2000 by over 200; and

The INS has created a 24-hour toll-free hotline for area residents to call and report migrant traffic and immigration-related problems. The creation of this phone line was announced throughout southern Arizona through a series of town hall meetings and the local press.

Talking Points

I am deeply concerned about recent incidents along the Arizona-Mexico border in which private citizens have detained Mexican immigrants. The job of enforcing federal and state laws is best left to trained law enforcement personnel.

We are committed to enforcing the rule of law along the border. This includes U.S. immigration laws.

We are working to address the root cause of the problem - the increasing incidence of illegal immigration and smuggling through this area. INS and Border Patrol are identifying additional resources (agents and technology) to better patrol the border.

I understand that, contrary to published reports, DOJ has not offered to assist the Mexican government in any litigation which they might bring against private citizens or the State of Arizona.

We will continue to work with state and local officials to uphold the rule of law along the Arizona border and make the border community safer. (YOU should encourage the Governor to work with USA Rivera and emphasize that offers have been made to give local prosecutors the resources of his office, but have been rebuffed).

JANE DEE HULL
GOVERNOR
STATE OF ARIZONA

To: Irene Bruno
@ DPC

May 18, 2000

The Honorable William Jefferson Clinton
President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Clinton:

More than a year ago I was in Washington to meet with your top border officials, including Deputy Attorney General Eric Holder, regarding the volatile situation on the Arizona border with Mexico. At that time, officials of the Justice Department and its agencies with border authority assured me that they understood the problem and had a strategy to address the problems caused by extraordinary increases in illegal immigration.

Unfortunately, the problem has only increased in severity without adequate resources to implement that strategy, and the potential of tragedy involving harm to lives and property in Cochise County is increasing. The dangers that exist in that area are a concern of public officials on both sides of the border, and merit your attention and assistance.

I have been gratified by the support the Congress has directed to Arizona in the form of substantial increases in the number of border agents authorized and funded. Likewise, I have every confidence in the quality and commitment of the Border Patrol officials assigned to the Tucson sector of the U.S. border. The level of cooperation between local, state and federal law enforcement has been excellent, and each responsible agency was in my office this week renewing their commitment to work together to address the threats to people and property all along the border.

Clearly the problem is not a lack of resources in Washington, and it is not in the implementation of a strategy in Arizona. The problem that is crippling Southeastern Arizona is the result of a failure to deliver those resources from Washington to the Border Patrol officials on the ground in my state.

When an identical problem threatened our national borders in California and Texas, resources were directed to effectively stem the flow of illegal immigrants. I

The Honorable William Jefferson Clinton
May 18, 2000
Page Two

respectfully request that you treat the concerns of Arizona's citizens with the same commitment to resolve the problem.

In closing, I must mention the latest troubling impact of this almost unimpeded stream of illegal immigration: the degradation of the environment in Southern Arizona. As Interior Secretary Babbitt has repeatedly note, the San Pedro River is considered one of the most remarkable riparian areas in the Southwest United States. However, the unrelenting flow of foot traffic through the riparian areas of Cochise County is threatening the fragile environmental treasures of this region. This is just the latest, and potentially most irreversible, harm being visited on the State of Arizona.

Again, for the protection of the people, the property and the environment of my state, I request that you provide Arizona the resources necessary to protect our nation's border.

Sincerely,



JANE DEE HULL
Governor

10. Key Valencia

Wagenseil, Steven A

From: Zweiben, Beverly Z
Sent: Wednesday, May 17, 2000 10:59 AM
To: McCamman, Michael J; Wagenseil, Steven A; Blodgett, John S
Cc: Parmly, Michael E; Ward, Robert C; Higgins, Peter X; Sim, Cheryl; DRL_MLA
Subject: RE: UN envoy to look into US-Mexico immigration issues

Thanks. I'm trying to find out more about the visit.... bz

-----Original Message-----

From: McCamman, Michael J
Sent: Wednesday, May 17, 2000 10:52 AM
To: Wagenseil, Steven A; Blodgett, John S; Zweiben, Beverly Z
Cc: Parmly, Michael E; Ward, Robert C; Higgins, Peter X; Sim, Cheryl; DRL_MLA
Subject: RE: UN envoy to look into US-Mexico immigration issues

This could be a misprint in the article but it sounds like SR for Migrant Workers Gabriela Rodriguez will be visiting the border.

-----Original Message-----

From: Wagenseil, Steven A
Sent: Wednesday, May 17, 2000 10:40 AM
To: Blodgett, John S; Zweiben, Beverly Z
Cc: Parmly, Michael E; Ward, Robert C; Higgins, Peter X; Sim, Cheryl; DRL_MLA
Subject: RE: UN envoy to look into US-Mexico immigration issues

I note that the report does NOT speak of HCHR Robinson, but of a Special Envoy (Special Rapporteur?).

Nonetheless, we should be paying close attention to this one. It will only get worse between now and the WCAR.

Steve W DRL/MLA x7-1255

-----Original Message-----

From: Blodgett, John S
Sent: Wednesday, May 17, 2000 9:19 AM
To: Zweiben, Beverly Z; Wagenseil, Steven A
Subject: FW: UN envoy to look into US-Mexico immigration issues

Do we need to do any liaison with Arizona Governor's office concerning this report that Mary Robinson will participate in a meeting between the Governor and the Mexican Foreign Minister?

-----Original Message-----

From: Keeler, Susan L.
Sent: Wednesday, May 17, 2000 1:22 AM
To: LW-WHA
Subject: UN envoy to look into US-Mexico immigration issues

BC-MEXICO-UN

UN envoy to look into US-Mexico immigration issues

MEXICO CITY, May 16 (Reuters) - A United Nations special envoy for immigration issues will visit the U.S.-Mexico border to look into complaints of U.S. residents and officials abusing and mistreating Mexicans crossing the border illegally, Mexico Foreign Minister Rosario Green told reporters on Tuesday.

Green said Cecilia Rodriguez, the special envoy, was tentatively scheduled to visit next week.

In recent weeks Mexico has accused ranchers in Arizona, on the U.S. border with Mexico, of hunting Mexicans like dogs in a vigilante campaign to make citizens' arrests of immigrants who trespass on their land.

Ranchers have said their immigrant roundups are in response to the lack of action by the U.S. Border patrol. Mexican officials have deplored the "aggressive" actions of the ranchers.

An independent human rights commission in Mexico requested last week U.N. intervention over what it called "serious violations" of the rights of Mexicans crossing the border.

Since 1994 more than 450 migrants have died on the border, mainly from hypothermia and sunstroke,

*This is what I talked
to you about. Heads up!
- Ken*

according to the National Commission for Human rights (CNDH).

Green said the U.N. envoy would participate in a meeting between herself and Arizona Gov. Jane Hull.

Green also said the issue would be treated "with firmness" in a meeting of Mexico and U.S. officials scheduled to begin next week in Washington.

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE

STATEMENT

8/4/99

INS Chandler Report

The U.S. Immigration and Naturalization Service (INS) Office of Internal Audit (OIA) has completed its review and issued a report on the July 1997 joint enforcement operation conducted by the Chandler, Arizona Police Department and the U.S. Border Patrol.

The OIA report does not substantiate allegations of civil rights violations on the part of individual Border Patrol Agents. However, the report clearly demonstrates that the high standards of professionalism expected in INS operations were not met in this operation. Specifically, the report indicates that:

- The Tucson Sector of the U.S. Border Patrol failed to consistently exercise proper planning, oversight and supervision of the operation.
- There was no written record of the request from the Chandler Police Department for Border Patrol assistance, no written agreement or understanding between the police and the Border Patrol, no written plan or goals for the operation and no written record of the approval of the operation by Tucson Border Patrol Sector Headquarters.
- The policy which prohibits area control enforcement operations in residential areas was not followed, was not widely known or disseminated.
- The operation did not meet INS guidelines for joint operations, which require local authorities to enforce only local laws.
- Border Patrol Agents failed to individually process the undocumented aliens apprehended in the operation and did not articulate in writing the reasons persons were stopped and questioned.

The Western Regional Director has been directed to meet immediately with the Tucson Sector staff to discuss and correct these management deficiencies and to report back to headquarters on what further actions will be taken. In the meantime, INS has taken the following actions in Arizona to ensure that the problems found with the Chandler operation are not repeated.

- INS has returned the Border Patrol to the front lines of the border. In a local agreement reached between the Tucson Sector and the Phoenix District, there will be a collaborative effort to transition all enforcement activities to the District. This would allow the Tucson Sector to better focus their enforcement efforts on the border.
- The INS Western Region leadership has met extensively with community leaders in Phoenix, Tucson, Nogales and Douglas, forging strong ties which have led to more open lines of communication on any issues of concern to the community.
- Naming Community Liaison Officers at several stations in the sector where there has been a high level of community interest in this issue. The Community Liaison Officers are responsible for reaching out to residents to solicit their input regarding immigration enforcement efforts in the area.

Chandler Report

Page 2

- The Phoenix District holds regular meetings with Community Based Organizations (CBOs) to discuss issues of concern.
- Establishment of a statewide toll-free number for the public to use to contact the Border Patrol to express concern or to report illegal activity. The number, 1-877-USBP HELP (1-877-872-7435), connects callers directly to the Tucson Border Patrol Sector's main dispatch center, which operates 24 hours a day, seven days a week.

In addition, INS has developed and started implementing an interior enforcement strategy designed to address the need for effective operations in areas away from the borders. One of the priorities of the strategy is to coordinate activities with local authorities that will effectively and professionally respond to immigration-related crimes in local communities. In addition to training its law enforcement officers to properly implement the interior enforcement strategy, INS also is:

- Developing cohesive, expanded policies, enforcement standards and training programs for interior enforcement operations.
- Conducting a comprehensive review of the Border Patrol Handbook, the primary guidance document for Border Patrol field operations.
- Requiring operational plans for all significant joint operations. These plans must consider the impact of criminal activity on the quality of life in areas where joint operations are being proposed. These plans are reviewed at regional offices and in some cases headquarters.
- Requiring that operational plans establish a clearly delineated supervisory chain of command, with supervisory personnel performing direct field supervision.
- Displaying posters advising aliens of their rights at all temporary INS detention facilities throughout the country. Those posters explain to those in INS custody how to report incidents of abuse.

These measures will ensure that all enforcement operations throughout the Service are conducted with the utmost of professionalism and regard to propriety and individual rights.

In addition, INS will develop standardized, nationwide procedures governing joint operations between INS and local law enforcement agencies. The 1981 directive by the Attorney General prohibiting area control enforcement in residential areas under most circumstances will be reiterated and reinforced in these procedures.

The adoption of the Administration's restructuring proposal for INS will further enhance oversight of enforcement operations nationwide. All enforcement activities nationwide would be under one chain of command, reporting to the head of enforcement. That person will report directly to an appointed full-time official responsible and accountable for both enforcement and services and therefore be able to exercise the critical balance needed for a coherent national immigration policy. The

Chandler Report**Page 3**

consolidation of law enforcement operations will facilitate the development and implementation of consistent law enforcement policy. It will also provide law enforcement managers with a direct chain of command from headquarters to the field office level, improve accountability and enhance the delivery of law enforcement services that are just and fair.

INS is committed to enforcing the immigration laws fairly and professionally. We are also committed to working closely with local law enforcement agencies when it is appropriate and justified by the needs of the community as well as INS.

- INS -

Do You Hire Illegal Immigrants?

By Ray Borane

I am the mayor of a small desert city in southeastern Arizona on the Mexican border. It is 95 percent Hispanic, the home of working people, ranchers and fixed-income retirees. I am writing to tell you — meaning those who live in the nation's more wealthy, enterprising and opulent places — about something we have in common.

What could bind such strikingly contrasting places and life styles? I'll answer it with another question: Do you have any idea what havoc you cause in our area and in other border towns, all because some of you hire illegal immigrants to make your beds, mow your lawns and cook your meals?

The United States Border Patrol has apprehended and expelled more than 200,000 Mexicans and other Latin Americans from our area since the beginning of the year, 60,500 in March alone. Many more — hungry, thirsty and desperate — make it through. When you hire illegal aliens, our ranchers, our elderly, our children are forced to live in fear as waves of people pass through their property at night, cutting water lines and littering fields with plastic water jugs, diapers and other trash.

When you have large numbers of undocumented aliens work in your homes, hotels, restaurants, landscap-

Ray Borane is the Mayor of Douglas, Ariz.

ing businesses, fields, orchards, factories, construction crews and any other sector that exploits them, our lives and property values and business opportunities are trampled because of the job pull you have created.

Those of you who congratulate yourselves on your supposed great humanitarian compassion as you wink at the law and pay the meager wages — please know that in the last

Only legalization
will stop the
human tragedy.

week alone, 28 illegal immigrants suffering from heat exhaustion were picked up in the desert by helicopter and flown to nearby hospitals. A 19-year-old woman died. Later, 30 migrants were caught in a shootout in Phoenix between coyotes, who were fighting over the payment for their human cargo. Also last week, a broken-down van overturned on an Arizona Interstate, seriously injuring the 33 people crammed inside.

Communities like ours have barely coped with such situations. But we realize that the migrants themselves are not to blame. Those who hire them are. Can you even begin to fathom the arduous, debasing journey people endure to serve you comfortably in the luxury you are so accustomed to?

They will hand over their entire

life savings to unscrupulous human traffickers who may rob and assault them. If they get to our sister city, Agua Prieta, right across the border, coyotes will stuff trusting individuals into vans in conditions intolerable for animals, taking advantage of every virtue inherent in their poverty.

Ranchers and immigration officials, in despair, will find men, women and children dead of heat exhaustion. Children are often separated from their parents in Border Patrol roundups and end up in shelters.

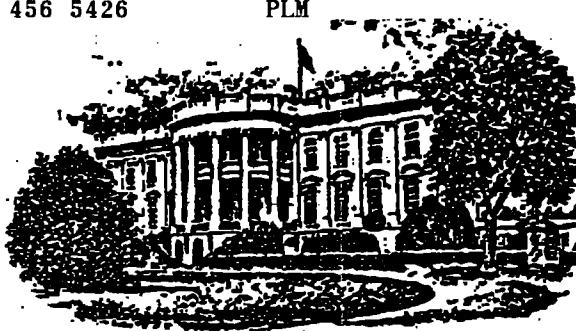
Compassion is reaching its limits in border areas like ours. Drained by the costs, both public and private, and the risks posed by the migrants' desperation, some ranchers and other citizens have taken up arms to protect their property. What they are doing is wrong. But it is what your demand for cheap and unregulated services has driven them to.

What is the answer, you ask? The migrants are, after all, coming here of their own free will, in search of a better life. This is true, but that does not let you off the hook.

We have to examine how to legalize this labor that you have decided you cannot live without. This legalization begins with an orderly, humane migration over the border. A proposed guest worker program is one option in addressing the problem. Too expensive, you say? Higher pay and social services will dry up demand and rob many of the world's ambitious downtrodden of the "opportunity" you give them? Believe that if you want, but the next time you read about a child who died crossing the Arizona desert, ask yourself those questions again. □

The New York Times

MONDAY, AUGUST 30, 1999



THE WHITE HOUSE
WASHINGTON

FACSIMILE / MEMO FROM: Renée Sagiv
OFFICE OF PRESIDENTIAL LETTERS AND MESSAGES
OLD EXECUTIVE OFFICE BUILDING, ROOM 93

VOICE: (202) 456-5519

FAX: (202) 456-5426

NUMBER OF PAGES (INCLUDING COVER): 8

DATE: 8/27

TO: Irene Bueno

DPC

VOICE: 66558

FAX: 65581

☐ FOR YOUR ACTION

☒ INCOMING LETTER(S) FROM: Mayor Borane of AZ
RE: Illegal immigration + guest worker programs

☒ FOR YOUR REVIEW / APPROVAL

☒ PER MY E-MAIL OR VOICE-MAIL MESSAGE TO YOU

☐ PER YOUR REQUEST

ADDITIONAL COMMENTS:

Thanks for taking a look at this.
- Renée

RAY BORANE
MAYOR



313921
425 TENTH STREET
TELEPHONE 384-7501

THE CITY OF DOUGLAS
OFFICE OF THE MAYOR
CITY HALL
DOUGLAS, ARIZONA 85607

July 29, 1999

William Jefferson Clinton
President of the United States of America
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Clinton:

I realize that all previous efforts to communicate to you the gravity of our situation in Douglas, Arizona, USA have been futile, unrequited and ignored. I nonetheless feel that as Mayor of this community it is my duty to officially advise your office, certainly not expecting any acknowledgement of the following statistics and incidents that have taken place on the border of the United States of America.

In April, 600 undocumented aliens (UDA's) essentially crashed the border rushing an understaffed US Border Patrol contingent. The same month, 28,000 UDA's were detained in Douglas. Imagine the literal invasion that has overtaken this community of 15,000 United States citizens. Yesterday, 240 UDA's were apprehended in one single incident.

As the Mayor of Douglas, Arizona, USA, in southeastern Arizona, I write to tell you the border is bleeding. It's your border. The US Border Patrol can only treat the symptoms of a grave problem. I simply cannot comprehend your inability to even publicly recognize or acknowledge this invasion — intrusion into our lives. Because of our isolation, we feel disgusted, frustrated and abandoned wandering in the darkness without any expectation of assistance. We are sensing that quite possibly we could be the next Chamizal.

You spend much time abroad addressing the problems of other nations and communities. You do so quite admirably. You lead the greatest nation on the face of this earth. Yet, you exhibit such blatant disregard at home — your home, here on the border. Your leadership can catalyze valued dialogue with Mexico; dialogue that could lead to legal sanctions against those who would denigrate the lives of thousands of desolate and impoverished people looking to cross illegally into the United States.

Your country is being invaded. I can only hope that in the near future, I will see or hear that you have finally realized the seriousness and embarrassment of not being able to

AUG 2 1999

control the border and that you or an emissary have contacted Mexican officials to address the problem of the thousands of illegals invading. Thousands who because of their poverty are treated inhumanely and exploited in Mexico and in this country.

Once again, it is my responsibility to respectfully advise you of this grave and reprehensible situation. My constituents deserve and expect as much from me — and you.

Sincerely,



Ray Borane
Mayor

cc: Jane Dee Hull, Governor
John McCain, Senator
Jon Kyl, Senator
Jim Kolbe, Congressman

DRAFT OF BC LETTER

INITIALS: BC / tfs /

DOCUMENT TITLE: /slr/p/borane.r.tfs

DRAFT DATE / LETTER DATE: Aug 27 1999 /

CORRESPONDENCE #: 4330440

CLEAR WITH:

WHCC:

CC: IGA, 106 OEOb
w/copy of incmg. to DOJ/INS

CORRESPONDENCE ADDRESSED TO:

APPROVAL/ENCLOSURES/SPECIAL INSTR:

The Honorable Ray Borane
Mayor
City of Douglas
Office of the Mayor
425 Tenth Street
Douglas, Arizona 85607

Dear Ray:

Thank you for your letter regarding illegal immigration in Douglas. I am sorry that I was unable to respond sooner. I understand the concerns that prompted you to write, and I have shared your correspondence with members of my staff in the Domestic Policy Council. I'm glad that you have also sent copies of your letters to Attorney General Reno and Commissioner Meissner. I know that they will carefully consider the points you raise.

I understand that this is a difficult situation facing many areas along our nation's borders, and my Administration is committed to doing everything we can to provide the resources state and local officials need to protect their residents and to uphold our country's immigration laws.

Since the beginning of my Administration, I have worked hard to reverse decades of neglect, and to restore credibility to our enforcement efforts, and I believe we have made significant progress. We have developed and implemented a comprehensive multi-year Southwest border strategy and have doubled the number of border patrol to more than 8,000 today. In addition, we have developed an interior enforcement strategy

that combats illegal immigration inside the United States by focusing on identifying and deporting criminal aliens; dismantling smuggling rings; responding to community reports and complaints about illegal immigration; combating document fraud; and blocking employers' access to and use of undocumented workers. We have deported a record number of criminal aliens, and we are removing jailed illegal aliens from the United States as soon as they complete their sentences.

Although I understand your arguments in support of guest worker legislation, my Administration continues to strongly oppose agricultural guest worker programs. These programs avoid a sustainable solution to labor shortages and actually increase illegal immigration. In addition, they reduce employment opportunities for United States citizens and other legal residents and depress wages and work standards for United States farmworkers. We are prepared to work with Congress and all interested parties to address this issue in a way that will not jeopardize vital worker protections. As we move forward in this endeavor, I'm grateful for your insights and involvement.

You have my best wishes.

CORRESPONDENCE SENT TO:

The Honorable Ray Borane
Mayor
City of Douglas
Office of the Mayor
425 Tenth Street
Douglas, Arizona 85607

RAY BORANE

MAYOR

299587
425 TENTH STREET
TELEPHONE 384-7501

THE CITY OF DOUGLAS

OFFICE OF THE MAYOR

CITY HALL

DOUGLAS, ARIZONA 85607

March 24, 1999

Neal Sharma

Hon. William Jefferson Clinton
President of the United States
1600 Pennsylvania Avenue
Washington, D.C.

Dear President Clinton:

On behalf of the residents of the Douglas community and surely many communities along the U.S.-Mexico border, I respectfully request your assistance with the deplorable and exacerbating situation in our communities stemming from the incessant ever-increasing flow of undocumented aliens (UDA's). This situation ultimately stifles our economy. Increased funding for the Border Patrol while necessary has at best minimally impacted the number of UDA's coming across the border. The answer does not lie there nor does it lie in employer sanctions simply because it would be nearly impossible to enforce. Furthermore, the private sector can not perform profitably while acting as an arm of the United States Immigration and Naturalization Service (INS). President Clinton, the answer lies in the reenactment of "Guestworker" Legislation also known as the Bracero Program.

The residents of this community and I can safely say most other rural border communities live a reality distinct from that in Washington, D.C., the Northeast or the Midwest. UDA's have simply overrun our community. Douglas is regularly in the media. The result has been negative exposure that has resulted in tremendous difficulties in business recruitment and retention efforts. All this in a community that already suffers from 12% unemployment during the greatest economic boom this country has experienced. Our sister city of Agua Prieta, Sonora, Mexico has experienced dramatic increases in crime apart from the drug trade. Agua Prieta has become a staging area for many of the thousands of UDA's waiting to cross into the United States. A community once popular with tourists is seeing a dramatic economic decline that ultimately affects Douglas. Douglas and Agua Prieta comprise one community. I speak for Presidente Vicente Teran, the mayor of Agua Prieta, in writing so.

We appreciate and support efforts by the U.S. Border Patrol. We consider them an asset in our community. However, we also value the desperation of the many Mexicans and Central Americans that risk their lives in their search for economic opportunities. Contrary to many perceptions, these people come here to work and not to receive welfare benefits. This population serves as the backbone of the hospitality and agriculture industries across the United States. Irrespective of today's low unemployment rates, American workers continually reject this type of employment. I consider it an elementary recognition that a win-win opportunity exists.

The United States has engaged itself in a severe losing battle. It is time we recognize the reality together with the economics that underlie it. Either Mexico's economy drastically improves creating employment with wage rates equal to the United States or millions will continue to flow

into this country illegally. Mexico has made great strides in restructuring its economy. The results and benefits are obvious. Yet, it will still take many years to achieve some sort of parity with the U.S. economy. In light of the North American Free Trade Agreement (NAFTA), we should look to liberalizing the flow of human resource. The European Union has done so and will achieve great economic benefits. It is not enough to free the flow of goods and services without doing the same for human resource when faced with the immense disparity Mexico faces vis-à-vis the U.S. and Canada.

As you know, the last "Guestworker" Legislation (Bracero Program) began in 1942 and lasted until the mid-1960's. The legislation enabled primarily the agriculture industry to import an unlimited number of "guestworkers" into the United States. This type of program would address the issues closer to the heart of the problem. The significant numbers of UDA's that successfully reach their destinations have jobs waiting for them or quickly acquire one. There clearly exists a market for this type of employment.

I am not suggesting that we create an impoverished labor class. The program should ensure certain basic worker rights such as appropriate wages and working conditions currently offered to all Americans. Official estimates, invariably low, report as many as 600,000 illegal aliens residing in the United States. The reality is that if INS decided to enforce the law one day in Chicago or Los Angeles they would effectively shut down the hospitality industry. No rooms would be cleaned that day and no dishes would be washed. More significantly, the agricultural producing sectors would be stymied.

The problem will not go away by throwing more money at it. It will not go away by sticking our heads in the ground as we pass the chambermaid cleaning our room or the agricultural worker picking our fruit. We need to make it legal for the many aliens who are now working illegally and the many that are coming to fill these jobs.

I propose this to you sincerely and earnestly. Our situation is grave. The residents of this community in Douglas and Agua Prieta appreciate your consideration and attention to this matter. Please contact me at (520) 364-7501 if I may be of assistance. I look forward to your response.

Sincerely,



Ray Borane
Mayor

cc: Janet Reno, Attorney General
Doris Meissner, Commissioner of INS
Governor Jane Dee Hull
Congressional Delegation

RAY BORANE
MAYOR

Paul Sharnick



301628/473040
425 TENTH STREET
TELEPHONE 364-7501

THE CITY OF DOUGLAS
OFFICE OF THE MAYOR
CITY HALL
DOUGLAS, ARIZONA 85807

Immigration

April 7, 1999

Hon. William Jefferson Clinton
President of the United States
1600 Pennsylvania Avenue
Washington, D.C.

Dear President Clinton:

I am deeply concerned with respect to recent incidents involving UDA's with local and area residents. The frustration level has reached a new high and has escalated to residents becoming personally and physically involved. Please see enclosed news report of April 6, 1999.

As I have expressed to you before in prior correspondence, our biggest fear is that we will inevitably have a sad and embarrassing tragedy.

Much credit must be given to the efforts of our Border Patrol; however, they are being overrun and are engaged in an uncontrollable situation. We must look at other viable options, as mentioned previously in other correspondence, or enforce the laws already in place which prohibits the hiring of UDA's.

We have a serious problem when upstanding citizens feel they must protect their rights and properties from being daily invaded.

Sincerely,

Ray Borane

Ray Borane
Mayor

cc: Janet Reno, Attorney General
Doris Meissner, Commissioner of INS
Congressional Delegation

Enclosure

U.S. Department of Justice
IMMIGRATION AND NATURALIZATION SERVICE



NEWS RELEASE

Contact: Western Region
Office of Public Affairs
(949) 360-3096

May 28, 1999

INS Announces Additional Officers and Equipment for Southeastern Arizona

New Resources to Bolster Border Enforcement in the Douglas Area

TUCSON, Ariz. — Additional Border Patrol agents, Immigration Inspectors, and equipment will begin arriving in the Douglas area the second week in June, Immigration and Naturalization Service (INS) Commissioner Doris Meissner announced today at a news conference in Tucson.

"Arizona is the next critical area in our national border enforcement strategy," Commissioner Meissner said. "These additional resources will enable the agency, through Operation Safeguard, to continue expanding our level of control in the crucial border corridor around Douglas. As we gain and establish control of this border area, we can ensure a better quality of life for all those living in the region."

The resources include 30 Border Patrol agents from outside the state and 17 agents who are returning to the Douglas area after being deployed to other sections of the Tucson Sector. These additional agents will enable the Tucson Sector to strengthen enforcement in advance of the arrival of permanent resources. The enhancements will bolster Operation Safeguard, the Arizona enforcement initiative that has significantly reduced illegal crossings and crime in the Nogales area.

The 47 agents will bring the number of agents on duty in the Douglas area, which also includes the Naco Station, to 368, an increase of almost 15 percent. The 30 agents being brought in from outside the state are in addition to the 115 Border Patrol agents redeployed to Arizona over the last two months. The agents will remain in place until permanently-assigned agents return from the Border Patrol Academy in the late summer and early fall of this year.

Besides the infusion of personnel, the Douglas area will also be receiving 18 stadium-style portable light stands. Those light stands, along with the six which are already in place, will be used to illuminate high traffic areas along the immediate border.

-more-

New Agents for Arizona**Page 2**

To maximize the impact of those added resources, the Tucson Sector is adding a second special enforcement team, which will target alien smuggling and respond to reports of activity on the area's ranches. Combating alien smuggling is a crucial component of the overall border strategy. To that end, the Commissioner committed that INS will continue its ongoing enforcement activities at Sky Harbor Airport in Phoenix. Since April, INS Special Agents working at the Airport have made more than 1,900 arrests.

Under the plan announced today, the detail of Border Patrol agents will be augmented by the redeployment of four additional Immigration Inspectors to facilitate legal entry and strengthen enforcement at the Douglas port of entry. The move is designed to support legitimate commerce and travel and to counter the increase in fraudulent entry attempts that traditionally occur as enforcement is stepped up between the ports of entry.

This latest infusion of resources into Arizona comes at a time when apprehensions in the Nogales area have fallen dramatically. Formerly the busiest illegal immigration corridor in Arizona, Nogales now accounts for less than 16 percent of the Tucson Sector's arrests, and the local crime rate has dropped by more than 30 percent, compared to last year.

While illegal crossings in Nogales are down significantly, the Douglas area has experienced an increase in activity mostly due to an increase in alien smuggling. Frustrated by the heightened enforcement presence around Nogales, alien smugglers are leading migrants into more and more remote areas. With this comes increased dangers to the safety of the migrants, a concern that INS has been working with the Mexican government to address through the a joint Border Safety Initiative that was announced last summer.

"This is a region that is experiencing a sharp increase in alien smuggler activity, which in turn puts migrant's lives at risk. INS will continue to work cooperatively with the Mexican government to reduce migrant deaths and is committed to make the border safer for all migrants, officers, and border residents," said Commissioner Meissner.

This traffic shift is similar to what occurred in both California and Texas as INS' border enforcement initiatives were phased in those areas. During the initial stages of these operations, apprehensions typically increase, reflecting the deployment of more agents and enhanced technology. However, as the deterrent effect takes hold, the number of apprehensions declines and control is established in the area.

-more-

New Agents for Arizona**Page 3**

All of the personnel included in this latest enhancement are being redeployed on a temporary basis. In the longer term, INS will assign substantial new permanent resources to support the immigration enforcement effort in Arizona. The agency is aggressively recruiting new Border Patrol agents and Tucson is one of several cities targeted as part of this intensified effort. In Arizona alone, INS Border Patrol recruitment officers have attended several college job and military job fairs, attended professional and diversity events, advertised in several Arizona media outlets, and increased local advertising for Border Patrol positions. Anyone interested in a career with the Border Patrol may call 1-800-238-1945 or call up the INS website at www.ins.usdoj.gov and click on Border Patrol careers.

This is just one of the challenges facing the Border Patrol as the organization prepares to mark its 75th anniversary. On this date in 1924, Congress passed the legislation formally establishing the Border Patrol. There were 450 officers in the initial force. Today, there are three times that many agents in Arizona alone.

- INS -

Q & A for Douglas deployment press conference, 5/28/99

1. What new resources is the Border Patrol going to bring to the Douglas area?

The new, temporary resources deploying to the Douglas area include 47 Border Patrol agents, four immigration inspectors to the Douglas port of entry, and 18 stadium-style light stands to light up the high traffic areas along the border.

The 47 agents will bring the number of agents on duty in the Douglas area, which also includes the Naco Station, to 368, an increase of almost 15 percent. The 30 agents being brought in from outside the state are in addition to the 115 Border Patrol agents redeployed to Arizona over the last two months.

2. Are these permanent or just temporary?

These resources will remain indefinitely. Ultimately, the detailed agents will be replaced by permanent agents at a later date.

3. Where are the agents being detailed from?

Seventeen Border Patrol agents will be returned from other stations in the Tucson Sector and 21 agents will be detailed from the San Diego Sector. The Central Region will detail two agents and Eastern Region will detail seven agents each.

4. Is this the answer to the overwhelming situation facing Douglas today?

Today's deployment is part of the long-term commitment that INS has made to regaining control of the Arizona border. During the initial stages of operations, such as Operation Safeguard, there is a shift in illegal border-crossing traffic from routes that have been the traditional crossing points. As the deterrent effect takes hold, as it has in the past in similar operations in California and Texas, the number of illegal border crossings and resulting apprehensions will decline and control will be restored to the area.

5. What is the long-term strategy to bring control to the Arizona border? the Southwest border?

Launched in FY 1995, Operation Safeguard redirected illegal border crossings away from urban areas near the Nogales port of entry to comparatively open areas that the Border Patrol could more effectively control. By moving potential crossers away from urban areas where they were able to disappear into local communities, the Border Patrol has taken advantage of new

equipment and technology and increased staffing to make apprehensions in areas where illegal entrants are more visible. Today there are more than 1,000 agents on duty in the sector compared to fewer than 300 prior to FY 1994.

As in other operations, the infusion of agents has been backed by a wealth of new equipment and technology. In addition to IDENT terminals, crucial improvements include the installation of 19 additional remote low-light surveillance cameras along the border in Nogales and Douglas making it possible for one officer to monitor border activity at several different locations simultaneously, freeing up more agents to patrol the line.

In January this year, 45 agents were detailed to the Nogales area. Since then, a total of 115 agents have been detailed to Arizona over the past two months. The 30 additional agents being detailed from outside the sector will increase this to 145 agents. The number of agents on duty in Douglas will increase to 322 with the total detail of 47.

As part of the FY 1999 expansion of Operation Safeguard, Tucson Sector will receive 350 new Border Patrol agents. In addition to increased manpower, border access roads in the greater Nogales area will be improved. Plans also include the installation of four miles of border lighting in Nogales and one mile of permanent lighting in Douglas. Presently, there are 1.3 mile of permanent and two miles of portable lighting in use.

6. Why isn't INS going after the employers who hire the undocumented migrants, thus taking away the reason to come in the first place?

INS is strengthening its worksite enforcement efforts by focusing on smugglers, counterfeit document producers, transporters and employers who exploit and benefit from illegal immigration. In addition, our interior enforcement strategy calls for changing the hiring practices of employers and preventing undocumented workers from getting or keeping jobs. The strategy does this with increased support for employers who comply with the law and aggressive civil and criminal action against employers who defy the law.

7. INS always says that it is enforcing the worksite laws, but the numbers don't back this up. Why doesn't INS and the Administration do more to enforce immigration laws?

INS' goal is to reduce the size of the illegal population. We continue to arrest and remove undocumented aliens — criminal and otherwise — from the country. However, we have shifted our focus to the infrastructure of criminal organizations that promote and profit from illegal immigration.

8. Why has it taken the Border Patrol, INS, and the Dept. of Justice so long to realize that the Douglas area is out of control?

When INS started concentrating resources on Arizona, the main area of focus was Nogales. In FY 98, the apprehensions in Nogales for every day of every month were higher than they were in FY 97. We have turned that around with significant resource investment. The change began at the end of January and apprehensions in Nogales have remained below the FY 98 level. Tucson Sector as a whole is beginning to experience declines in apprehensions from the highs in March. We know that we have to deal with the high level of apprehensions in Douglas and the understandable community concern.

9. Are military personnel or the National Guard going to be used on the border, esp. in the Douglas area? If not, why not?

No. Border Patrol agents are uniquely trained to deal with illegal immigration and border issues. We use JTF-6 for construction projects, but that is the extent of using military personnel on the border.

10. Does the Border Patrol encourage local ranchers and others along the border to arm themselves or to make citizen arrests? Is this helpful?

No. The Border Patrol absolutely discourages ranchers from taking matters into their own hands. Border Patrol agents attend community meetings to listen to concerns. For citizens who want to report illegal activity, we encourage them to use our newly installed toll-free phone line. The number, 1-877-USBP-HELP (1-877-872-7435) connects callers directly to the Tucson Border Patrol's main dispatch center, which operates 24 hours a day, seven days a week. The incoming calls are answered by radio operators in the Sector's main dispatch center round-the-clock. The dispatchers transfer the calls to the appropriate Border Patrol station.

11. Will the busloads of illegal aliens still be brought from Nogales to Douglas?

Buses are not running from Nogales to Douglas due to operational manpower considerations, but the route could be restarted in the future. The movement of apprehended undocumented border crossers, which averaged 91 daily at its peak, was an effort to separate the smugglers from their "clients" by returning them to a location other than where they had originally crossed. (Note: personnel to operate the route are being used elsewhere at this time.)

12. Why was this situation allowed to develop in the first place--why were illegal aliens pushed into the Douglas area from elsewhere?

This situation was not allowed to develop by the Border Patrol but is a result of the movement of alien smugglers attempting to find new routes across the border as we took away their traditional crossing points elsewhere. We focused our initial efforts in Arizona on Nogales. With the infusion of resources in Nogales, we have seen quick results and a decline in apprehensions. We are now focusing attention on Douglas and to the dangerous desert areas to the west of Nogales.

13. How long is it going to take the Border Patrol to take control of the Douglas area of the border? of the Arizona border?

We cannot set an exact time frame. We have had remarkable successes in San Diego, El Paso, and south Texas. With Operation Gatekeeper in San Diego, it took four years to bring the area to an acceptable level of control. This was done without the experience, resources, and improved technology that we have available today. Since we increased our efforts in Arizona earlier this year, we are already seeing more control in Nogales and the shift of traffic to Douglas. We are now focusing attention on Douglas. It will take some time, but we are committed to a long-term effort that will bring control to the Arizona border.

14. Why is INS not pressuring Mexico to do more to stop this influx?

The INS, together with other parts of the U.S. government such as the Department of State, is working with the Mexican government through regular meetings of the Bi-Lateral Commission to establish a safe, manageable border where people on both sides enjoy a better quality of life and the smooth movement of commerce and people between our two countries.

15. Is the U.S. government going to reimburse Douglas and Arizona for the costs of the illegal immigration?

The law does not provide for direct reimbursement. The U.S. government is providing the resources to bring control to the Douglas area as well as the entire Arizona and Southwest border.

16. With the current problems you are facing in recruiting new Border Patrol agents, how do you expect to get additional agents planned for Arizona?

INS has developed a strong, effective hiring and recruiting program that has met ambitious Border Patrol hiring goals in recent years. However, with the strong economy and very low unemployment rate, applicants have multiple job opportunities. We have vigorously intensified our recruiting efforts, visiting twice as many military bases and three times as many colleges in FY 1999 as compared to FY 1998.

17. How will this affect replacing the temporary resources?

The temporary detailing of agents is being made for an indefinite period of time. This will allow us the extra time that we need to recruit, hire, and train new agents for permanent posting to the Tucson Sector. This is not much different from what we have done initially in other border control operations, even when we haven't had as big a problem in hiring new agents.

18. Isn't this just a response to political pressure from Federal and local elected officials?

An important part of our border strategy is our ability to adapt to local situations and respond as needed. In order for our strategy to succeed, we must work with the local communities and listen to their concerns. This is true in Operation Safeguard, and is reflected in today's decision to deploy additional resources in Douglas where increased illegal crossings are taking place.

Little desert town is new immigration battleground

By Carol Morello
USA TODAY

DOUGLAS, Ariz. — The desert sunsets visible from Thelma and Larry Vance's front porch would be pristine if only the view weren't impeded by thick security bars, a chain-link fence and a couple of mean, growling dogs prowling the perimeter.

The Vances take no risks at their isolated ranch smack in the middle of the busiest corridor for immigrants crossing illegally into the United States from Mexico.

When Larry Vance, 67, goes out to water the lawn, he carries a two-way radio to keep in touch with his wife inside. At an unexpected knock on the door, Thelma, 65, picks up a pistol before answering. The number for the U.S. Border Patrol is programmed for speed-dialing on the telephone. Should an intruder slip past the two iron-jawed dogs outside, the Vances keep a toy poodle that yips as an early-warning system.

"We feel so sorry for those people," Larry Vance says of the illegal immigrants as his dogs bark menacingly at rustling noises from the mesquite just beyond the 8-foot fence encircling the

compound. "But we're growing resentful, because we're living in fear."

The stretch of border a mile from the Vances' ranch has become this year's tense flash point in the never-ending attempt by the Border Patrol to keep undocumented workers from entering the country.

Only six years ago, the border sectors near San Diego and El Paso accounted for two-thirds of the 1.25 million undocumented migrants apprehended while trying to slip across the border on their way north to find jobs. But Border Patrol reinforcements, better technology and massive new operations called "Hold the Line" in Texas and "Gatekeeper" in California have reduced illegal crossings dramatically in those sectors.

Word got around that people were more likely to be caught by the Border Patrol in those areas, so they have changed their routes. With the California and Texas ends of the border fortified, the heavy flow of illegal aliens has been diverted to Arizona, to the 281-mile stretch the Border Patrol calls the Tucson sector. The Border Patrol projects that by

the end of this fiscal year, in September, it will have made 500,000 apprehensions in the Tucson sector, a third of the nationwide total.

Seemingly overnight, little Douglas, a town of fewer than 18,000 people, finds itself in the center of it all. In March alone, 27,000 migrants were caught by the local Border Patrol station, the same as were detained here in all of 1993.

About 95% of Douglas' population is of Hispanic heritage, and many residents are sympathetic to the migrants' plight. They understand that most are just looking for well-paying jobs to feed their families and in many cases will fill positions that Americans will not take. And they know many will return home eventually.

When the numbers were lower, the locals often gave passing migrants food and water. But now the residents are overwhelmed and angry.

Every night, hundreds and sometimes thousands of people traipse through the desolate expanses outside of town trying to

COVER STORY

dodge the Border Patrol. They litter the land with plastic water bottles and discarded clothing. They clip fences, allowing cattle to escape. To slake their own thirst, they break the water pipes that keep ranchers' herds alive.

As far back as anyone can remember, a few migrants from Mexico have straggled through Douglas, but now the numbers are soaring. One night in April, 600 people rushed the border at once, and the outnumbered Border Patrol managed to round up barely a third of them.

Douglas Mayor Ray Borane, the bilingual son of a Mexican mother, says property values have plummeted and potential investors interested in starting dude ranches nearby have been scared away.

"For the last year, we've been No. 1, unfortunately," he says, breezily referring to migrants as UDAs, shorthand for undocumented aliens.

"We're being invaded. Fortunately, people are compassionate and sensitive to the plight of UDAs. But patience is wearing thin. I'm afraid someday there's going to be a tragedy."

Fear of violence

This is not mere hyperbole in Douglas, a town down the road from Tombstone and the OK Corral. Here, where odd-ball characters are left alone, violations of land and water rights are not taken lightly.

"If the government refuses to provide this security, then the only recourse is to provide it for ourselves," read a petition ranchers mailed this spring to President Clinton and other federal and state officials.

Everyone still recalls a disturbing incident two decades ago when three local ranchers were accused of holding at gunpoint three undocumented migrants crossing their property. The ranchers first trussed and then tortured the trespassers before they fled back south to Mexico.

Rancher Roger Barnett and his two brothers provoked cries of vigilantism in April when, wearing camouflage hunting jackets and toy badges labeled "Ranch Patrol" and "United States Taxpayer," they detained 27 migrant trespassers and marched them, unharmed, down the road into the custody of the Border Patrol.

Barnett says he grew frustrated when crossing migrants

first broke a water line, then failed one night to turn off the spigot he had installed for their benefit. They drained 8,000 gallons of water meant for his 200 cattle.

"Thousands come through every night," says an exasperated Barnett, who patrols his 22,000-acre ranch with a cell phone ready to call the Border Patrol. "They've got no respect for anyone else's property. I lost two cows and two calves in the last year after they ingested plastic. I've found marijuana on my land."

"I feel sorry for the aliens, too. But it's not my problem."

Barnett brushes off criticisms made by migrant rights activists that his roundup of trespassers was an act of vigilantism.

"A vigilante goes out, rounds up people, holds a trial and executes them," he says. "I haven't done that yet. But bloodshed could happen. If I fear for my life or the lives of my family, I'll

use my weapon to protect our lives. It's a mini-war going on out here, only the ones crossing don't carry weapons. But the drug dealers do."

As more and more ranchers arm themselves, the Border Patrol says it encourages them to call authorities, not take the

law into their own hands. It has warned ranchers who have fired warning shots into the air that they could be in legal trouble if the bullets strike anyone on the way down.

But though the Douglas city police department reports no increase in crime other than

triple the reports of prowlers who turn out to be migrants, many legal authorities are sympathetic to the ranchers' fears.

"If I was a rancher, I'd be taking measures, too," says Sgt. Keith Barth of the Cochise County Sheriff's Department. "The majority of UDAs are tim-

1/2

id. They aren't here to break the law. They want to get a job and start making money. But a small percent are criminals."

Even Vicente Teran Uribe, a suave rancher who is mayor of Agua Prieta, the Mexican city across the border from Douglas, doesn't believe the ranchers are overreacting.

"It's their property," he says. "They're concerned about their safety, and it's their right. I understand that."

On the Mexican side

The influx of migrants has brought Agua Prieta its own share of problems. At the height of the migrant season in March, the city's population of 120,000 almost doubled; the city became home not only to thousands of migrants preparing to cross illegally but to almost 50,000 who were caught by the Border Patrol and deported back to Agua Prieta.

The city has taken on the burden of housing and feeding thousands who ran out of money and helped them buy tickets back home when they gave up trying to cross.

Agua Prieta's economy has experienced a mini-boom: Five hotels have been built for migrants waiting to hook up with guides known as coyotes, and a spate of public phones have been installed for migrants to call their relatives. But crime has skyrocketed as smugglers of drugs and people have relocated to Agua Prieta from other border cities where the crossing is now more difficult.

The heat of summer has brought a brief respite. Border Patrol apprehensions, the only gauge because no one can say with any precision whether the "gotchas" outnumber the "got-aways," usually decline through the summer. But when temperatures drop in the fall, the numbers surely will rise again.

The mayors of both Agua Prieta and Douglas favor reinstating a controversial guest worker program to license foreign workers for low-paying jobs most Americans don't want.

Borane has asked the Justice Department to deputize local law enforcement officers to make arrests for violations of federal immigration laws. The City Council has directed the city attorney to prepare a lawsuit against the federal government asking reimbursement for costs such as the hospitalization of migrants who give birth or get sick and seek treatment locally.

But Borane has firmly resisted demands from some ranchers that he ask for help from the National Guard or the U.S. military until the Border Patrol can add to the 300 agents assigned to the Douglas station.

"To date, nothing in my estimation has risen to the level where people should be alarmed," Borane says. "Let's not make it a battlefield."

But residents in the vast rural stretches outside of town say they already live in an area

where military metaphors and responses are appropriate.

"I've chased dope dealers with my Caterpillar," says Richard Puzzi, who lives on 1,000 acres his family has owned since 1906. "When I call the Border Patrol, they can't always come because they're already after so many they can't keep up with them. It's so busy sometimes that we can't sleep at nights. We just catnap during the day."

Puzzi, whose horses all have escaped through fences cut by crossing migrants, has plowed 15 miles of road on his land for use by the Border Patrol.

"I've just about given up," says Puzzi, a retired fireman whose ancestral ranch house apparently was used by drug dealers until he moved back from town three years ago.

"I keep things up for the Border Patrol and the illegals to play their cat-and-mouse game."

He has considered moving, as has his 81-year-old aunt, Theresa Murray, who lives a few hundred yards away in a suburban-style brick ranch house that resembles a prison.

Her house has been broken into more than 25 times, she says, though "I quit counting." She has put security bars on the doors and windows and installed a sophisticated security system inside the walls. She has surrounded her house with a chain-link fence topped by razor wire. The Border Patrol has planted sensors in the ground around her house, erected a 24-hour camera on a tall pole to scan the area and even sent agents to house-sit so she could go out for Mother's Day dinner with her son.

"I couldn't live here without the Border Patrol," she sighs. "We had tried everything."

A private watchtower

Larry Vance Jr., 43, whose parents have virtually barricaded themselves inside their house, has done even more than his neighbors.

Most nights, he climbs to the platform of a 3-foot tower he built behind his house, where he originally intended to practice archery and shoot jackrabbits. These days he takes along a pair of \$2,400 infrared binoculars he bought and scans the landscape for respassing migrants so he can report them to the Border Patrol.

"The world is crossing through my back yard, and I'm sick and tired of it," says Vance, who heads a local group of ranchers and others concerned about the migrant rush that calls itself the Concerned Citizens of the U.S.A. "The vast majority (of aliens) are harmless, but you don't know which. So we're forced to be prisoners in our own home."

"We need the military till the Border Patrol gets more manpower out here. We need helicopters and more surveillance. If we can control Kosovo's borders, why can't we control our own borders?"

2/2

July 5, 2000

MEMORANDUM TO THE PRESIDENT

**FROM: Mickey Ibarra
Matt Bennett**

RE: Follow-Up on Your Call to Governor Jane Hull (R-AZ)

CC: John Podesta

When you spoke to Governor Hull on June 26, she raised four issues relating to the Arizona-Mexico border that you asked us to pursue. Set forth below are the issues the Governor has raised and the answers provided by DOJ, EPA, DPC and CEQ.

The Governor asked you for more resources and INS agents on the border.

As you know, the efforts of the INS and U.S. Border Patrol (USBP) along the US-Mexico border have resulted in reduced incidences of illegal migration along both the Texas and California border. This success has led to increased illegal migration traffic along the Arizona-Mexico border – press accounts indicate that there are as many as 10,000 illegal crossings into the State every day. (INS tracks only actual alien apprehensions, and those have leapt from about 116,000 in all of FY 1993 to 445,000 in the first *half* of FY 2000.)

INS and USBP are responding with increased personnel and resources:

- Since May 6, 2000, USBP has deployed to the Tucson Sector 50 new permanent agents and 180 temporary agents. USBP anticipates sending an additional 179 agents to the Tucson Sector by October 31, 2000. (The Arizona border has two sectors – Tucson and Yuma. The Tucson Sector is much larger and busier.)
- USBP is sending technology to the border, including additional infrared scopes and low-light television cameras, 1.8 miles of permanent lighting, an additional 15 portable lighting units, and almost double the number of existing underground sensors (699 to 1269).
- USBP is providing new helicopters and fixed-wing aircraft for air support, as well as 24 more all-terrain vehicles and a horse patrol for ground coverage.
- INS has strengthened the ranch patrol units in Douglas, Arizona and has established a 24-hour toll free hotline for area residents to call and report migrant traffic and immigration-related

problems.

In addition to these new resources, DOJ has worked closely on intergovernmental coordination efforts:

- The Deputy Attorney General, INS and the U.S. Attorney all have held meetings with community groups and government officials in Arizona, and those contacts are on-going. DAG Holder intends to convene a follow-up meeting in Arizona in the next few months.
- DOJ also has improved coordination with Treasury. These joint initiatives include the Southwest Border Initiative, the Border Coordination Initiative, the Southwest Border Council, and the Southwest Border High-Intensity Drug Trafficking Areas. DOJ's Special Operations Division also has improved its intelligence gathering capabilities.
- One critical and recent change in the Arizona border management is the assignment of USBP Chief David Aguilar to the Tucson Sector. Since his arrival, all parties have acknowledged a noticeable difference in the development and implementation of the INS' enforcement strategy. During meetings that DAG Holder has held with Governor Hull and Senator Kyl (R-AZ), each has commented on the improvement of the USBP's efforts due, in large part, to the work of Chief Aguilar.

The Governor indicated to you that EPA had "stopped" construction of a border fence, and she asked for your help in resuming the construction.

DOJ is working to expedite the construction of fences and roads along the border. INS has initiated an Environmental Assessment (EA), which should be completed by September 2000. This EA will allow the INS to carry out its planned construction between the Douglas and Naco border stations while the more detailed and protracted Environmental Impact Study (EIS) for the entire Yuma and Tucson Sectors is being completed.

As the Governor indicated to you, she was outraged that EPA had "ordered" a halt to construction of the fence between the Douglas and Naco border stations. What the Governor does not appear to appreciate, however, is that the Douglas-Naco EA was initiated by DOJ, not EPA, and it is on a fast track designed to allow certain fencing, road and lighting activities to take place before the longer EIS for the Yuma and Tucson Sectors is completed. Failure to comply with environmental laws can result in protracted litigation. Indeed, DOJ currently is defending INS in two such cases along the Texas border. The EA process therefore is serving to *minimize* years of delay (or even permanent cancellation) that future litigation could bring to the project.

The Governor asked for EPA's help in cleaning up the "pollution" in the San Pedro River.

The environmental issues surrounding the San Pedro are centered on balancing the appropriate types and levels of public use with protection and enhancement of the sensitive natural resources present in the San Pedro Riparian National Conservation Area (NCA). Increasing development and illegal immigration within the river basin is creating strain on the groundwater resources at the

north and south ends of the NCA, where perennial flows no longer exist.

Your Administration has offered significant help in this regard. First, your FY 01 budget request included \$838,000 to protect the NCA's sensitive natural and cultural resources, provide visitor services, law enforcement and environmental education. The Governor was correct in linking the NCA's management challenges to the massive impact of undocumented aliens passing through the areas from Mexico, and your request would address that issue. Moreover, it recognizes that the large number of visitors and different recreation activities must be managed in a way to retain the pristine values of the area and allow for use by the public.

Second, your budget requests about \$3 million from the Land and Water Conservation Fund (LWCF). These funds would be used to purchase some of the private in-holdings inside the NCA. These lands currently are being used for agriculture, which is draining the river and destroying habitat. Some of the property owners are willing to sell either their lands in fee or conservation easements, which would allow BLM to retire the water rights and protect the river and habitat.

The Governor asked you to support Rep. Jim Kolbe (R-AZ) in his efforts to modify the foreign worker permit process to include more than just farm workers and to establish a commission to study the border.

Rep. Kolbe has not introduced his own H-2A temporary agricultural worker bill. Rather, he is a co-sponsor of the Agricultural Opportunities Act (H.R. 4548), a bill authored by Rep. Richard Pombo (R-CA). Among other things, this bill purports to streamline procedures for the temporary admission and extension of stay of nonimmigrant agricultural workers and to establish a commission to study the problem of housing for such workers. The Administration strongly opposes this legislation because it would ~~almost certainly increase illegal immigration~~, reduce work opportunities for U.S. citizens and other legal residents, and depress wages and work standards for American workers.