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I greatly appreciate this opportunity to contribute my perspectives to this important discussion about the need to enlist local and state governments in assisting with the enforcement of immigration law in the State of Indiana.

Having worked for the former INS for some 30 years, first as an Immigration Inspector assigned to John F. Kennedy International Airport from 1971 until 1975 and then as a Criminal Investigator (Special Agent) from 1975 until 2002, I have had ample opportunity to gain a unique perspective where the enforcement and administration of the immigration laws are concerned.

It has been said that you only get one opportunity to make a first impression. For millions of people around the world, their first contact that they have with the United States of America is the way our nation administers and enforces the immigration laws. These are the first laws these people encounter when they enter our country and will forever impact their impression of the United States and our concept of law and our concept of fairness. When illegal aliens realize that they can enter our country in violation of law and not only get away with violating our laws but can expect to be rewarded for violating our laws, we are providing them with a very dangerous first impression; one that will no doubt encourage them to spread the word that in our nation and in those states and communities that refuse to deal with this issue, crime pays.

While it is true that the establishment of immigration policies is purely within the purview of the federal government, the fact of the matter is that when aliens enter our country they live in communities around our great nation. Former Speaker of the House Tip O'Neil is remembered for saying that "Ultimately all politics are local." The same can be said of law enforcement. When a crime is committed, whether it represents a violation of federal, state or local law, that crime is committed within a community. Therefore communities have at least as much of a vested interest in dealing with violations of law as does the federal government.

It is true that the reason that so many illegal aliens are currently residing and working illegally in the United States can be traced back to the failings of the federal government to secure our nation's borders and create an immigration system that possesses integrity. However, the very same porous borders that provided so many of these millions of illegal aliens with access to our nation's interior has also failed to prevent the importation of literally tons of illegal dangerous drugs. To simply stand by and refuse to deal with the massive influx of illegal aliens on a state or local level would make no less sense than it would for state and local law enforcement authorities to ignore the plague of illegal drugs that are peddled on street corners in virtually every city and town throughout the United

States declaring that since those drugs were smuggled across our nation's borders because of the failure of the federal government to secure those borders, that only the federal government should deal with that crisis..

I have made the point at a number of Congressional hearings and at other venues that our nation cannot control the flow of illegal aliens across our nation's borders by simply adding more Border Patrol agents or even by only building a fence. An effective strategy would require that the effort to control illegal immigration also focus on the reason that the majority of illegal aliens enter the United States in the first place, to seek jobs and send money back home. To ignore the interior enforcement mission would be the equivalent of having the manager of a baseball team tell his teams outfielders to not take to the field when the other team is up. Under such a bizarre situation, any batter who could hit the ball past the infield would get an in the park homerun. Similarly, by not going after the employers of illegal aliens, there is no way that our nation will ever really get a handle on illegal immigration.

Local and state governments have an important role to play in this effort of combating illegal immigration just as they do to assist the federal government in enforcing all other violations of federal law.

The impact of illegal immigration can be felt in many sectors of our nation. Everything from national security and criminal justice to the economy, the environment, education and healthcare are significantly impacted by the massive influx of illegal aliens.

This does great harm to American citizens and to those aliens who have lawfully immigrated to our nation to share the American Dream and become part of that magnificent tapestry that represents our nation's wonderfully diverse population.

In discussing immigration, it is of critical importance to draw clear distinctions between aliens who are lawfully present in the United States and those who are illegally present in the United States. There are many individuals and organizations that are eager to blur this distinction because they are motivated by greed or a particular agenda. In order to make this distinction as clear as I can I want to start out by saying that the term "Alien" is most definitely not a pejorative term. According to the Immigration and Nationality Act, (INA), the all encompassing body of federal laws that deal with the entry of aliens into our country and their continued presence in our country including the conferring of resident alien status upon aliens as well as United States citizenship to name but a few of the most salient aspects of the INA, an alien is simply defined as being any person who is not a citizen or national of the United States. When American citizens travel to other countries we become aliens in those countries and I do not know of a single country that is reluctant to use this term.

To compare an immigrant with an illegal alien is the equivalent of comparing a houseguest with a burglar

The great majority of illegal aliens who are present in our country have been drawn across our nation's borders by the prospect of illegally working on a job so that they can send money home. Last year an estimated 45 billion dollars, in fact, was wired from the United States to Latin America and the Caribbean. That is the visible money. Huge sums of money were also sent out of the country by other means and not only to Latin America and the Caribbean. This is money that was lost to our economy. This is money that was not earned by American Citizens and lawful immigrants who need to support their families.

I ask you to stop and consider what this means.

Today the United States Congress is taking up the controversial issue of creating an economic stimulus package for our nation to help jump-start our economy. There are proposals that not involve the creation of jobs for Americans who have lost their jobs and therefore their ability to support their families and continue to pay their bills including their mortgages. These people go to sleep each night fearful that tomorrow they may no longer have a house to sleep and live in.

The fact is that when an American worker receives a paycheck, he (she) is likely to spend, save or invest that money in the United States. This is referred to by economists as the "multiplier effect." That is the principle behind proposals to create jobs and provide money to the citizens and resident aliens (lawful immigrants) of this nation.

Foreign workers, whether generally send their paychecks to their families in their home countries. That is why those billions of dollars in remittances that I noted above, are wired from the United States. Additional billion of dollars are transferred from the United States to other countries by other means.

These billions of dollars are not only not earned by Americans and resident aliens, these billions of dollars are permanently lost to the economy of the United States at a critical time when our nation's leaders claim that their goal is to incur hundreds of billions of dollars of debt, if not more, to get our nation's economy moving.

To not address the issue of illegal aliens who are working in our nation in violation of law makes as much sense as sitting in a row boat, discovering a hole in the bottom of the boat and deciding that the best way to deal with the water rushing into the boat is to drill a second hole in the boat's bottom and hope that the water will magically flow out of the boat through that second hole.

It has been said that "Hope is not a strategy." In that instance, that hope would be delusional and utterly absurd, but it would be no less nonsensical than it is to talk about the creation of an economic stimulus package on the one hand, while failing to address the critical issue of illegal aliens working in our county on the other. .

The presence of illegal aliens in our country impacts many other aspects of our nation, many of which have economic implications and implications for quality of life issues

such as the problems created by the huge impact that the millions of illegal aliens present in our country have on our nation's schools and hospitals. It has been estimated that some 30% of the inmate population in prisons across our nation are illegal aliens.

States have come to ignore many of these economic issues because the federal government has reimbursed state and city governments for expenses incurred by illegal aliens. This money adds to our nation's deficit and, ultimately, that money will either come out of our pockets or our children's pockets. Those costs may even be borne by our children's children. That is an awful legacy to bequeath our descendants.

When politicians and proponents of Guest Worker Amnesty Programs and open borders invoke the mantra that the "illegal aliens will do the work Americans won't do," my response is simple and to the point:

If Americans will trudge off to work in coal mines, construction sites and steel foundries; if they are willing to drive garbage trucks and jump on the back of fire engines and race into burning buildings to rescue utter strangers, then there is no job an American won't take provided that the wages paid for their labor will enable them to support themselves and their families.

Homer Hickam wrote a marvelous autobiography about his life as the son of a coal miner. This book served as the basis of a screenplay for a movie called, "October Sky." His childhood took place in the 1950's in a coal mining town in Coalville West, Virginia. The launch of Sputnik fired his imagination and he began building model rockets that got him into a world of trouble until he won a science fair. By the end of the film you find out that he ultimately became an engineer and worked on the Space Shuttle. (This inspirational movie as well as his autobiography should be required viewing and reading for all school children!)

Because of his background as a coal miner's son and his eloquence as an accomplished author (he has written many other books) he was called upon to deliver a eulogy at the Sago Mine disaster just over three years ago. I watched his reading of his eulogy on television back then and one sentence in particular struck a resonant chord. (My dad died many years ago when I was in college but he was a construction worker, a plumber, and my dad and his buddies reminded me of the coal miners who perished in that tragedy and whose "can do" spirit built this great nation.) Hickam's memorable and eloquent sentence: "There is no water holier than the sweat off a man's brow!"

As I noted the last time I testified before members of the Indiana Senate, I am a lifelong Democrat as were my parents who passed away while I was a college student many years ago. My dad was a construction worker, "a plumber by trade," as he used to say. He and his buddies who worked on construction sites in New York embodied the "can-do" spirit that epitomized the generations of Americans who built this great nation. Those hard-working Americans were not much different from the coal miners Mr. Hickam spoke so eloquently about. Those men were not afraid to put that sweat on their brows, dirt under their fingernails, a pain in their backs and run the risk of being seriously injured or worse

on the job. For my dad and his fellow tradesmen, nothing was impossible. They were and remain to this day, my heroes.

They strove to achieve the American dream. While my parents never attended high school, let alone college, they made certain that their son, whose words you are now listening to, did attend and graduate from college although they passed away before I achieved that dream that they instilled in me.

My mother legally immigrated to this country from Poland a few short years before the onslaught of the Holocaust that was fueled by rampant bigotry in that horrific period of world history. Her mother, my grandmother, was among the 6 million Jews who were slaughtered during the Holocaust.

My dad was born in Brooklyn New York as I was. His parents and most of his siblings came to the United States from Russia as Emma Lazarus so eloquently stated it, "yearning to breathe free."

The point is not that the American workers are lazy or that they demand too much, it is that they simply want to be able to support themselves and their families when they draw their paychecks at the end of the week during which time they worked ever to hard. It is the American work ethic that built this great nation and is still in abundant evidence wherever and wherever American workers go off to their jobs.

You see, it is not that the illegal aliens will do the work American's won't do, it is simply that the illegal aliens are vulnerable to exploitation and as a consequence will do the work for substandard wages and under conditions that are often so dangerous and substandard as to be patently illegal.

There are those who speak about the dignity of illegal aliens, easily ignoring the reality that these vulnerable people who are so desperate to send every last penny home that they can, often find themselves living in conditions that are beyond description. I have arrested thousands of illegal aliens in my 30 year career. I have found 20 or more illegal aliens jammed into an apartment that had been designed for a family of 4. They slept on mattresses laid end to end and next to each other, sharing one bathroom. The abject squalor of their existence in our country was as awful as your imagination might possible conjure up. The stench of those filthy apartments was so extreme that often the odors lingered in my nostrils for more than a week. When I flipped on a light switch I was treated to what those of us in law enforcement refer to as a "moving wall." In order to deal with some of the terrible things you encounter in law enforcement, you sometimes resort to a gallows sort of humor. A moving wall is a wall that is so infested with so many roaches and other bugs that the sudden flash of the light turning on panics the insects into running in every direction and because there are so many of them, it is often virtually impossible to see the actual wall upon which they are scurrying.

The conditions these illegal aliens encounter at work are often no better and possibly worse than the conditions under which they live, in those filthy, vermin-infested apartments..

Illegal aliens are exploited by everyone from their own governments who want them to head to the United States to send money home. These unscrupulous leaders in those countries also know that the young men who leave are the same young men who, if they had no outlet for their frustrations and no way of seeking employment in the United States might well create an uprising in their own country. These leaders see this mass movement of their citizens to our country as a "Win/win" situation. They export insurrection and import American dollars.

These aliens are also exploited by the smugglers who often rape the women, beat the men, rob them all and often force them to carry contraband, usually narcotics into the United States. In such instances, the illegal aliens are referred to as "mules" since they are used as beasts of burden.

The illegal aliens are further exploited by the unscrupulous employers, by the unscrupulous landlords. By the banks who charge them fees for wiring money home, making them the silent partner of the illegal aliens as well as the drug dealers and other criminals who make use of their services.

Illegal aliens are also exploited by the very groups that claim to be representing their interests. If you have a problem believing this, ask yourself, when was the last time you saw a "pro-immigrant" organization protest the outrageous treatment of illegal aliens at the hands of the unscrupulous employers?

Rather than finding the "American Dream" all too many illegal aliens are forced to endure an "American Nightmare."

Furthermore, the presence of illegal aliens in our nation and in communities from coast to coast and border to border drives down wages. Labor is a commodity not unlike petroleum, gold or diamonds.

If you flood the market with a commodity, under the principle of "supply and demand," the value of that commodity is reduced. The massive influx of illegal aliens who are easy to exploit because they are vulnerable, leads to abusive employment practices while making it virtually impossible for American workers to compete for wages that have been reduced to such an extent that those paychecks would no longer enable the workers to support their families.

I can tell you that as an INS special agent I often felt strong feelings of empathy for illegal aliens who were caught up in the nightmare situation that they endure. However, the United States can not solve world poverty by simply permitting tens of millions of illegal aliens enter our country. The United Nations has published statistics that show that some one billion human beings on this planet currently have no access to safe

drinking water. This is poverty on a scale that is completely unimaginable to those of us who are blessed to live in this nation. There are additional hundreds of millions of people who live lives that easily put them below the "poverty line." The point is that there is no way that the United States can solve world poverty by allowing the world's poor to simply come to the United States. This approach would be as fool-hardy as it would be for the average American to attempt to adopt an entire orphanage. Our nation is a nation of finite resources and clearly the United States cannot pursue such an approach.

Meanwhile, this massive influx of illegal aliens attracts other criminal enterprises. Young, able-bodied lonely men seek female companionship in this country that is so strange to them. They often find that their needs are met in houses of prostitution that spring up in neighborhoods in which large numbers of illegal aliens live. Many of the women who work as prostitutes were themselves, smuggled into the United States often against their will.

These houses of prostitution can cause the spread of various dangerous sexually transmitted diseases.

Illegal aliens who want to work know that they must obtain identity documents. This causes them to deal with vendors of counterfeit identity documents and even with those criminal organizations that engage in identity theft to provide their "customers" with names and Social Security Numbers that match. This contributes to the fact that identity theft has been identified as being the fastest growing crime in the United States. Identity theft can make life, for its victims, miserable and often requires months, if not years to repair the damage done to the victims who lose what is arguably one of their most valuable assets, their good name.

Meanwhile other businesses that the average illegal alien needs to stay in contact with his family in his home country and to help him wire or otherwise send money home spring up in those communities in which large numbers of illegal aliens live. This leads to the establishment of mail box services, disposable cell phones and telephone arcades.

The issue to remember is that while these services are created to serve the illegal alien community in general, gangs, drug trafficking organizations and terrorists find these establishments essential to their nefarious objectives. I speak from experience having spent nearly half of my 30 year career at the INS assigned to the Organized Crime Drug Enforcement Task Force and to the Unified Intelligence Division at the DEA in New York. I have also arrested a number of terrorists during the course of my career.

Furthermore, when an alien runs our nation's border to enter our country surreptitiously, there is no way of knowing if that individual is simply determined to get an illegal job to send money back home or because he is wanted for a heinous crime in his home country or some other country and is fleeing to the United States to evade capture by law enforcement. There is no way of knowing if that alien is involved in a terrorist organization and has entered the United States as a "sleeper agent."

The first priority of a government, on any level: federal, state or local, is to provide for the safety of its citizens and residence. Clearly the presence of aliens whose true identities, criminal histories and other highly important factors are unknown and unknowable creates an inherent risk that is, especially in this perilous day and age, utterly unacceptable. By having state and local police agencies work in coordination with ICE, many of these potential risk factors for crime and terrorism can be effectively reduced significantly. It is also important to note that by cooperating with ICE, local and state police may find that where serious criminals are concerned, additional criminal charges may be applied to violent felons who threaten the safety of the communities in which they live. Speaking from experience I can tell you that being able to establish the fact that a suspect of a felony is far more likely to be remanded with a high bail or possibly no bail at all, if it can be demonstrated that the criminal in question is an illegal aliens with tenuous ties to the community and thus presents a strong risk of flight.

On September 11, 2001 the United States of America as we all know, suffered the worst terrorist attack ever committed on its soil.

On that day our nation was attacked. On that day it was my city and my neighbors who bore the brunt of that attack. My neighbors went to work that late summer morning and too many of them were slaughtered by the terrorists who still believe that they have unfinished business to take care of. That terrible and tragic morning, the ashes from the conflagration at Ground Zero fell as a gentle snow in my neighborhood. Contained in those ashes were the remains of my neighbors and the other innocent victims of that attack.

When I testified before the House Subcommittee on Immigration, Border Security and Claims at a hearing that focused on the nexus between immigration law enforcement and national security I said, "No American city is safe if any American city is attacked."

By working cooperatively and removing the magnet that draws many illegal aliens across our nation's borders in violation of law we will help our economy. We will help Americans and lawful immigrants to secure jobs to help them support their families. We will reduce the size of the haystack in which the deadly needles that criminals and terrorists represent, to hide.

Additionally, as I often did when I worked cooperatively with local and state police, there are times when federal charges that can be brought against a criminal illegal alien can help to enhance the prosecution of such a criminal and also making it far more likely that he will be deported after he serves his criminal sentence upon conviction for committing a felony.

Here is a final point that I believe is vital to make.

Often those whose personal agendas cause them to advocate for open borders and a blurring of the distinction between what it is to be an illegal alien and a lawful immigrant

and even a United States citizen are quick to engage in name-calling. Those open borders advocates often resort to the tactic of accusing anyone who believes that our nation's borders must be secured and that our nation's immigration system must have real integrity of being a racist.

As an INS special agent I can tell you that I have arrested illegal aliens from nearly every country on the face of this planet. I have arrested aliens of every race, creed and religion.

To want to secure our borders against the entry of illegal aliens is not about bigotry but it is about the law. It is about the need to protect the citizens of our nation from the deleterious impact of illegal aliens.

The United States of America is an extremely diverse nation. As a New Yorker, I can tell you that my home town is arguably the most ethnically city in the nation if not the entire world. As an INS special agent my oath was to enforce the laws for those who violated the laws. This was not about race but nationality. America's citizens who are part of the various minority communities are often more impacted by the influx of illegal aliens than are anyone else.

Ethnic organized crime groups and gangs often prey upon members of their own ethnic community to a far greater extent than they attack those outside of their communities.

The charge of racism often employed by open borders advocates is, upon closer inspection, the only card they think they have and so they use it as often as possible.

It has been said that when an attorney is in court and is arguing his case, that when he is weak on the law and strong on the facts, he pounds the facts. When that lawyer is weak on the facts and strong on the law, he pounds the law. When that lawyer is weak on both, he pounds the table. The fatuous claim of racism is, in essence, nothing more than table-pounding.

I urge the members of the Indiana State Legislature to support the legislation that would enable the State of Indiana to penalize those greedy companies that repeatedly knowingly hire illegal aliens. We are our fellow Americans' keepers.

