



THE JACOB RADER MARCUS CENTER OF THE
AMERICAN JEWISH ARCHIVES

Preserving American Jewish History

MS-603: Rabbi Marc H. Tanenbaum Collection, 1945-1992.

Series D: International Relations Activities. 1961-1992

Box 59, Folder 16, Immigration, 1979-1980.

RADIO FREE EUROPE

OETTINGENSTR. 67 am ENGLISCHEN GARTEN · 8000 MUNICH 22 · GERMANY · TELEPHONE 210 21

Senator
Daniel P. Moynihan
Russell House Office Bldg.
Washington, D.C. 20510
USA

Munich, December 28, 79

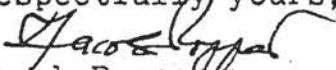
Dear Mr Moynihan:

Probably you have heard about the final decision of termination taken by the RFE/RL management as a retaliation for our protest against the Trifa interview and all the violations of law and democratic principles which succeeded here during the last months.

As Trifa was an Iron Guard leader and we - I mean Dr Rafael and me - are Jews, one could ask himself if what happens is a sign of left or right wing Anti-Semitism. It could be considered as "left", for Trifa represents the patriarchate of Moscow, but it could also be interpreted as "right" wing, for we have been warned by Iron Guards some months ago that we "will have to pay" for their "Archbishop" and as everybody knows...we have "paid".

But the main reason of this letter is another one. Here enclosed a note for the record on an inquiry made by the undersigned in the presence of a member of the Works Council aiming to bring to light the reasons for which access to US newspapers and news items regarding the Rafael-Popper case has been denied to RFE/RL Editors who wanted to be informed about public reactions to this case. The results of the inquiry surpassed the anticipations. If you read the here enclosed document and AP news item you will see that in some sector of information the "general practice" established at RFE/RL by Mr Ralph Walter does not essentially differ from that of the Soviet Union and other totalitarian state. The main difference between Radio Moscow and Radio Free Europe remains, of course "the free flow of informations", but this difference disappears, as it seems, when the vital interests of the RFE/RL management are at stake.

Respectfully yours,


Jacob Popper

Dr
 Charles H. Kremer
 Committee to bring Nazi War
 Criminals to Justice in USA
 210 West 101 Street
 New York, N.Y. 10025
 USA

Munich, December 28, 1979

Dear and respected friend (This is a circular letter):

Here enclosed I send you the following documents(XC):

1. Termination letter delivered to me yesterday by Mr Batdorf, RFE/RL Director of Personnel. (Please note that the sender does not mention to whom the letters of August 10 and October 12, on which the termination is based, are addressed, namely to 44 Congressmen and women and to Mr Alan Schwartz, Assistant Director for Fact Finding of the Anti-Defamation League. It is up to you to make a comment on this excessive discretion)
2. Termination letter of identic content sent to Mr Rafael.
3. Letters written in German (?) and announcing - according to the law - to the RFE/RL Works Council the intention of RFE/RL Management to terminate contracts of Popper and Rafael. Enclosed English translation made by the secretary of the WC.
4. Letter of December 20, 79 addressed by the Works Council to RFE/RL Management denying consent to the intended termination of Popper and Rafael and giving also the reasons for the denial. It is worth to be mentioned that this letter was the result of several meetings (one of them being a hearing of Popper and Rafael on the above mentioned subject). The decision was taken after a vote of 20 with one abstention. I have also to mention that under the German Labor legislation the Works council (a body elected by the employees) plays an important role in all enterprises: a decisive one in a lot of problems, a consultative one with regard to hirings and firings. But if a case is put before the Labour Court, with the Works Council opposing the decision of the management, it is quite sure that it will be won by the employee. RFE has lost all the cases in which the Works Council was on the side of the fired employee. It is important to point out to the fact that the RFE/RL management was informed during a meeting about the position of the WC on the Popper-Rafael termination and drastically warned about the most probable material and moral negative consequences of the firing. The WC letter only summarizes what has been said during this overheated meeting. The quite obvious conclusion which has to be drawn is that RFE/RL management was decided to get ride of Popper and Rafael whatever might be the risks of material and political losses.
5. Note for the record on an inquiry made by J. Popper in the

presence of a member of the Works Council and aiming to bring to light the reasons for which access to US newspapers and news items regarding the Rafael-Popper case has been denied to RFE/RL Editors who wanted to be informed about public reactions to this case. The results of the inquiry surpassed anticipations. It is up to you to decide whether the "usual procedure" and "general practice" established by Mr Ralph Walter at RFE/RL is in accordance with the principle of "free flow of informations" (which is presumed to be the basic principle of RFE/RL) or rather with the quite different "practice" of the totalitarian mass-media.

I and Dr Rafael are very unhappy for being obliged to give the greatest publicity we can reach to the strikingly gross derogations from US policy and democratic principles made so obviously manifest by the here enclosed documents. We are also unhappy to go to court with RFE/RL management at least for two cases, one of labor, the other criminal (slander and false allegations). As documents previously sent to you are showing, Communist propaganda has begun to use this affair against USA and RFE/RL. An escalation in this regard has to be expected, and we - I mean I and Dr Rafael - can only defend our own interests but have no means to convince the public opinion that the journalists who have dedicated their whole life to the noble cause of telling to the enslaved people of the East the truth about the Western World and about themselves (I mean the RFE/RL Staff) have nothing in common with the mentioned practices of the management of this radio station.

Therefore we insistently ask you to concentrate your attention first on the fate of this radio station and its Staff, which efficiency and good reputation is part of that of the United States, and if you consider it adequate also to the problems of Jacob Popper and Edgard Rafael.

Respectfully,
Jacob Popper

P.S. by E. Krenn. I associate myself and protest most energetically in my capacity of President of the Committee to bring Nazi War Criminals to Justice in USA Inc. and as President of the Communist Jewish Federation of America Inc. for firing these 2 devoted and concerned American citizens. I too am a victim of the Iron Guard and TRIFA because I was served with a summary stay father Galday - Triba's lieutenant in NYC because my committee has demonstrated before Galday's church in favor of RFE and had a memorial P.S. Hereby attached also one of the news items put on the

Index by RFE/RL management.

for Rabin Friedman
P.P.S. Dear friend Charles We send to you the enclosed documents quasi pro forma (except the letter of the Works council and the minute about the unconceivable censorship established at RFE by Ralph Walter. Possibly, you could use them. Please excuse me from abstaining from any further comment. I still am under the shock of the formidable "Hurrah!" launched by the IG and Nazis here while having heard about the firing of the two "kickers" to whom they have promised (and for the time being also taken) revenge for their "Archbishop".
to answer charges of harassment and menacing father Galday - another I. & leader. The Jews are intimidated and the U.S. triumphs.
W.L. Krenn

Mr
Levaye
Protective Service RFE/RL

December 24, 1979

Dear Mr Levaye:

At your request I will try to draw up a list of documents missing in my drawer, after it has been found open and broken, before witnesses, at December 19, 9 hours a.m.

Are missing five files containing documents which can be divided in the following categories:

- a. Some hundred Memo's exchanged between me and Management (Bernard, Fischer, Poole, Walter, Brown, Buell, Scott, etc.) during the period 1969-1979, most of them without any present interest.
- b. Press clips regarding Mr Ierunca's contribution to Iron Guard journals and magazines, most of them XC made at the University Library in Munich. Their missing will have as result a serious waste of time and financial loss, because I will have to ask again for the journals, pay the XC, etc.
- c. XC of documents which original was kept at home and are now in a bank safe (slanderous letter addressed by Mr Bernard to the NY Immigration Office in 1973; minute of meeting held in 1971 in presence of Mrs Fischer, Evdokimov, Vuia, etc. during which Mr Bernard apologized for his slanderous allegations towards my wife, Form G-057 of Record Request to the NY Imm. Off., asking for releasing slanderous letter of Mr Bernard; Copy of my letter of September 23, 1976 reached personally to the District Attorney Stang and stating that, although having accepted "peace in office" with Mr Bernard, I did not give up the intention to call to court in the USA the above mentioned gentleman for slander; decisions of March 1, 1976 and May 26, 1976 of Inferior and Superior Criminal Courts in Munich, stating "the guilt of the accused" (Mr Bernard) and that "with a drastic financial loss the accused must come to realize that he has become liable to punishment" and other various documents invalidating RFE/RL charges against me)
- d. Correspondence between me, Dr. Rafael and various members of Congress Staffs in original, but which can and will be recuperated.
- e. Copy of the letter addressed at December 5 to President Carter by Representative Elisabeth Holtzman asking for immediate dismissal of Mr Paul Henze. This loss has to be considered as very painful, because, although I have not been explicitly asked to consider the letter as strictly confidential, it was quite clearly suggested by the sender that it was not intended to become public, and now such possibility cannot be excluded.

I have to emphasize that I am not a bureaucrat, hence the papers in my drawer were in the greatest disorder, a fact for which nobody can make me responsible, also that the liste above is aproximative, that

I am not sure if copies of some other important documents were not in the broken drawer and stolen.

During 14 years I did not imagine and conceive that such things could happen at Radio Free Europe (I had to conceive during the last months that threatening letter could be sent to me and offensive posters put on the door of my office, but I didn't take seriously into consideration such dirty tricks and didn't even consider necessary to inform you about them)

I think you and your superiors will realize that after this foul deed, any attempt to make me responsible for making public some of the above mentioned documents or other not mentioned but possibly stolen from my drawer and regarding my relations with RFE/RL management or RFE/RL management as such, will have to be considered as null and void.

Sincerely yours,

Jacobson

AMERICAN JEWISH
ARCHIVES

XC: Mrs Poole, Batdorf.



[start]

Original documents
faded and/or illegible



0365

R F845 01 02 04

STATION DISPUTE 1 (X690 APW-WX)

MUNICH, WEST GERMANY (AP) - RADIO FREE EUROPE DENIED FRIDAY THAT TWO STAFF MEMBERS WERE FIRED FOR PROTESTING A BROADCAST INTERVIEW WITH A ROMANIAN-AMERICAN BISHOP ACCUSED OF WARTIME COLLABORATION WITH THE NAZIS.

"RFE HAS NOT FIRED ANY EMPLOYEES" IN THE CASE, SAID STATION SPOKESMAN BILL MAHONEY, DENYING A REPORT OF THE FIRINGS ISSUED BY CONGRESSWOMAN ELIZABETH HOLTZMAN IN WASHINGTON.

BUT ONE OF STAFFERS, EDGARD RAFAEL, SAID RFE EXECUTIVES HAD SERVED NOTICE THAT HE AND JACOB POPPER OF THE RADIO'S ROMANIAN DEPARTMENT WERE BEING DISMISSED FOR SLANDERING THEIR BOSS.

"THE RFE EMPLOYEES COUNCIL HAS RECEIVED A LETTER ABOUT OUR DISMISSALS. WE'VE GOT A LAWYER TO HANDLE OUR CASE," RAFAEL TOLD THE ASSOCIATED PRESS IN A TELEPHONE INTERVIEW.

MAHONEY SAID RAFAEL AND POPPER WERE TOLD BY MANAGEMENT IN A LETTER LAST WEEK TO PROVIDE PROOF OF "CERTAIN CHARGES AND ACCUSATIONS" THEY MADE AGAINST "OTHER STAFF MEMBERS."

"WE HAVE RECEIVED NOTHING FROM THEM YET," MAHONEY SAID, ADDING THAT "NEITHER MAN IS FACING DISCIPLINARY ACTION."

MAHONEY SAID HE DIDN'T KNOW EXACTLY WHAT CHARGES WERE LEVELED BY THE TWO STAFFERS, BUT HE SAID THE CASE INVOLVED RFE'S INTERVIEW LAST MAY 1 WITH VALERIAN TRIPA, A BISHOP OF THE ROMAN ORTHODOX CHURCH HEADQUARTERED IN GRASS LAKE, MICH.

MORE (MINTHORN)

1856G 21 DEC 79

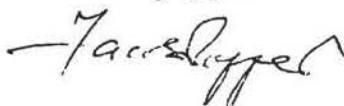
NOTE FOR THE RECORD

27.12.79

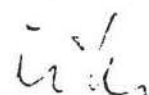
Re an AP news item dated 21 Dec. relating to an RFE denial that two staff members were fired for protesting a broadcast interview, Mr. Popper and Mr. Guetter made enquiries in three RFE/RL newsrooms as to whether the item had been included in the news budgets they received. All three answered "no".

Following this, Mr. Popper and Mr. Guetter spoke with Mr. Edwards (Director, Central News Dept.). Mr. Edwards stated that he had received the item but had not distributed it, merely passing it on to Mr. Walter (VP Programming-Policy) and Mr. Redlich (Director, Office of Public Affairs). Asked why he had proceeded in this way, he said it was the "usual procedure" regarding items about RFE/RL. On further inquiry he said this procedure was not spelled out in writing but that it was "general practice".

Jacob Popper



Hans Guetter
RFE-RL Works Council





RADIO FREE EUROPE / RADIO LIBERTY
OF: ITINGENSTR. 67 AM ENGLISCHEN GARTEN
8000 MUNICH 22, WEST GERMANY
TELEPHONE (089) 2 10 21

27 December 1979

Dr. Jacob Popper
Brucknerstrasse 17
8000 Munich 80

Dear Dr. Popper,

We hereby serve you notice of termination of your employment relationship with RFE/RL, Inc. effective 30 June 1980. This is a normal termination in observance of the proper notification period.

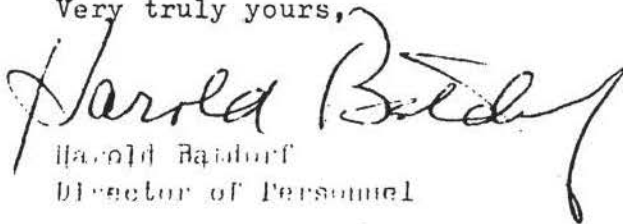
Reason for the termination is the content of your letters of 10 August and 12 October 1979 to the extent that it levels against your supervisors derogatory charges and accusations which are as serious as they are untruthful.

Upon receipt of this letter you are released from any and all further duties.

You will continue to receive your monthly salary payments through June 1980. On or about 30 June please come to the Personnel Office for completion of normal check out procedures.

As enclosure 1 we attach the comments of the Works Council and as enclosure 2 an English translation of the letter of termination.

Very truly yours,


Harold Bandorf
Director of Personnel

Enclosures.

P.S. by Dr. Heiner Smia a similar letter was sent to Mr. Edgar Raphael I will not include a.c. of the same letter with the same date, content and sender's signature.

RFE/RL, Inc. MEMORANDUM

Received
20/12/1979
1729

K. Jankovics

TO: Mr. Harold Batdorf
Director of Personnel

DATE: 20 December 1979

SUBJECT: Intended termination of
Dr. J. Popper and
Dr. E. Rafael

FROM: Works Council

B. P. Jankovics
K. Jankovics

REFERENCE:

Your letter of 14 December 1979

The Works Council cannot consent to the intended termination of Dr. Popper and Dr. Rafael for the following reasons:

1. Management has asked Dr. Popper and Dr. Rafael to prove the validity of their allegations by the 21st of December. Management and the BetrVG require of the Works Council an opinion on the intention to dismiss them by the same date. This creates a situation whereby management has an unlimited option to evaluate the evidence, whereas the Works Council is compelled to evaluate on the basis of incomplete information.
2. Quite apart from the above, the reasons you state in your letter are confused and cannot be considered as legitimate for a termination. You intend to formulate your eventual decision by a procedure which is legally questionable, and you invite us to do the same. This we obviously cannot do because neither of us has the right to sit in judgement. Specifically:
 - a) In our opinion, the issue is essentially a personal matter. All of the charges and allegations involve Mr. Bernard either purely personally, or through his person, the effectiveness and/or credibility of the Romanian Service. RFE-RL as a whole is not involved. Dr. Popper and Dr. Rafael certainly accuse the director of their service of various things -- in a language and tone, we agree, that are very far from being circumspect -- but is it disloyalty to RFE-RL? It could be plausibly argued only if it could be proved that all the allegations against Mr. Bernard [including those connected with the Trifa case] were completely false. Only in this case could one say that genuine indignation and concern could not play a part in the attitude taken by Drs. Popper and Rafael. This, however, leads us to the following serious consideration:
 - b) Defamatory allegations, involving the reputation and integrity of individuals are matters for the courts. Any evidence or testimony relevant to such an issue can only be subjected to the judgement of a court of law.
 - c) Unfortunately, your stand is not logical either. If management does not identify itself with Mr. Bernard -- in the sense that allegations against him constitute disloyalty to RFE-RL as a whole -- the issue is a personal matter and no termination is justified. If, however, management does identify itself with Mr. Bernard, it cannot be a judge in its own cause.
3. Even if the above considerations could be disregarded, we would still have to point out the following:

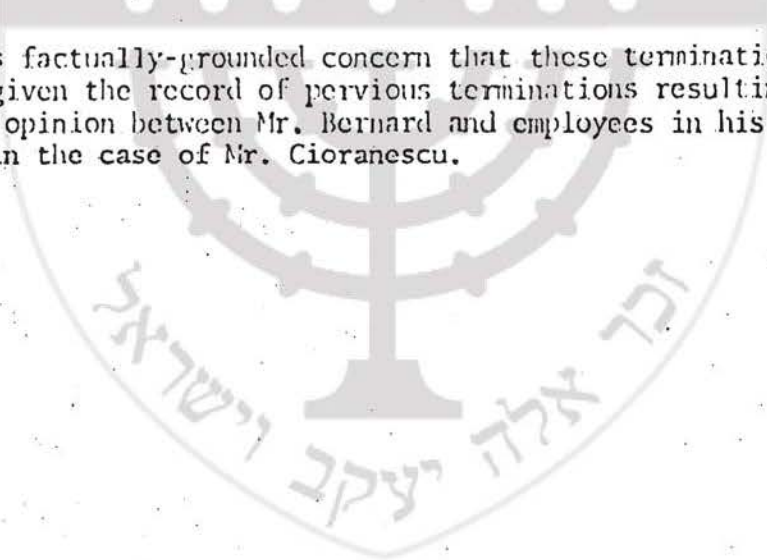
Your letter to Dr. Rafael , points [c] and [d] (first part), management's assertion that it has grounds to know that they are false; we have seen relevant court judgements which raise serious doubts in our minds about the validity of the assertions.

On point [c], we have seen a letter from Mr. Bernard to the Director of the US Immigration Service, drawing his attention to Mr. Popper's alleged communist activity in the past. Mr. Popper denies that the sentence "He was at the time Communist Party Secretary of the Iassy branch of the Romanian Writer's Union." is true. We note that Mr. Popper subsequently obtained US citizenship. So on this point also the Council has doubts that management's assertion mentioned above is correct on all points. It is to be noted here that management maintains [Anhoerung] that this letter of Mr. Bernard's was a private matter.

On point [h]: It is not true that the Newspaper Guild has three times asked RFE management for Mr. Bernard's removal, but it is true that on three separate occasions, stretching over a period of 10 years, inquiries conducted by the Guild revealed a state of very disturbed relations between Mr. Bernard and almost the whole staff of the Romanian Service -- a state attributable to Mr. Bernard's shortcomings in handling personnel matters.

Point [a] (second part): We consider that the question of political competence is a matter of subjective evaluation within the framework of free expression of opinion and does not constitute a "derogatory allegation".

4. The Council has factually-grounded concern that these terminations may not be legitimate given the record of previous terminations resulting from differences of opinion between Mr. Bernard and employees in his department, in particular in the case of Mr. Cioranescu.



[end]

Original documents
faded and/or illegible



RADIO FREE EUROPE

OETTINGENSTR. 67 am ENGLISCHEN GARTEN · 8000 MUNICH 22 · GERMANY · TELEPHONE 210 21

Munich, December 17, 1979

Dear Mr Moynihan:

I read and read again your article entitled "Exporting anti-semitism". It goes without saying, I still agree with you, but - I have to confess - I see the truths you are formulating - in a different light.

Would I have read this article 20 years ago when I was living in a left wing totalitarian state, I would have said: I feel on my skin what this gentleman says in his article.

Ten years ago, I began to put the word "anti-Fascism" between quotation marks: it was something antiquated, usually a mask for hiding obscure Communist manoeuvres.

Beginning with May 1, 1979 I became first without being aware, then more and more conscious, a "anti-Fascist" fighter like in the forties: against Nazis, for hunted Jews, etc (the Trifa affair, etc.) But I still did not take seriously the whole matter: it was like spiritism...

Now I am fully aware to have been cheated 14 years ago when I was hired in this 100% democratic institution called Radio Free Europe, which discloses itself to my eyes in its essence because I feel this "essence" in my skin, in my bones, in my whole life. This essence can be reassumed in a few words: two Jews (Rafael and Popper) have been fired today, December 17, 1979, for having defended the American principles of democracy against a gang of Fascists who are protecting the Nazi Trifa.

In this dark hour of my life it would be an encouragement to receive some words, from you dear Mr Moynihan, about this nightmare I am living now. What do you mean, what are your opinions on the right-wing Anti-semitism resurrected at Radio Free Europe?

Respectfully,

Jacob Popper



Dear and much respected friend:

Munich, December 31, 1979

After eight months of spectacular gestures and rethorics which have lead to only one factual result - the firing of Rafael and Popper - you will have, I hope, some understanding for my present dislike of rhetorics and preferring facts.

It is a fact that Trifa's friends have shown their superiority and better understanding for politics. To her letter addressed to Carter Miss Holtzman has obtained a written "evasive" (so Schweitzer) answer and a factual one - our firing - the last one having a clear message: "you, miss Holtzman, have tried to kick out our boss Henze and have failed, we have destroyed your friends and allies and that's a matter of fact which words (your protest letter to Ferguson) will not be able to contrast!"

As I wrote to Miss Holtzman, it is more than probable that we will win our case... ^{have to add!} in some six or seven years. RFE management is used to get rid of its "troublemakers" by firing them, then going with them to court, losing the case (when the fired people can be supported by their families), or coming soon to a compromise. The fired people getting some money from RFE give up the case. Those who are able to wait and win, come back to their job but morally weakened and in circumstances so different from those they have left when they were fired, that they will be no more a danger for the RFE management. When my case will be definitely won, I will be 64, short before pension. Now, tell me: who has actually won the battle? One can maintain even more: by firing Popper and Rafael, RFE/RL management has brilliantly proved to the whole staff that "the gang" (as everybody calls them) is stronger, and that he who does not submit will be annihilated. The final allegations of my letter of August 10, 1979 addressed to Congresspeople are confirmed but the inviolability of RFE/RL Fascist methods is confirmed as well.

You should not interpret all what I wrote before as a reproach or a blame for Miss Holtzman. On the contrary: I and Dr Rafael are infinitely grateful to her and full of admiration for her efforts. But you have to understand that we live thousand of miles away from Washington, ignoring the real circumstances and functioning of American politics. Real is for us, at present as before, the golden GULAG of RFE/RL. For 30 years nobody has been able to break its invisible walls. Why should I hope this miracle will happen just now, when USA and the world are confronted with much more serious problems?

As a matter of fact, I am used with such absurd situations. I lived in absurd situations during 15 years under the Communist regime in Romania. The greatest democracy of the world is paying incredible high wages to a gang of Fascists in order that the last ones should be able to protect Fascists living in America and destroy Jewish employees and convinced democrats who dare to protest against this monstrosity. Its absurd, but not at all surprising, isn't it?

A little newspaper gangster, Noel Bernard, asks for US citizenship which he does not obtain, for ~~there~~ is evidence he has made false declarations to the Immigration Office. On the Imm. Off. form I used it is written: *False statements subject to criminal penalty. See P. L. 93-579, 88 stat. 1902 (5 U.S.C. 552a(i))*. For his false statements Mr Bernard has not been submitted to any criminal penalty. On the contrary: not being an US citizen he does not pay like us high taxes, so he can afford himself to have his holidays two times a year, travelling with the Reentry permit granted to him by the US Department of Justice. It is absurd but not surprising. At least for me!

This is a private letter and cannot be used against me

I take the liberty to enclose this letter because I think I should write to me it contains some information and I would suggest that an investigation why Bernard shall not be deported in Florida

With love to Zari and Shalom

INTERNATIONAL RESCUE COMMITTEE

Andershaa Refuges

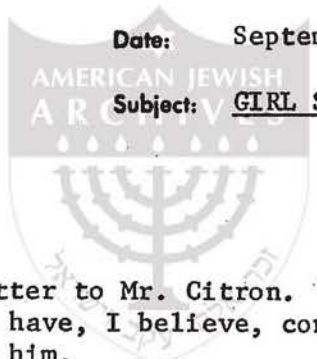
386 PARK AVENUE SOUTH • NEW YORK, N. Y. 10016 • (212) 679-0010

To: Rabbi Marc Tanenbaum

Date: September 6, 1979

From: Bob DeVecchi - IRC, NY

Subject: GIRL SCOUT CLOTHING



Dear Marc:

Enclosed is a copy of my letter to Mr. Citron. We have had several conversations with him, and have, I believe, convinced him that we really cannot be of help to him.

All best regards,

Bob DeV.



LEO CHERNE
Chairman

JOHN C. WHITEHEAD
President

WILLIAM J. CASEY
Chairman, Executive Committee

H. WILLIAM FITELSON
Chairman, Planning Committee

ARTHUR E. RASMUSSEN
Chairman, Audit Committee

JAMES T. SHERWIN
Chairman, Committee on Organization

GARRET G. ACKERSON, JR.
Vice President-Europe

RALPH M. BARUCH
Vice President

MORTON I. HAMBURG
Vice President & General Counsel

MRS. EDWARD S. LANDRETH
Vice President

CECIL B. LYON
Vice President

DAVID SHER
Vice President

MRS. LAWRENCE COPLEY THAW
Vice President

EDWIN J. WESELY
Vice President

RICHARD M. HAMMER
Treasurer

MRS. ANDREW GOODMAN
Secretary

CHARLES STERNBERG
Executive Director

ALTON KASTNER
Deputy Director

BERNARD WAXELBAUM
Controller

BOARD OF DIRECTORS

THE OFFICERS AND
Richard F. Blanchard

Mrs. Donald M. Blinks
Alfred Bloomingdale

Carter L. Burgess
*Joseph Buttinger

Sol C. Chaikin
*Anthony D. Duke

Mrs. Ralph Ellison
Clifford Forster

Muriel Fox
Harold S. Geneen

Carl Gershman
Mrs. Sophie H. Gimbel

Simeon Golar
Phillip Gord on

Herbert G. Graetz
Frances R. Grant

*Allen Grover
Jolie B. Hammer

Irving Howe
Jacob K. Javits

A. E. Jolis
Tom Kahn

Arthur Joel Katz
Francis L. Kellogg

Mrs. Margery Levenstein
Mrs. Dolores Smithies Leviant

Winston Lord
Mrs. Clare Boothe Luce

Stanley Mailman
Stanley Marcus

*Leonard H. Marks
B.F. McLaurin

*Warren C. Meeker
Bess Myerson

Peter A. Nathan, M.D.
Lionel H. Olmer

Claiborne Pell
Thomas W. Phipps

John Richardson, Jr.
John P. Roche

*Felix Rohatyn
*Oren Roor

Howard A. Rusk, M.D.
Bayard Rustin

Richard R. Sulzmann
Isadore M. Scott

Albert Shanker
Jacob Sheinkman

Mrs. H. Gilbert Smith
*Charles J. Tanenbaum

Msgr. Bela Varga
Daniel L. Weiner, M.D.

Chester S. Williams
*EXECUTIVE COMMITTEE
(WITH OFFICERS)



INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016 • TEL. (212) 679-0010

September 5, 1979

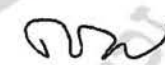
Mr. A. Citron
NORTICA TRADING CO.
2518 Quentin Road
Brooklyn, New York 11229

Dear Mr. Citron:

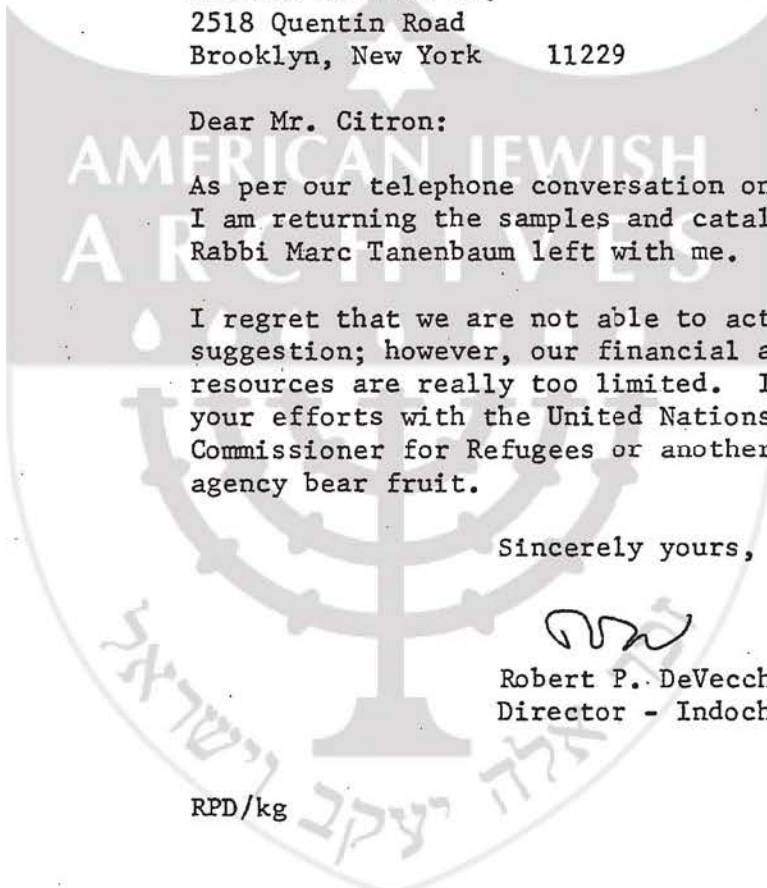
As per our telephone conversation on September 5,
I am returning the samples and catalog which
Rabbi Marc Tanenbaum left with me.

I regret that we are not able to act on your
suggestion; however, our financial and staff
resources are really too limited. I do hope
your efforts with the United Nations High
Commissioner for Refugees or another voluntary
agency bear fruit.

Sincerely yours,


Robert P. DeVecchi
Director - Indochina Program

RPD/kg



Indochinese Refugees

FO-SFB
August 30, 1979

Harold Applebaum

Ernest Weiner

KCBS -AFTERNOON MAGAZINE - BOAT PEOPLE

Several weeks ago I was asked to serve as a guest "expert" on the first of three one-hour shows on KCBS dealing with the Vietnamese refugees. Since I had the first crack, I was able to establish the unique Jewish sensitivity in response to the plight of the boat people and indicate in detailed fashion AJC's early involvement in this issue.

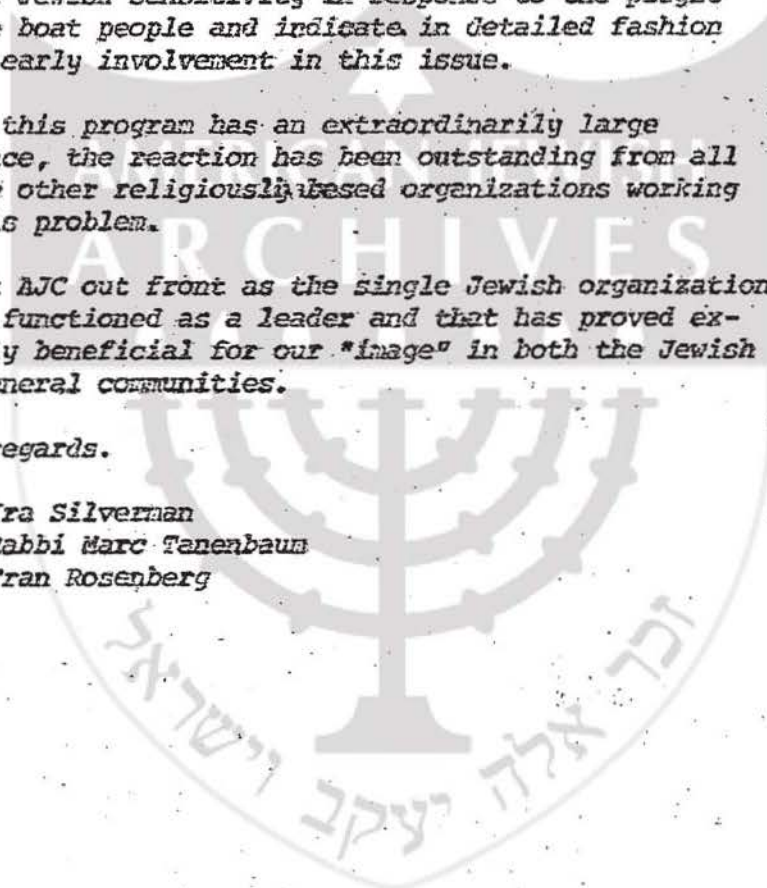
Since this program has an extraordinarily large audience, the reaction has been outstanding from all of the other religiously based organizations working on this problem.

It put AJC out front as the single Jewish organization which functioned as a leader and that has proved extremely beneficial for our "image" in both the Jewish and general communities.

Best regards.

cc: Ira Silverman
Rabbi Marc Tanenbaum
Fran Rosenberg

Encl.



KCBS

CBS Radio
A Division of CBS Inc.
One Embarcadero Center
San Francisco, California 94111
(415) 982-7000

AUG 27 1979

Dear Mr. Weiner:

August 24, 1979

Thank you for sharing your insights on the plight of the Vietnamese boat people during your recent appearance on the Afternoon Magazine program.

Your contribution provided our listeners with ethical and historical perspectives into the issues involved. The phone calls we received during the program evidenced the sometimes emotional opinions of some listeners, but I believe you gave everyone some things to think about. I should also note that we received a number of queries after the show from people who wanted to help organizations working in behalf of the boat people.

This week I note that the swelling numbers of Vietnamese in the U.S. have provoked violence in a Denver suburb that is also home to many Mexican-Americans. And on a local level it has become an issue in Bay Area schools. As a journalist, I appreciate the fact that people such as yourself can help our listeners focus on sensitive aspects of the continuing issues involving Vietnamese who are destined to live in the U.S.

Again, thank you for your interest.

Sincerely,

Diane Keaton

Diane Keaton
Producer

Ernest Weiner, Bay Area Director
American Jewish Committee
703 Market Street, Suite 1614
San Francisco, CA 94103

IMMIGRATION

ELIZABETH HOLTZMAN
16TH DISTRICT, BROOKLYN, NEW YORK

BROOKLYN OFFICE:
1428 FLATBUSH AVENUE
BROOKLYN, NEW YORK 11210
PHONE (212) 859-9111

WASHINGTON OFFICE:
2238 RAYBURN BUILDING
WASHINGTON, D.C. 20515
PHONE (202) 225-6616

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

COMMITTEES:
JUDICIARY
CHAIRWOMAN, SUBCOMMITTEE ON
IMMIGRATION, REFUGEES, AND
INTERNATIONAL LAW

BUDGET
CHAIRWOMAN, TASK FORCE ON STATE
AND LOCAL GOVERNMENT

April 8, 1980

Rabbi Marc Tannenbaum
American Jewish Committee
165 East 56th Street
New York, New York

Dear Rabbi Tannenbaum:

Thank you very much for mentioning my name
when you spoke of the refugee bill on W.I.N.S.
on March 23rd. It was indeed kind of you.

I hope you and your family had a
"ziessen Pesach".

Sincerely,



Elizabeth Holtzman
Member of Congress

EH:slw

Kremer

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street

New York, N.Y. 10025

(212) 866-2214

January 14, 1980

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer,
PRESIDENT

Prof. Milton Stone
Herman Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR

Honorable Jimmy Carter, The President
The White House
Washington, D. C.

Dear Mr. President:

I am wearing two hats when I am appealing to you for help. I am the President of the Roumanian Jewish Federation of America Inc., and "The Committee to bring Nazi War Criminals to Justice in U.S.A. Inc.," Dr. Simon Wiesenthal, honorary president. Because I am 83 years old I pray to God daily to be able to live to see that the 250 N. W. C. in the U.S.A. are brought to justice, denaturalized and deported. I am involved in this work since 1941 when the J. T. A. on January 31, 1941 announced that the "leader of the frenetic students of the Iron Guard is Virel D. Trifa" who today because of his protectors in the I. N. S., C. I. A., State Department and F. B. I. he is today none other than the "pogromist" "impostor" Rt. Rev. "Archbishop" Valerian D. Trifa of the Russian Orthodox Church of America. He took the name of Archbishop Valerian as it is customary for a bishop to acquire as a church name, the name of a Saint. In his case he adopted the name of Valerian. WHY VALERIAN? Because he wanted to have his triumph commemorated as a Nazi Jewish murderer and a nationalist Romanian, and go down in history to be identified as the organizer and executioner of the slaughtering of Jews "Kosher Style" in the slaughter-houses of Bucarest and the factotum of the coup d'etat- both taking place on January 20, 1941, the same day as the Orthodox Christians honor as a Saint for this day of January 20th, St. Valerian. Mind you we have 365 days per year and with 4-6 Saints he could have picked a Saint of another day. He therefore picked Valerian because he is the Saint on the 20 of January.

In my hunting Nazi War Criminals for over 35 years I met almost always with successful failure. The only two (2) times in my life when I began to see a small light at the end of the tunnel of complacency, negligence, cover-up and complete lack of respect for human dignity were your solemn declaration for the support of human rights and justice and U. S. Representatives, Miss

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street New York, N.Y. 10025

(212) 866-2214

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer
PRESIDENT

Prof. Milton Stone
Herman Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR

Elizabeth Holtzman's dedication. She made it her life's goal, investigation and prosecution of Nazi War Criminals in U.S.A.

In order not to burden you with my deep involvement in the RFF/RL scandal where 2 jews were fired only because they complained to U.S. Rep. Miss Elizabeth Holtzman, U.S. Rep. Fascell, many other Congressmen and Senators and myself. I will enclose for you in order to refresh your memory about the following:

- (1) Elizabeth Holtzman's letter to Honorable Elmer B. Staats, Comptroller General of U.S. General Accounting Office, Dec. 20/79.*
- Elizabeth Holtzman's letter to Dr. John A. Gronouski, Chairman, Board of International Broadcasting, Dec 20/77.*
- Elizabeth Holtzman's letter to Honorable Dante B. Facell, Chairman Subcommittee of International Operations, House of Representatives.*
- Elizabeth Holtzman's letter to Dr. Glenn W. Ferguson, President R. F. E. /R. L. Inc. Munich dated Dec. 19, 1979.*
- Elizabeth Holtzman's letter to Honorable Civiletti, Attorney General U. S. A.*
- Dr. Charles H. Kremer's letter to Elizabeth Holtzman, Chairwoman Subcommittee of Immigration, Refugees and International Conv.*
- Elizabeth Holtzman's letter to Honorable Jimmy Carter, President, U. S. A.*
- Dr. C. Kremer's letter to you and Honorable members of House & Senate and other dated Dec 20/79.*
- Dr. C. Kremer's letter to all member of the House Judiciary and foreign committees dated January 8, 1980 and Jack Anderson's transcript on "Good Morning America", 12/79. The above letters will convince you of:*

./.....

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street New York, N. Y. 10025

(212) 866-2214

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer
PRESIDENT

Prof. Milton Stone
Hermann Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

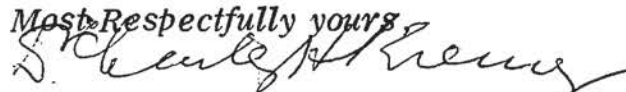
Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR

- (1) *The infiltration at R. F. E. of Romanian Nazis, the so-called Iron Guard of tragic memory.*
- (2) *The presentation 3 times of Trifa's 45 minutes each time, this "inconceivable" work at R. F. E. /R. L in Munich by the "protectors" and some who are present at the White House (Paul Henze) admitted that he speaks on behalf of the White House at the investigation Committee Meetings.*
- (3) *The absolute necessity for the Welfare of our blessed country of dismissing without delay Paul Henze, Noel Bernard, Ralph Walter and Virgil Ierunca.*
- (4) *The immediate reinstating of Board editors with 14 years seniority at R. F. E. /R. L. of Dr. Jacob Popper and Dr. Professor Edgar Rafael, victims of Trifa's protectors in order to justify trifa speaking over R. F. E.*
- (5) *The appointing of an investigating committee at Munich by the 2 house committees (Judiciary and Foreign) in order to avoid an open trial in German Courts for firing these 2 concienious and devoted citizens. This trial will create a bad name to our country and give satisfaction to commu-nistic countries. I would suggest that this trial should take place in the U. S. A. Let us wash our dirty laundry at home and not in public.*

My Dear Mr. President, I appeal to you on behalf of our organizations and justice of course. I know you as a good and just Christian will use your good offices and see that justice and dignity will be restored to two American Citizens, whose taxes pay the salaries of Noel Bernard, Paul Henze, Ralph Walter and Virgil Ierunca. I pray that you order their immediate dismissal. In expectation of your command to order suggestions to be implemented as well as expedited. Knowing of your deep involvement of human rights and dignity in truth, justice and fairness, I remain,

Most Respectfully yours



Dr. Charles H. Kremer

(con't).....

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street New York, N. Y. 10025

(212) 866-2214

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer
PRESIDENT

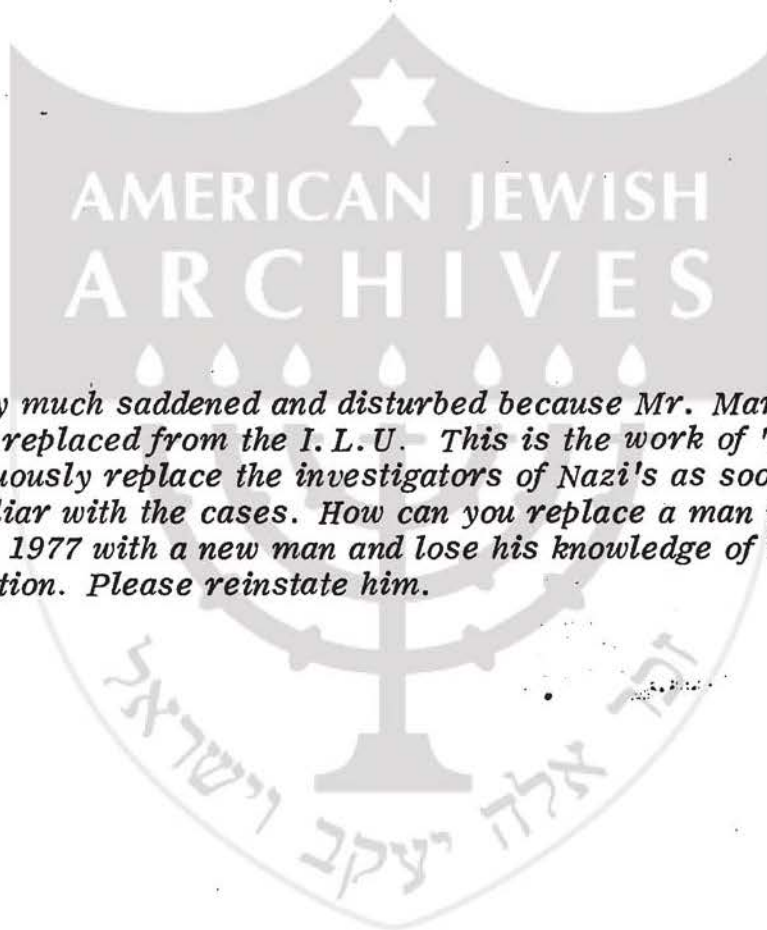
Prof. Milton Stone
Herman Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR



P.S.

I am very much saddened and disturbed because Mr. Martin Mendelson has been replaced from the I. L. U. This is the work of "protectors" to continuously replace the investigators of Nazi's as soon as they are familiar with the cases. How can you replace a man who is on a job since 1977 with a new man and lose his knowledge of the nazi investigation. Please reinstate him.

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street

New York, N.Y. 10025

(212) 866-2214

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer
PRESIDENT

Prof. Milton Stone
Herman Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR

January 8, 1980

To:

THE FOREIGN AFFAIRS AND JUDICIARY COMMITTEES
OF
THE HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

Honorable Committee Member:

Cicero once said: "Consules Vident"! "Consules Tacent"! The Consuls see. The Consuls keep quiet. We in the U.S.A., if we truly believe in democracy, cannot tolerate the scandal presently occurring at Radio Free Europe/Radio Liberty. This RFE/RL matter involves Valerian Trifa, Noel Bernard, Ralph Walter, Virgil Ierunca and Paul Henze. Instead of dismissing these culprits, two people - Jacob Popper and Prof. Edgar Rafael, board editors at RFE/RL, were fired. Rafael's and Popper's crime was that they contacted U.S. Rep. E. Holzman, U.S. Rep. D. Fascell, several other members of Congress, the A.D.L. and myself in order to bring to our attention that American Taxpayer's money is being spent to facilitate Nazi infiltration at RFE/RL.

We cannot tolerate that Valerian Trifa, who is presently on trial for denaturalization as a Nazi War Criminal and who entered this country illegally, succeeded in obtaining 45 minutes of air time on RFE. This was approved by Noel Bernard, the head of the Rumanian Desk at RFE, who arbitrarily overruled his own editorial board which by a 6 to 2 margin voted against having Trifa speak, and additional approval was supplied by Mr. Ralph Walter, the chief of programming at RFE.

We cannot tolerate that a member of the White House staff considers the broadcast a "silly issue". Rep. E. Holzman has twice requested that this staff person, Paul Henze, be fired.

We cannot tolerate that an editor at RFE, Virgil Ierunca, publishes freely in "Cuvantul Romanesc" - a Nazi publication, and while former Nazis are allowed free access to RFE, Jacob Popper, a senior editor at RFE for over 14 years is not allowed to speak on topics such as: Simon Wiesenthal, the famous Nazi hunter and about myself.

After requesting for 7 months for equal time on RFE, I was finally contacted and expect to speak this month on RFE about Mr. Trifa's illegal ent-

over

COMMITTEE TO BRING NAZI CRIMINALS TO JUSTICE IN U.S.A., INC.

210 West 101st Street

New York, N. Y. 10025

(212) 866-2214

Dr. Simon Wiesenthal
HONORARY PRESIDENT

Dr. Charles H. Kremer
PRESIDENT

Prof. Milton Stone
Herman Ziering
Shirley Korman
VICE-PRESIDENTS

Jacob Zonis
TREASURER

Albert Sigal
SECRETARY

Hyman Dechter
GENERAL COUNSEL

Elliot Welles
LIAISON DIRECTOR

rance into the USA, about Iron Guard infiltration and about persecution and anti-semitism at RFE. I have complete documentation about the versions of the above incidents which I can readily supply at your request.

On behalf of justice and democracy I demand that you investigate without delay, thru your Committee the above named matters, appoint a committee to conduct an investigation in Munich at RFE/RL and demand the immediate rehiring of Mr. Jacob Popper and prof. Edgar Raphael. We also demand the dismissal of Paul Henze, Neil Bernard, Ralph Walter and Virgil Ierunca. We must stop stop this nazi and fascist infiltration at RFE. American taxpayers money furnished by Congress should be spent for the benefit of the USA, and not to support Nazi activities any more than communist activities.

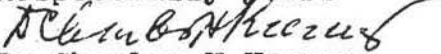
I sincerely believe that the common denominator of the three programs prepared by mr. Popper and rejected by the RFE is not that they all had anti-nazism as a subject but more than this in that all the programs had excerpts or commentary condemning . . . Trifa and his anonymous "protectors" and, of course, this had to be avoided not so much because this would have had a bad influence on the Rumanian listeners who rely care very little about mr. Trifa but because it would be disapproved by mr. Trifa's "protectors" in the U.S.A. who have ordered and are responsible for the whole operation. To me this interpretation has more meaning than the Ierunca infiltration at the RFE. As a result of this the firing of Messrs Popper and Rafael must be looked upon in a new light. More than ever I am convinced that Trifa, after 40 years, is again destroying Jews.

I pray that Trifa's trial will not be permanently postponed by his "protectors". Even though it has been five years since his trial has started no definite date has been set for the renewal of this trial.

J'accuse! I have been providing documentation about him since 1957. It is high time to begin the Trifa trial.

I hope and expect that you and your Committee will give the above matter its due and proper consideration without delay.

Respectfully yours


Dr. Charles H. Kremer.

[start]

Original documents
faded and/or illegible



Kremer

TRANSLATION

RFE/RL, Inc. MEMORANDUM

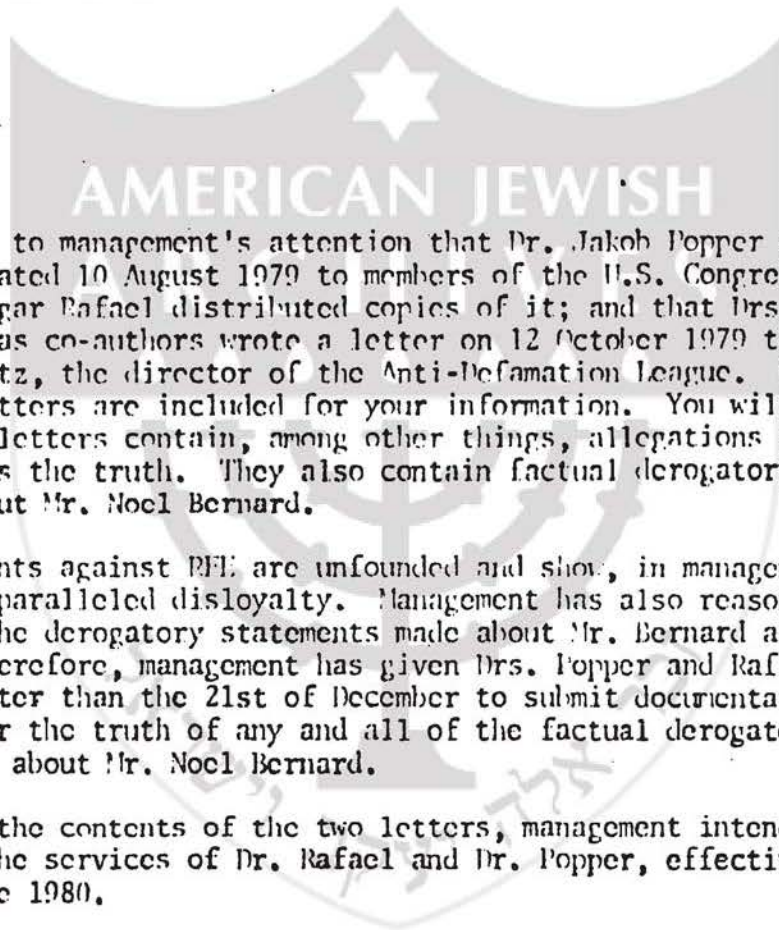
TO: RFE-RL Works Council

DATE: 14 December 1979

SUBJECT: Dr. Jakob Popper
Dr. Edgar Rafael

FROM: Harold Batdorf
Director of Personnel

REFERENCE:



It has come to management's attention that Dr. Jakob Popper sent a letter, dated 10 August 1979 to members of the U.S. Congress and that Dr. Edgar Rafael distributed copies of it; and that Drs. Popper and Rafael as co-authors wrote a letter on 12 October 1979 to Mr. Alan Schwartz, the director of the Anti-Defamation League. Copies of these letters are included for your information. You will see that these letters contain, among other things, allegations that PFI distorts the truth. They also contain factual derogatory allegations about Mr. Noel Bernard.

The statements against PFI are unfounded and show, in management's opinion, unparalleled disloyalty. Management has also reason to know that the derogatory statements made about Mr. Bernard are untrue. Therefore, management has given Drs. Popper and Rafael until no later than the 21st of December to submit documentary evidence for the truth of any and all of the factual derogatory allegations about Mr. Noel Bernard.

Because of the contents of the two letters, management intends to terminate the services of Dr. Rafael and Dr. Popper, effective the 30th of June 1980.

We ask you for your opinion within the legally-provided time limit.

translated by: *J. Jensen*
J. Jensen

Secretary, RFE-RL Works Council

14.12.79

RFE/RL, Inc. MEMORANDUM

TO: RFE/RL Betriebsrat

DATE: 14. Dezember 1979

SUBJECT: Dr. Jakob Popper
Dr. Edgar Rafael

FROM: Harold Batdorf *HB*
Director of Personnel

REFERENCE:

Die Betriebsleitung hat Kenntnis erlangt, daß Dr. Jakob Popper ein Schreiben, datiert vom 10. August 1979, an Mitglieder des Kongresses der Vereinigten Staaten gerichtet und daß Dr. Edgar Rafael dieses Schreiben verteilt hat und daß Dr. Popper und Herr Rafael gemeinsam ein Schreiben vom 12. Oktober 1979 an Herrn Alan Schwarz, Direktor der Anti-Defamation League, verfaßt haben. Ablichtungen dieser Schreiben sind zu Ihrer Information beigefügt. Sie werden daraus ersehen, daß sie unter anderem anführen, daß RFE die Wahrheit entstellt, und daß sie ehrenrührige tatsächliche Behauptungen in Bezug auf Herrn Noel Bernard enthalten.

Die Äußerungen, die RFE betreffen, entbehren jeder Grundlage und zeugen nach Ansicht der Betriebsleitung von beispielloser Illoyalität. Die Betriebsleitung hat auch Grund zu wissen, daß die ehrenrührigen tatsächlichen Behauptungen in Bezug auf Herrn Noel Bernard falsch sind. Die Betriebsleitung hat Dr. Popper und Dr. Rafael anheim gestellt, bis spätestens 21. Dezember 1979 dokumentarischen Nachweis für die Wahrheit aller und jeder der ehrenrührigen tatsächlichen Behauptungen in Bezug auf Herrn Noel Bernard zu erbringen.

Die Betriebsleitung beabsichtigt aufgrund des Inhalts der beiden Schreiben, das Arbeitsverhältnis von Dr. Rafael und Dr. Popper zum 30. Juni 1980 zu kündigen.

Wir bitten um Ihre Stellungnahme innerhalb der gesetzlichen Frist.

HB/gm

Anlage

[end]

Original documents
faded and/or illegible



EDWARD M. KENNEDY, MASS., CHAIRMAN

BIRCH BAYH, IND.
ROBERT C. BYRD, W. VA.
JOSEPH R. BIDEN, JR., DEL.
JOHN C. CULVER, IOWA
HOWARD M. METZENBAUM, OHIO
DENNIS DE CONCINI, ARIZ.
PATRICK J. LEAHY, VT.
MAX BAUCUS, MONT.
HOWELL HEFLIN, ALA.

STROM THURMOND, S.C.
CHARLES MCC. MATHIAS, JR., MD.
PAUL LAXALT, NEV.
ORRIN G. HATCH, UTAH
ROBERT DOLE, KANS.
THAD COCHRAN, MISS.
ALAN K. SIMPSON, WYO.

STEPHEN BREYER, CHIEF COUNSEL

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

December 16, 1980

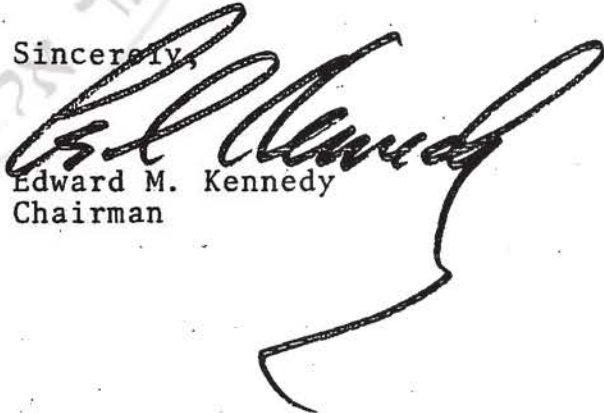
Dear Friend:

Knowing of your interest in United States refugee programs, I wanted to share with you the printed text of the Judiciary Committee's hearing on the refugee assistance and resettlement program for 1981.

~~This will be the last report I send you as Chair-~~
man of the Judiciary Committee. But I want to assure you of my strong support for a continuing and generous American policy towards the resettlement needs of refugees.

I hope you will find this information useful.
With best wishes,

Sincerely,


Edward M. Kennedy
Chairman

3/20 10:45 AM

December 3, 1979

Rev, Lydio F. Tomasi
Executive Director
Center for Migration Studies
209 Flagg Place
Staten Island, New York 10304

Dear Rev. Tomasi,

Thank you for your warm and thoughtful letter of November 20 in which you invite me to deliver the invocation at the Luncheon Program on March 20.

At the moment I have a tentative commitment in Baltimore but I am not sure that it might not be changed to another date. I will check that out during the coming days and as soon as that is clear I will let you know whether I can accept your thoughtful invitation.

I would want very much to be able to join you because the issues with which you deal are uppermost in my priority concerns.

With warmest personal good wishes, I am,

Cordially yours,

Rabbi Marc H. Tanenbaum
National Director
Interreligious Affairs

MHT:RPR

Enclosures

cc, Mornes
ARN

on file
F.U.

3/20/80



CENTER FOR MIGRATION STUDIES

November 20, 1979

Rabbi Marc H. Tanenbaum
National Director for
Interreligious Affairs
American Jewish Committee
165 East 56th St.
New York, New York 10022

Dear Dr. Tanenbaum:

The Center for Migration Studies of New York will sponsor its Third Annual National Legal Conference on Immigration Law and Policies at the Sheraton Conference Centre - New York, on March 20 and 21, 1980.

The Conference is designed to explore legislative reform of the Immigration and Nationality Act and to propose the revision of pertinent immigration regulations. The speakers for the Conference will analyze the major areas of concern to the Select Commission on Immigration and Refugee Policy, including: undocumented aliens; labor market impact of immigration; effects of immigration on population and the impact of the alien upon U.S. society. We will also examine various aspects of the implementation of the present law by the Immigration and Naturalization Service, the Department of Labor and the Department of State which are acutely in need of revision. Primary focus will be upon due process deficiencies in INS regulations, needlessly laborious procedures within the Department of Labor regulations, and inconsistent application of relevant standards by Consular officials of the Department of State.

We should like to invite you to present the invocation at the special Luncheon Program at 12:30 p.m. on March 20th, 1980.

Mr. Lane Kirkland, President of the AFL-CIO, will preside at the lunch program and Congresswoman Elizabeth Holtzman will be the luncheon speaker.

. 2

Dr. Marc H. Tanenbaum - 2

Leading experts on immigration law, policy makers and community leaders will convene to review legislative and judicial aspects of immigration in terms of both its legal efficacy and its substance as a base for sound national and international policies.

Confident that you will honor our Conference with your participation, we look forward to your favorable reply.

Sincerely yours,



Lydio F. Tomasi
Executive Director

LFT:mp



INVOCATION BY RABBI MARC H. TANENBAUM, NATIONAL INTERRELIGIOUS AFFAIRS
DIRECTOR OF THE AMERICAN JEWISH COMMITTEE, AT LUNCHEON OF THE
THIRD ANNUAL NATIONAL LEGAL CONFERENCE ON THE REPRESENTATION OF ALIENS
SPONSORED BY THE CENTER FOR MIGRATION STUDIES OF NEW YORK
MARCH 20, 1980, THE SHERATON CENTRE, NEW YORK

* * * * *

Avinu She-ba-shamayim, Our Father Who Art In Heaven,
We your sons and daughters, brothers and sisters to one another, who
find our oneness in your unity, rise to give thanks for our daily
blessings which too frequently we take for granted. We are grateful for
the food, clothing, and shelter set before us by a patient, ever-
renewing nature and through the industry of countless, anonymous men and
women who labor selflessly for our welfare.

Above all, we come together at this conference on aliens to reclaim and
to nurture the moral inheritance of our shared Biblical faiths and
democratic heritages at the heart of which is the proclamation at
Mount Sinai to uphold the stranger and the ^{alien.} ~~stranger~~ "And the stranger shalt
thou not oppress for ye know the heart of a stranger, seeing ye were
strangers in the land of Egypt...There shall be one law for the native
and the stranger among you and you are to love the stranger as
yourselves."

For our ancestors in faith were strangers and aliens - ^a Abraham, Isaac
and Jacob, Moses, Jesus - undocumented aliens all - and we constantly need
the example of their love, their compassion, their caring, their sacrifice
to help us stand against the callousness to human suffering and alienation,
to help us ~~stand~~ ^{affirm the} sanctity of every human life created in the sacred
image of God - to the end, as Isaiah dreamed, "also the aliens will I
make joyful in my House of Prayer." (Isaiah 56:6).

That was our calling at Sinai and Calvary. It is our moral compass through the confusions of this hour. We here recommit ourselves to these central values of caring for the alien in whom the meaning of humanity and democracy are at stake.

"Blessed art thou, O Lord Our God, Sovereign of the universe, who brings forth bread from the earth for sustenance of all the children of the human family. Amen."



THE REFUGEE ACT OF 1980

A Background Memorandum
By Gary Rubin
Program Specialist
Institute on Pluralism and Group Identity
of the
American Jewish Committee

The Refugee Act of 1980, passed by Congress and signed into law by the President on March 17, represents a major victory for advocates of a more open and regular policy for admitting people fleeing for their lives from oppressive governments into the United States. The American Jewish Committee joined with other civic, religious, and ethnic groups in forming the coalition that supported this legislation. The bill is the first major revision of our immigration statutes since 1965, and will profoundly alter American policy on this issue.

The purpose of the Act is stated clearly in its preamble. It declares that, "It is the historic policy of the United States to respond to the urgent needs of persons subject to persecution in their homelands." It then goes on to describe the activities that the country must undertake to realize this commitment, including humanitarian assistance to asylum areas, efforts to promote resettlement, aid in transportation and processing, admission of refugees to the United States and transitional service to newcomers. At a time when repression is rife in many parts of the world and the flow of refugees shows no sign of abatement, this constitutes a statement of major significance.

One key provision of the Act changes the definition of refugee in United States law. Previously, only people from Communist countries or the Middle East could qualify as refugees. The bill extends this scope to include any person outside his or her nation who would face political persecution upon return. This comports with the United Nations definition and opens the possibility of haven to those repressed by rightist regimes or persecuted people who live in any part of the world.

Both the Senate and House of Representatives versions of the Act extended the definition even further. The Senate would have designated as refugees people displaced by military or civil disturbances or uprooted by arbitrary detention in their home countries. The House opted for a more narrow definition. It proposed to add to the UN description anyone living in his or her home country whom the President specifies as facing persecution. Although many of the organizations supporting the Act preferred the Senate's language, the final bill incorporated the House version. Still, the legislation significantly broadens the criteria for designating refugees beyond even the UN Protocol and constitutes a great improvement over our current laws.

The Act sharpens the definition of refugee further by excluding from its provisions anyone who "ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion." Among others, this prevents former Nazis from qualifying as refugees since they could conceivably claim that they would face persecution if deported to Germany.

In another key provision, the Act increases the number of regular flow refugees allowed into the United States from the current total of 17,400 to 50,000 for fiscal years 1980, 1981, and 1982. The House version would have returned this quota to 17,400 for 1983 while the Senate's language called for a reevaluation of the situation in 1983 with no predetermined limit set. The final Act adopts the Senate's provision, which was preferred by most of the bill's supporters.

Under previous legislation, the Attorney General could parole more than 17,400 refugees into the United States if special circumstances made this procedure necessary. About 14,000 Indochinese and more than 3,000 Russian Jews have been entering the country every month under this provision. The new Act continues this parole authority but transfers it to the President and outlines a detailed procedure for consultation with Congress before it can become operative. The House version of the bill would have allowed either branch of Congress to veto a President's parole decision, but this stipulation was left out of the final Act.

It is this numerical issue that most worries the Act's supporters. The House's one-branch veto provision and its attempt to return the number of admissions to 17,400 in 1983 indicate that there exists significant political support for restricting the inflow of refugees. For this reason, it is possible that the elaborate Congressional consultation procedure will discourage the President from using the parole authority in a liberal manner. Yet, admission of over 50,000 refugees per year will be imperative if the United States is to make a significant contribution to alleviating world crises in this area. This means that backers of refugee entry will have to mount vigorous public relations campaigns to insure inflow at current levels.

Fears expressed in Israel that virtually any immigrant to Israel coming from a land of persecution such as the U.S.S.R. could now apply for U.S. refugee status under the new law are unfounded inasmuch as immigrants automatically become citizens on arrival in Israel. They therefore would not qualify under the U.S. definition of "refugee" as one "outside any country of such person's nationality" or persons having no nationality. Nor obviously would they fit under that clause in the law that permits the President to specify as refugees nationals in a country where they are persecuted.

Another important section of the Act directs the Attorney General to establish a set procedure for granting asylum to aliens in the United States if return to the home country would result in persecution. This provision aims to bring American law on this matter into conformity with the UN Convention and Protocol Relating to the Status of Refugees.

The Act also revises procedures concerning the admission status of refugees. Under previous legislation, refugees were allowed into the United States on a conditional entry basis and could adjust to permanent resident status only after two years. The Senate version would have granted permanent resident status to refugees upon entry, while the House bill did not include this provision. As a compromise, the time period for adjusting to permanent status was reduced to one year in the final Act.

The legislation also establishes various procedures and mechanisms for administering and funding resettlement programs. These include the creation of a position of U.S. Coordinator for Refugee Affairs and an Office of Refugee Resettlement and a Federal reimbursement provision for cash and medical assistance to refugees for three years after their arrival. The most controversial of these new arrangements concerns the location of authority for resettlement and placement grants. The Senate's version would have continued the present process of funding through the State Department. The House transferred this function to the Department of Health, Education and Welfare. Most of the bill's supporters, especially the voluntary agencies, preferred the Senate's language, though the final Act adopts the House provision, with the stipulation that responsibility would go to HEW only after two years of joint administration during which a study would be conducted to consider the advisability of this move. In fiscal 1982, HEW would take over these programs unless the President, acting upon the study, determines otherwise. How vigorously the voluntary agencies will fight this transfer during the two-year transition period remains to be seen.

At the same time this Act was passed, the Administration announced its plans for reducing the Federal budget. While no one knows yet what impact the cuts will have on resettlement programs, concern about this matter is growing. Guaranteeing adequate funding for refugee activities will certainly be a major focus for future action for the coalition which supported this legislation.

The Refugee Act of 1980, in short, represents a significant victory for its supporters, though it has its drawbacks. While it will greatly improve procedures for defining, admitting, and resettling refugees, it still leaves much to be done. In particular, refugee advocates will have to work to assure that provisions for consultation in the granting of parole are not unduly restrictive when emergencies dictate that more than 50,000 persons gain entry to America and that resettlement programs continue to be adequately funded.

4/10/80

80-960-92

A, NPL, NPE, PP, CP, REL, COL, NEG-A, ETH, EJP, Y-3

THE AMERICAN JEWISH COMMITTEE
DRAFT STATEMENT ON UNDOCUMENTED PERSONS

(For Consideration by
Board of Governors
March 24, 1980)

The American Jewish Committee traditionally has advocated a liberal immigration policy to the United States. Clearly, Jews have benefited greatly from America's historical role as a place of refuge for people who, for whatever reasons, either had to, or wished to, leave their homelands. Today, we continue to be dedicated to keeping America's doors open to those who must flee religious or political oppression, such as the Indochinese "boat people" or Jews from the Soviet Union, as well as to those who take advantage of our normal entrance opportunities. Our Judaic heritage, moreover, has always stressed the moral importance of welcoming and assisting the stranger in need.

The United States today has one of the most generous immigration policies in the world. Legal immigration to the United States now averages about 400,000 persons per year. A serious problem has arisen, however, because many more immigrants have been entering this country outside the legal process than enter through legal means, while others who enter lawfully as visitors overstay their visas and hence remain here unlawfully. The presence of millions of undocumented persons in the United States raises serious and difficult questions.

We recognize that people come here primarily to find work because America, unlike their countries of origin, continues to be a land of opportunity. Moreover, they often establish stable families here and make useful contributions to our economic and social systems. On the other hand, they constitute a significant body of persons who live in a legal limbo and whose presence raises grave questions about our ability and will to enforce our immigration policies. These policies simultaneously must seek to maintain the integrity of our legal system and to deal humanely with those who strive to improve their situation. If we do and say nothing, we make a mockery of our law and indeed invite more repressive measures if the problems were to become acute. We believe, therefore, that the course of wisdom lies in anticipating the problems and in developing effective yet humane methods to solve them.

Mass deportation of the millions who are now here unlawfully must be rejected out of hand as an inhumane and unacceptable remedy. Many illegal aliens have children who are American-born and hence are fully entitled to remain in this country. To expel their parents would violate the concept of family unification which the American Jewish Committee has always viewed as an essential cornerstone of any immigration policy. Further, in political as well as human terms, the forcible expulsion of millions of men, women and children would cause incalculable bitterness and division within this nation and would be utterly devastating to the image of America abroad as a champion of human rights.

(over)

The American Jewish Committee therefore recommends the following measures:

1. The granting of a one-time amnesty by our government, as of a date close to the enactment of such an amnesty provision, to all persons who reside in this country unlawfully, excepting only those who have committed deportable crimes unrelated to their entry. Such an amnesty, of course, would entitle its beneficiaries to bring in close relatives from their countries of origin. We also support programs to help all those whose status here may be legitimized by an amnesty to integrate into our society--economically, educationally, politically and socially.

2. Such an amnesty program should be implemented, however, only if concurrent measures are taken to prevent future abuses of the immigration system. Since we recognize that the very act of granting an amnesty would be likely to spur would-be immigrants to enter unlawfully in anticipation of a subsequent amnesty, there must be effective enforcement and regulation of the flow of immigration on all of our borders.

3. Enforcement of our immigration law must itself conform to the standards established by the Constitution and the American legal system. Mass roundups or sweeps of any persons without due process of law must not be countenanced in the United States. Deportation of an undocumented person should be a remedy available to the government only after a hearing in which due process is followed.

4. Undocumented workers should receive necessary health care (not only for their sake but also to protect the health of the general community), as well as admission to public schools not only because they pay taxes but as basic human rights.

5. Recognizing that we have unique trading, migration and cultural ties with those countries with whom we share common borders (Canada and Mexico), we should liberalize our current immigration restrictions. Such a reevaluation of our policies should include increasing immigration quotas for countries contiguous to or nearby the United States, as well as cutting the time from application for entry to the United States to the time of securing a visa.

6. Since a majority of undocumented persons seek only temporary worker status in this country, we urge development of a reasonable and flexible program to meet this need. Expanded enforcement of fair labor standards laws in all job situations is necessary, as well as expanded opportunities for temporary workers to join labor unions.

7. In order to stem the problem at its source, we endorse offering assistance with problems of economic development and population growth to those foreign countries which are receptive to such assistance from the United States.

8. Any program here recommended must be continuously reappraised in light of developing factual information as well as changes in economic and social conditions in the countries of origin.

Finally, we recognize that huge gaps exist in our knowledge about these problems. All that can be said with certainty is that the undocumented persons situation constitutes a legal and social issue of major significance with which we must deal in accordance with our ideals of lawfulness and justice. We urge that the government, private researchers and interested groups learn more about this matter so that we may develop more compassionate and more effective policies to deal with it in the future.

80-100-25



DOMESTIC AFFAIRS COMMISSION

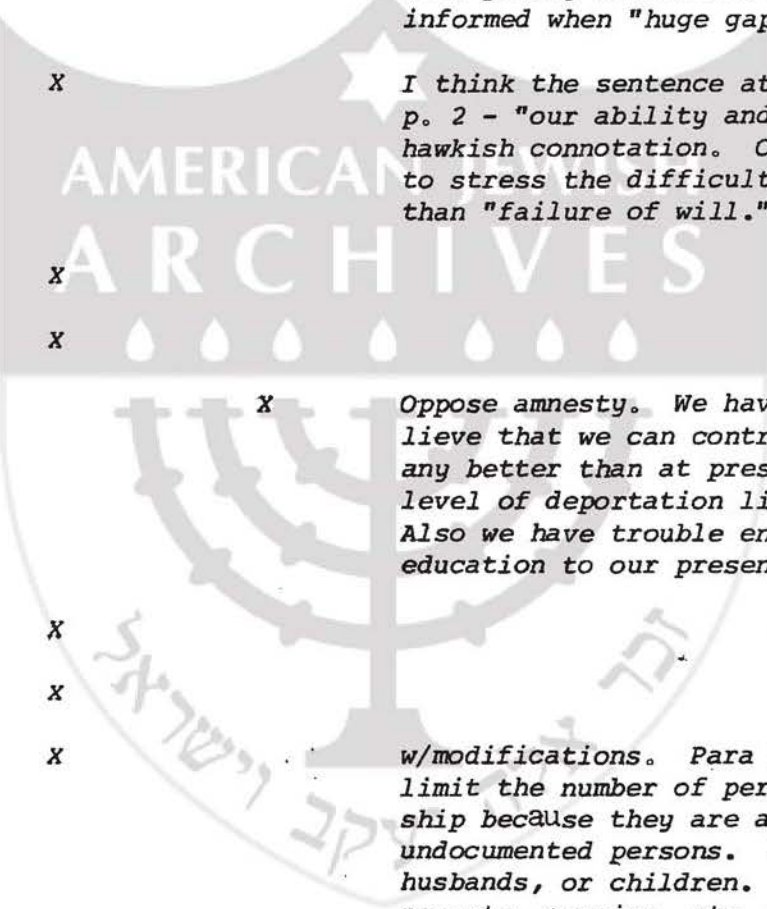
Should AJC adopt the draft statement on immigration policy?

	<u>Yes</u>	<u>No</u>	<u>Comments</u>
Richard H. Adler	X		
Jerry H. Biederman		X	It goes too far in proposing solutions to problems where we don't have the specifics of how they should be implemented. In lieu of the statement that has been presented I would prefer a somewhat narrower statement embodying the preambles which precede the recommendations and deleting recommendations #1 and #2.
Erwin Braff *	X		
Barbara Burstin	X		What kind of liberalization of immigration restrictions is encouraged? How many Mexicans & other Latins is AJC suggesting we legally allow in each year? Shouldn't something concrete be said about making some attempts to reduce illegal immigration?
Herbert Cohen	X		
Sheldon B. Cohen *	X		Amnesty should be granted only to those who have been self-supporting or the dependents of such individuals. Blanket amnesty would not only condone past illegal immigration, but would penalize those individuals who have utilized normal immigration channels and may still be waiting to enter the country. Once individuals register and ask for amnesty, they may receive health care and schooling but it is grossly unfair to the already over-burdened American taxpayer to furnish such services for those who do not so declare.
Elaine Cooper	X		Page 2 bottom - define "close relatives." I think the category should be limited to husbands, parents, children, siblings, wives.
George Cooper	X		"Undocumented persons" is a horrible euphemism. Why not call a spade a spade and go back to the entirely accurate "illegal immigrants (or aliens). Principal weakness of statement is lack of specific proposals to prevent future abuses (item #2 on page 3). Will we tread on any sensibilities if we suggest greatly enlarged border patrols, better fencing, restrictions on use of tourist visas (e.g. a reporting requirement), better surveillance at airports, etc. Our laws on

	<u>Yes</u>	<u>No.</u>	<u>Comments</u>
George Cooper (cont)	X		immigration should be liberal and an amnesty may be the only solution to the present dilemma, but that amnesty will never tend favor with the "man-in-the street" if not concurrent with precise, sound and stringent new measures to cut down illegal immigration.
Richard H. Davimos	X		
Henry Dubinsky	X		While favoring the overall statement, I retain a distinct feeling of unease that the foreseeable result of our efforts may be an amnesty, a temporary worker program but no <u>enlarged</u> immigration quotas.
S.J. Duboff	X		
Burton Elliott	X		
S. Joseph Fauman	X		The cut off date recommended should be Jan. 1, 1980 which would deter a rush of illegal migrants to beat the deadline. In addition the last paragraph should be moved -- without the first word "finally" and become the first paragraph.
Nathan B. Feinstein	X		
Solomon Fisher		X	I am very ambivalent on this particular issue. Notwithstanding the reservations in the statement I believe that giving a benefit to persons taking an illegal action will only engender such action in the future, notwithstanding any saving clauses
Rose Fleischman	X		
Jerry Friedland		X	Granting amnesty encourages illegal immigration and make it impossible to enforce the law prospectively because all unauthorized aliens should claim they were here when amnesty was granted.
Martin Glenn *	X		
Charlotte Holstein			
Alex Holstein	X		A very good statement.
Robert Jacobs	X		
Abe Karlokow *	X		Needs some paragraph calling for re-affirmation and perhaps strengthening of existing provisions that make room for refugees like those from USSR. (Perhaps a 5B)

	<u>Yes</u>	<u>No.</u>	<u>Comments</u>
Donald M. Karp *	X		
Shepard King	X		#7 too broad re economic aid
Elliot Klorfein		X	
Rik Kohn *	X		if . . . The policy statement on immigration only makes sense if there is in fact a realistic humane way in which we can control illegal immigration. If this is not developed, all this part of the policy will do is erase the current situation, and the problem will start again, probably even more intensely.
Isador Kranzel	X		At least in this area we are rational, intelligent and compassionate. That is what I expect. I wish I could say the same for other areas of our policies.
Harvey Kronfeld	X		
Ben Loewenstein	X		Subject is complex -- I hesitate to be critical especially as to wording.
D. F. Markstein	X		
Michael Mayer	X		Should clarify who are "close relatives" who can come here. Do you mean "contiguous" or "nearby" countries or both. Clarify.
Morton Metzger	X		
Morris Milgram	X		A fine statement - thoughtful and humane.
Samuel E. Oberman		X	In my opinion, it doesn't go far enough. If we grant a "one time" amnesty, then what happens to the illegal immigrants who enter the country subsequent to the granting of that amnesty. This should be addressed in the statement.
Bernice Rosenbluth	X		I feel that this statement encompasses a humane, thinking effort and should be affirmatively accepted.
Jerome M. Rosow	X		
Nanette Scofield		X	Temporary workers should be in separate category; when they're unemployed, they should return. They're here to fill a labor need, and when the job is finished, they should go back. A huge gap exists in our knowledge. "If we haven't got the facts, how do we know we're proposing right solution.

	<u>Yes</u>	<u>No.</u>	<u>Comments</u>
Ruth Shack	X		
Dan Shapiro	X		A good statement on a difficult subject.
John Slawson*	X		
Carol Stix		X	The final paragraph negates our "recommendations, while that paragraph is, by itself, 100% correct. Hence, I recommend that that final paragraph stand <u>alone</u> as our <u>only</u> statement. We should not make policy statements when we are not thoroughly informed when "huge gaps exist in our knowledge."
Emily Sunstein	X		I think the sentence at the end of p. 1 and onto p. 2 - "our ability and will to enforce" has a hawkish connotation. Couldn't this be reworded to stress the difficulty of the situation rather than "failure of will."
George Szabad	X		
Shirley Szabad	X		
Charles Tobias		X	Oppose amnesty. We have no more reason to believe that we can control future immigration any better than at present. At least current level of deportation limits the flow somewhat. Also we have trouble enough giving a decent education to our present population.
Bernard Wallerstein	X		
Jane Wallerstein	X		
Stephen A. Backer	X		w/modifications. Para 1 of the statement should limit the number of persons who obtain citizenship because they are a "legacy" or related to undocumented persons. The limit should be wives, husbands, or children. To allow parents, grandparents, cousins, etc. would be entirely too much. How would one even define the word "close?" SO one time amnesty to all illegal immigrants would be too much. We need to segregate out the various groups of immigrants and handle each group based upon the individual facts. The statement does not address the problem of displaced U.S. workers that would result from a blanket amnesty, and the huge influx of illegal aliens.
Werner Boehm	X		
Albert Janco	X		
Walter Brecher	X		



* Not a DAC member

Yes No Comments

Shirley A. Siegel

X

Please add to "7" the thought that Mexico is the preferred candidate for such a program. The statement should be broadened as to the kinds of cooperative efforts we should undertake with Mexico, not just "assistance."

Paul H. Whiteman

X

Granted that the proportions of the problem are gargantuan, and that the idea of deporting all who are here unlawfully presents problems of conscience, as well as of logistics, the fact remains that amnesty -- forgiveness of illegal acts is an invitation to continuing violations of law.



Exodus

Mt. Sinai - and a stranger shalt thou
not oppress, for ye know the heart of
a stranger, seeing ye were strangers in
the land of Egypt (Ex 23⁹)

- you are to love the stranger as yourselves
(Deut 10¹⁹)

- one law for the native & the stranger
among you

- Also the alien's well I make joyful
in my house of prayer (Ps 136²)

Strangers will one day be ministering priests
in the Temple.

- With the law of Qualifying the alien, the
religion begins - In the alien, we discover
the value of humanity

- Build yourselves in such a way that
a stranger may feel happy in your midst

INSTITUTE ON PLURALISM AND GROUP IDENTITY
of the
American Jewish Committee
165 East 56th Street
New York, N.Y. 10022
PL 1-4000

To Marc Tanenbaum
From the desk of Gary Rubin

For Your Information

Remarks:



CATHOLIC MIGRATION AND REFUGEE OFFICE
DIOCESE OF BROOKLYN
75 GREENE AVENUE
POST OFFICE BOX C
BROOKLYN, N. Y. 11202

February 15, 1980

Mr. Gary Rubin
The American Jewish Committee
165 East 56th Street
New York, N.Y. 10022

Dear Mr. Rubin:

I wish to thank you for sending me a copy of the statement presented by the American Jewish Committee to the Select Commission on Immigration and Refugee Policy. I read the statement with great interest. The policies of the American Jewish Committee coincide almost completely with those of the Catholic Church.

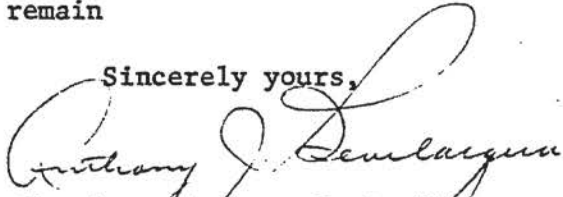
I was particularly delighted to see the strong support you give to a broader refugee policy as well as your endorsement of continuation of the policy of family reunification. I welcomed also your remarks about the arrests of undocumented aliens which at times violate our basic concepts of respect for human rights.

In accordance with your request, I am enclosing a copy of the statement that I presented to the Select Commission. The presentation is limited to the topic of the impact of immigration on family life.

If ever you feel that I can be of any assistance to you in this area of immigration, please do not hesitate to get in touch with me. I have always found great support for our position on immigration and particularly on undocumented aliens among the leaders of the Jewish Community. We are trying to build up an ecumenical base for our policy on undocumented aliens. In fact, on February 26th there is going to be an afternoon conference on the undocumented alien sponsored by an ecumenical group of Catholic, Protestant and Jewish leaders. In the event that you might be interested, I am enclosing a flyer describing the conference.

With every best wish, I remain

Sincerely yours,


Rev. Monsignor Anthony J. Bevilacqua
Director

AJB:rg
encl.

INSTITUTE ON PLURALISM AND GROUP IDENTITY
of the
American Jewish Committee
165 East 56th Street
New York, N.Y. 10022
PL 1-4000

To Marc Tannenbaum
From the desk of Gary Rubin

For Your Information

Remarks:



THE AMERICAN JEWISH COMMITTEE

date February 20, 1980
to Irving Levine
from Gary Rubin
subject New Data on Numbers of Illegal Aliens in the United States

I have recently received a new paper produced by the United States Census Bureau which revises downward the number of illegal aliens thought to be living in the United States. The report is based on no new data collected by the Bureau but rather is a critical review and analysis of studies done by others. While recognizing the tenuousness of any estimates of illegals living permanently in this country, the authors offer the "cautious speculation" that the current number of undocumented residents stands at between 3.5 and 5 million, and is "almost certainly" below 6 million. The major specific findings are as follows:

1. There exists no currently available method for estimating accurately the number of illegals in the country. They do not, obviously, identify themselves as being here illegitimately, and in any of the records which may include illegals, e.g. tax returns, census enumerations, health statistics, etc., it is impossible to separate out undocumented from others. No exact count of this population is likely to emerge in the foreseeable future.
2. Estimates put out by the Immigration and Naturalization Service in the past of the number of illegals were simply "conjectures" and "speculations." Commissioner Chapman, for example, stated in 1975 that undocumented aliens totaled 4-12 million, but this assertion lacked any empirical base and must be regarded as unreliable. A consulting firm for INS came out with an 8.2 million figure in 1975, but this too lacked substantial backing. The Census Bureau concludes that little legitimacy can be accorded to the INS estimates.
3. In the past few years, a number of careful studies of this problem have come out. These works draw on new statistical methods and use for sources such data as comparative census counts, income tax records, social security information, age-specific death rates, employment rolls, and Mexican population studies. None of these sources directly measures illegals, of course, and all of these studies must therefore make problematic assumptions, extrapolations of data and mathematical manipulations. None is therefore totally reliable. Still, the empirical grounding of their estimates, according to the Census Bureau, exceeds by far that of the INS figures. These studies are almost unanimous in reporting a lower illegal resident figure than given by INS.

memorandum

4. Based on these reports, the Census Bureau "cautiously" concludes that the permanent illegal population currently stands at 3.5-5 million. This is broken down into 1.5- 2.5 million Mexicans with the remainder coming from other countries. The proportion of Mexicans in the illegal count is lower than previously thought because recent studies show that the great majority of illegal Mexican immigrants return to their home country, while migrants from other nations do not. Every available careful report studied by the Census Bureau puts the total undocumented population under 6 million and the Mexican segment under 3 million.

These findings have a direct impact on the American Jewish community and on AJC's proposed statement on undocumented aliens, in the following ways:

1. These figures demonstrate the weakness of Zero Population Growth and environmentalist arguments which have recently received much attention. These groups have put out much scare literature which warns that the country is being saturated with legal and illegal immigrants and that this flow must stop. This "New Restrictionism," which is gaining adherents from both the left and the right, aims at cutting down all types of inflow, though it has focused mainly on illegals so far. Pamphlets produced by this group speak of additions of 45 million to the population by 2000 if this influx is not stemmed. The Census Bureau report shows that these figures are drastically overstated. The facts simply do not justify a new wave of restrictionism, which would hurt Jews, as well as other communities currently receiving immigrants.
2. The figures show that the amnesty provision of the proposed AJC statement would have less of a population impact than commonly thought. The number of illegals is below previous estimates and therefore the number qualifying for amnesty would be lower. Of course, amnesty should be granted as a matter of human rights, but it is important to know that arguments that this provision would affect so many as to be impractical have no empirical base.
3. The report indicates that the majority of undocumented Mexican migrants come here to work temporarily and then return home. For this reason, a guest worker program, as proposed in the AJC statement, would fit in with the needs of this population. A well implemented temporary labor plan seems suited to demographic reality.
4. The report also comments on the geographical distribution of both legal and illegal Mexican migrants to the United States and non-Mexican illegals. Both populations tend to concentrate in areas where many Jews also live. By far the greatest number of Mexicans cluster in California, mostly in large cities. About 455,000 Jews reside in Los Angeles so that these groups are in frequent contact. Many Mexicans also move to Texas, Arizona and Colorado, states which contain areas with a significant Jewish presence (Houston, 27,000 Jews; Dallas, 20,000; Denver, 40,000; Phoenix, 29,000). Non-Mexican Hispanics, who are largely Caribbean in origin, tend to move in significant numbers to New York,

New Jersey, Illinois, Michigan and Florida, which contain the bulk of the Jewish population of the United States.

These demographic realities have important implications for Jewish programming. Because of the common residence patterns of Jews and Hispanics, these two groups will come into increasing contact with one another in the future. Yet, the Jewish community is currently underprepared to deal with this fact. We should move quickly at this point to pass policy statements now pending on undocumented aliens, bilingual education, census counting and other matters relating to Hispanics. We should also move to strengthen the ties which some chapters have forged with Hispanics and to enhance our coalitions in the family and immigration areas in which this group is vitally interested.

80-695-9



BACKGROUND MEMORANDUM ON DRAFT STATEMENTON UNDOCUMENTED PERSONS

The draft statement on immigration policy concerning undocumented persons (persons who are in the U.S. unlawfully) is the product of several months of deliberation by AJC's interdepartmental committee on immigration policy. Among the members of this committee who are also members of the Board of Governors, in addition to its chairman, Lester S. Hyman, are Arnold Gardner, Miles Jaffe, Harris Kempner, Jr. and Leo Nevas. The immigration committee received input from our Los Angeles and Houston chapters, met with Vilma Martinez (president of the Mexican-American Legal Defense and Education Fund), and reviewed voluminous materials reflecting many divergent viewpoints on this complex issue. The draft statement was considered by AJC's Domestic Affairs Commission at its meeting on January 29.

As the draft statement indicates, AJC traditionally has advocated a liberal immigration policy for the United States. And for good reason. Last May, for example, AJC submitted testimony to Congress in support of the proposed, liberalized Refugee Act of 1979. But AJC has never supported unlimited immigration, i.e., an open border, which in effect is what some groups are seeking today, for reasons which seem compelling to them. In fact, at bottom, that is what much of the ongoing national debate is really about, at least with regard to immigration from Mexico.

In 1978, Congressman James Scheuer (D-N.Y.), chairman of the House Select Committee on Population, remarked: "The one overriding consensus that emerged from our hearings was that no one really knows how many illegal aliens there are in the United States today, or, for that matter, how many enter each year and how many stay." Estimates, however, have ranged from a low of two million to a high of twelve million. Only one figure is certain: the number of apprehensions made annually by the Immigration and Naturalization Service. In 1977, this figure topped one million, a threefold increase from 1970. It is difficult, though, to extrapolate from this number since some illegal immigrants may have been apprehended several times in one year, thus inflating the total figure.

What follows are the major recommendations, as set forth by number in the draft statement, coupled with possible arguments, comments and questions, both pro and con.

Recommendation #1.

"The granting of a one-time amnesty by our government, as of a date close to the enactment of such an amnesty provision, to all persons who reside in this country unlawfully, excepting only those who have committed deportable crimes unrelated to their entry. Such an amnesty, of course, would entitle its beneficiaries to bring in close relatives from their countries of origin. We also support programs to help all those whose status here may be legitimized by an amnesty to integrate into our society -- economically, educationally, politically and socially."

(over)

Pro We are all immigrants. How can we possibly find it in our hearts to deport several million men, women and children, especially when many of the children have been born here and hence are American citizens?

There is a growing hostility to illegal immigrants in this country, stimulated by media exaggeration of the scope of the problem, and this hostility could influence the public's attitude toward legal immigrants as well. Many of those who are "hard-liners" on illegal immigration are either actual or potential "hard-liners" on legal immigration too. We need a liberal immigration policy for Soviet Jews, and we may need it in the future for Jewish communities elsewhere, such as in Argentina, Iran or South Africa. Further, many Israelis who have entered the U.S. as students or visitors have overstayed their visas and are now here unlawfully. Amnesty for those undocumented persons now here would serve to defuse the "illegals" controversy, would simply regularize what is happening anyway, and would help to bring these immigrants into the mainstream of our society. Thus, AJC would be acting in the best interests of future Jewish immigration by helping to check the growth of restrictionist feeling through its support for amnesty.

Equally important, we would be aligning ourselves on this issue with the Catholic Church, thus maintaining the traditional liberal religious coalition on matters of immigration. Since it seems that most of the immigrants are Catholic, illegal immigration is an issue of great significance to the Catholic religious leadership. If we ask the Catholics for support on Soviet Jewry, shouldn't we be sensitive to their agenda on immigration? Won't we find ourselves isolated politically on immigration matters if we support only Jewish immigration concerns?

Illegal immigration today is primarily a Mexican phenomenon, and its legitimization is a matter of vital importance to the Mexican-American community in particular and to the Hispanic community in general. The demographic potential of this minority is tremendous, and we ought to support amnesty in the interest of coalition-building with Hispanics in our urban and "sun belt" areas, where so many Jews either already live or else are moving into.

Illegal immigrants, who are generally law-abiding and productive people, fill precisely the kinds of jobs that most Americans shun: hard, dirty, sometimes back-breaking labor at low wages. Certain businesses, such as hotels, restaurants, farms and the garment trade would have great difficulty operating without them. For example, the kind of stoop labor these immigrants perform for the big growers of the Southwest serves to reinforce American agriculture and helps to keep our food prices from rising further.

Con There is no real connection between the illegal immigration issue and Jewish immigration. While the Jewish community has traditionally espoused a liberal immigration policy, it has always respected the legitimacy of our immigration laws and hence need not endorse any amnesty for those who have defied them. While illegal immigration may be an important issue to the Catholic Church, Jewish immigration for political reasons from the Soviet Union or elsewhere is simply not a parallel issue. We have been very sympathetic to lawful entry for non-Jewish political refugees too, such as those from Indochina, as indeed we should be. But amnesty for illegal immigrants would condone the flagrant

violation of our laws on a massive scale. If we thereby, in effect, ratify illegal immigration, we are giving an unfair advantage to lawbreakers, as well as indirectly penalizing those who have been waiting their turn to enter lawfully. The very use of the euphemism "undocumented persons", instead of "illegal aliens", seems to imply that our immigration laws and restrictions are of minimal consequence and can be flouted with impunity.

Instead of an amnesty, what is really needed is a Federal law that would bar employers from hiring illegal aliens in the first place, coupled with a forgery-proof work identification card to enable employers to comply with it.* Such measures would go a long way to reduce the incentives for illegal entry and might even encourage many of those now here unlawfully to return to their countries of origin.

Most illegal aliens are Hispanic and many are blacks from Caribbean countries. If they were granted amnesty, wouldn't they be entitled instantly and automatically to preferential treatment in employment under "affirmative action"? Interestingly enough, many American blacks have expressed concern over competition for jobs by illegal aliens and its impact on black unemployment. And Secretary of Labor F. Ray Marshall claimed recently that illegal aliens do take jobs away from U.S. citizens. Last December he said, "One of the lowest estimates of the number of illegal workers in the United States is 4 million. If only half, or 2 million, of them are in jobs that would otherwise be held by U.S. workers, eliminating this displacement would bring unemployment down to 3.7%, which is below the 4% full-employment target set by the Humphrey-Hawkins Act."

It is an illusion to believe that there could be any such thing as a "one-time" amnesty. Since the determination to seal our borders is weak at best, the flow of illegal aliens inevitably would continue and might even accelerate, making it politically impossible to refuse demands for a subsequent amnesty 10 years from now.

Amnesty for the millions now here would have a massive multiplier effect, because it would entitle them to bring in wives, husbands, children, parents, brothers and sisters, under the family reunification principle, which could seriously burden our social welfare services.

As far as coalition-building with Hispanics is concerned, it appears that the leaders of some Mexican-American groups view the legitimization of all Mexican immigration to the U.S. as a natural right, i.e., an open border, rather than as a bargaining point. If we agree with this, we should say so. If not, we should say that too. We should support Mexican-American aspirations wherever we can do so in good conscience. But we should not seek to appease them. Appeasement, of course, is wrong in principle and, in the long run, is not likely to succeed in practice.

*There is powerful opposition to such proposals, both on civil liberties grounds and because of the possible chilling effect on the hiring of any Hispanic-looking applicants by employers.

(over)

The U.S. today has one of the most generous immigration policies in the world. Yet our capacity is no longer unlimited. Unlike in the past, today we face the reality of increasingly scarce vital resources, such as oil, pure water and clean air. Regrettably, the U.S. cannot comfortably absorb the hundred of millions of poor people throughout the world who, quite understandably, would love to settle in this country. Our economic problems already are serious. To encourage the entry of millions of new immigrants by granting an amnesty would compound these problems, would lower our standard of living significantly, worsen environmental pollution, and seriously damage the quality of life in America.

Recommendation #2

"Such an amnesty program should be implemented, however, only if concurrent measures are taken to prevent future abuses of the immigration system. Since we recognize that the very act of granting an amnesty would be likely to spur would-be immigrants to enter unlawfully in anticipation of a subsequent amnesty, there must be effective enforcement and regulation of the flow of immigration on all of our borders."

Pro Any amnesty for all persons who are presently here unlawfully probably would act as a magnet to draw others from abroad who wish to come here, notwithstanding a stipulation that it is a one-time amnesty only. Hence, while there is no such thing as "leak-proof" border enforcement, more thorough enforcement than is presently the case would be imperative. To achieve this result, additional resources would have to be allotted to the Immigration and Naturalization Service to enable it to do a more effective job, and to do it both lawfully and humanely.

Con The language about preventing "future abuses of the immigration system" is susceptible to varied interpretations. Quite apart from widespread brutality and corruption on the part of Immigration and Naturalization Service personnel, many Hispanics believe that the chief abuse of the immigration system has been the disgraceful exploitation of Mexicans and others from abroad who come here solely to work.

As far as securing the Mexican border is concerned, there are some who believe that this would be an impossible task -- unless we are prepared to build an electrified fence over its entire 2000 mile length, or else station the entire U.S. Army on that border -- either of which would be seen as an intolerable provocation by the government of Mexico which we are now earnestly courting.

Recommendation #3

"Enforcement of our immigration law must itself conform to the standards established by the Constitution and the American legal system. Mass roundups or sweeps of any persons without due process of law must not be countenanced in the United States. Deportation of an undocumented person should be a remedy available to the government only after a hearing in which due process is followed."

Pro Whatever it is that law enforcement officials do or fail to do, it should be a "given" that law enforcement officials must not under any circumstances violate

the law. Due process of law, however, does not mean (as some may wish) total nullification of our immigration laws, or that nobody should ever be deported.

Con How can there possibly be "mass round-ups or sweeps" with "due process of law"? The whole system, by its very nature, is conducive to abuse and violations of rights.

Recommendation #4

"Since undocumented workers pay taxes in this country, they should receive necessary health care (not only for their sake but also to protect the health of the general community), as well as admission to public schools."

Pro As a matter of simple humanity, all persons who are in this country, regardless of their status, must be healed when they are sick. And to suggest that school-age children should be denied access to free public schools because their parents are here unlawfully (as a Texas statute presently provides) is utterly reprehensible, not to mention the impact on our society of having school-age children remain illiterate and ignorant.

The fact is that undocumented workers do pay taxes -- income, sales, property -- they are not generally "free-loaders". In the words of Vilma Martinez, they deserve to be called "undocumented taxpayers."

Con To maintain that illegal immigrants have an inalienable "right" to receive all of the whole range of social services which our government provides for its citizens is to neutralize the very concept of citizenship.

To permit the children of illegal Mexican aliens in Texas to enter free public schools can only serve to spur illegal entry by more Mexican parents who want to avail themselves of this opportunity, which is unavailable to them in many parts of Mexico.

The words "undocumented workers pay taxes" should be stricken, if only to avoid getting into a debate over whether such persons pay more or less in taxes than they receive in benefits.

Recommendation #5

"Recognizing that we have unique trading, migration and cultural ties with those countries with whom we share common borders (Canada and Mexico), we should liberalize our current immigration restrictions. Such a reevaluation of our policies should include the raising of immigration quotas for countries contiguous to or nearby the United States, as well as cutting the time from when one applies for entry to the United States to the time of securing a visa."

Pro The U.S. has been serving as a crucial safety valve for Mexico's struggling economy. Absent this, there could have been significantly greater economic

(over)

problems within Mexico, with much more political unrest and perhaps a government much less favorable to democracy. Since a stable, democratic Mexico clearly is in the best interests of the U.S., we ought to allow in an increased number of Mexicans. Most importantly, the U.S. vitally needs access to Mexico's vast oil and gas reserves. And we should not forget that virtually the entire American southwest was taken by conquest from Mexico under the Treaty of Guadalupe Hidalgo in 1848.

Probably the quintessential example of the need to raise immigration quotas for countries nearby the United States is that of Haiti, where the per capita annual income averages about \$85. Thousands of Haitian "boat people" have landed in Florida where their status remains in limbo. In the main, they come here primarily for the very same reason that Mexican immigrants come here: to find jobs, any jobs. As economic refugees, however, they are not entitled to remain here. Hence the claim is being made that they are really fleeing the political repression of the Duvalier regime. A substantial increase in the immigration quota for Haiti may help to alleviate this dilemma in the future, as well as satisfy many in the black community who are deeply concerned about it.

Con If we were to start granting special preferences based on national origin, for whatever reasons, we would be retrogressing. It would be reminiscent of U.S. immigration laws of the 1920's which accorded special preferences to immigrants from northern and western Europe, at the expense of those from southern and eastern Europe. There would be no end to political battles over how many people should be admitted from each of a host of countries in Central and South America, the Caribbean, as well as elsewhere in the world.

Recommendation #6

"Since a majority of undocumented persons seek only temporary worker status in this country, we urge development of a reasonable and flexible program to meet this need. Expanded enforcement of fair labor standards laws in all job situations is necessary, as well as expanded opportunities for temporary workers to join labor unions."

Pro Since the U.S. apparently needs at least some workers for certain kinds of jobs, and since so many Mexicans desperately need work, a well-run temporary worker program would seem to be a mutually beneficial option. The abuses of the "bracero" era need not be repeated. For example, instead of entering on contract to a particular employer, the guest worker could be free to choose employment from a list of available jobs.

Con A principal purpose of any AJC statement on immigration should be to serve as an intergroup relations tool in building bridges with Hispanics. There is clearly no consensus among Hispanic organizations in support of temporary or guest worker programs. In fact, most such organizations, including the Mexican-American Legal Defense and Education Fund, strongly oppose such programs. They view such proposals as a return to the discredited "bracero" era, as creating a category of second-class workers who are exploited as a source of cheap labor only so long as it serves U.S. economic interests to do so. Supporting such a proposal is not fundamental to any interest of AJC

or to the Jewish community at large. In fact, it would be counter-productive to improving relations with the Mexican-American community.

Recommendation #7

"In order to stem the problem at its source, we endorse offering assistance with problems of economic development and population growth to those foreign countries which are receptive to such assistance from the United States."

Pro The best way to approach the problem of too many immigrants, to the extent feasible, would be to attack it at its source by helping the sending countries in their own industrial development efforts to enable them to provide jobs for their own people. Intimately related to the need for economic assistance to underdeveloped countries is their pervasive problem of burgeoning population. In country after country, population growth has outstripped economic growth. A headline in the New York Times of March 2 tells the story: "Egypt's Population Boom Clouds Dream of New Life". Virtually all underdeveloped countries, including Mexico, are striving in various ways to limit their population growth, with varying degrees of success. It is incumbent on the United States to aid those countries which are receptive to such aid, both with their economic development and with their efforts to stem population growth.

In Recommendation #7, the words "population growth" were inserted to replace the originally selected words "family planning", which were seen by some as likely to be offensive to Catholics in general and to Mexican-Americans in particular. Since there is overwhelming evidence, however, that the vast majority of American Catholics actually practice family planning through artificial birth control, and since the government of Mexico is presently seeking to limit its population growth through "family planning", it may be questioned whether we are not being overly sensitive to anticipated criticism.

Con While the words "population growth" are an improvement over the words "family planning", the same thought is still conveyed. Suggestions for family planning assistance have no place in this statement because they give it a patronizing tone, intimating that the reason that so many people cross our border is that they are having too many children and that this source of the problem needs to be stopped. This grossly oversimplifies the complex of factors that lead to immigration from source countries. Further, most Hispanics are Catholics to whom implied suggestions for family planning may well be viewed as an insult, whatever words we may use to express them. It would be much better, therefore, in the interest of intergroup relations, to omit the subject entirely.

Prepared by Sam Rabinove
March 7, 1980

The American Jewish Committee



Institute of Human Relations • 165 East 56 Street, New York, N.Y. 10022 • 212/751-4000 • Cable Wishcom, N.Y.

March 14, 1980

TO: Members of the Board of Governors
FROM: Maynard I. Wishner, Chairman

REMINDER: Next Meeting -- MONDAY, March 24, 1980
2:00 - 6:00 P.M.
Institute of Human Relations

I am sure you will be interested in the enclosed letter from Richie to President Carter in connection with the recent United States vote on UN Resolution 465. We will, of course, be discussing this matter at greater length when we meet next week.

When we discussed the enclosed Draft Statement on Undocumented Persons at our Board meeting in Israel, it was felt that the issue was extremely complex and required further background as well as an opportunity for more extensive discussion. Accordingly, we have scheduled this for our upcoming meeting and you will find enclosed both the Draft Statement and a detailed background memorandum on the various points incorporated in the Statement. Lester Hyman, Chairman of the Immigration Committee, will present the issues.

Please note also the slate of nominees for election as Members-at-Large of the National Executive Council. According to the Bylaws, it is the responsibility of the Board of Governors to elect such members and this, too, will be done at our meeting on the 24th.

I look forward to seeing you then.

MIW/bf
Encls.

80-100-26

The American



Jewish Committee

Institute of Human Relations • 165 East 56 Street, New York, N.Y. 10022 • 212/751-4000 • Cable Wishcom, N.Y.

March 4, 1980

TO: Members of the Board of Governors

FROM: Maynard I. Wishner, Chairperson

* * * * *
 *
 * NEXT MEETING *
 *
 * MONDAY, MARCH 24, 1980 *
 * 2:00 - 6:00 P.M. *
 *
 * Institute of Human Relations *
 * * * * *

At our next meeting there will be a full report on the recent Board Institute in Egypt and Israel, together with a discussion of the latest developments concerning the Middle East.

At our meeting in Israel we discussed very briefly the recommendation of our Committee on Immigration Policy as to AJC's position on undocumented aliens. It was agreed that the issue required much more intensive discussion and, therefore, it is planned to consider and take action on this subject at our March meeting. A pro and con background is now being prepared and will be sent you in advance of the meeting.

Shirley Szabad, Chairperson of the Community Services Committee, will ask for Board approval of the enclosed "Expectations for Chapter Annual Performance Achievements."

Also enclosed and just off the press, "The Single-Parent Family," the first publication of our newly established National Jewish Family Center, which I believe you will find of considerable interest.

Further details will be along shortly. Please let the office know on the form enclosed whether we can expect you on the 24th.

MIW/bf
Encl.

80-100-18

RICHARD MAASS, President ■
 MAYNARD I. WISNER, Chairman, Board of Governors ■ MORTON K. BLAUSTEIN, Chairman, National Executive Council ■ HOWARD I. FRIEDMAN, Chairman, Board of Trustees ■
 GERARD WEINSTOCK, Treasurer ■ LEONARD C. YASEEN, Secretary ■ ROBERT L. HOROWITZ, Associate Treasurer ■ THEODORE ELLENOFF, Chairman, Executive Committee ■
 Honorary Presidents: MORRIS B. ABRAM, ARTHUR J. GOLDBERG, PHILIP E. HOFFMAN, ELMER L. WINTER ■ Honorary Vice-Presidents: NATHAN APPELMAN, RUTH R. GODDARD,
 ANDREW GOODMAN, JAMES MARSHALL, WILLIAM ROSENWALD ■ MAX M. FISHER, Honorary Chairman, National Executive Council ■ MAURICE GLINERT, Honorary Treasurer, ■
 JOHN SLAWSON, Executive Vice-President Emeritus ■ Vice-Presidents: STANFORD M. ADELSTEIN, Rapid City, S.D.; DAVID HIRSCHHORN, Baltimore; MILES JAFFE, Detroit; ALFRED H. MOSES,
 Washington, D.C.; ELAINE PETSCHKE, Westchester; MERVIN H. RISEMAN, New York; RICHARD E. SHERWOOD, Los Angeles; SHERMAN H. STARR, Boston; EMILY W. SUNSTEIN, Philadelphia;
 GEORGE M. SZABAD, Westchester; ELISE D. WATERMAN, New York ■