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FACT-FINDING FORUM OF THE
COLORADO ADVISORY COMMITTEE
TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS
VOLUME II

September 11, 1987
9:04 a.m.

Re: Applications of the Immigration Control and
Reform Act of 1986

COLORADO ADVISORY COMMITTEE MEMBERS:
Maxine Kurtz, Chairperson

UNITED STATES COMMISSION ON CIVIL RIGHTS MEMBERS:
Thomas V. Pilla
Arthur Palacios

ALSO PRESENT: Francisco J. Flores, Jr. - Witness
Jack Lang y Marquez - Witness
Darlene Ortega - Witness

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Meet.
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V.2

ABA

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1 Pursuant to notice to all parties in
2 interest, the above-entitled matter came on for
3 hearing before the Fact-Finding Forum of the Colorado
4 Advisory Committee to the United States Commission on
5 Civil Rights on Friday, September 11, 1987, commencing
6 at 9:04 a.m., in the Columbine Room, Radisson Hotel,
7 Denver, Colorado, before Caroline R. Castle, Certified
8 Shorthand Reporter and Notary Public within and for
9 the State of Colorado.

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1 P R O C E E D I N G S

2 MS. KURTZ: I'm now going to open the Friday
3 portion of the forum on the impact of the Immigration
4 Reform and Control Act in the Denver portion of our
5 hearings.

6 Our first witness is Mr. Flores from the
7 EEOC. And, Mr. Flores, for the record, would you
8 please state your full name, your organization and
9 your address.

10 MR. FLORES: Okay. My name is Francisco J.
11 Flores, Jr. I'm the district director of the Denver
12 office of the Equal Employment Opportunity Commission.
13 We're located at 1845 Sherman Street, second floor,
14 Denver, Colorado.

15 MS. KURTZ: Thank you, sir. As you know,
16 Mr. Flores, the Immigration Reform and Control Act is
17 gradually being implemented throughout the country,
18 and one of the concerns that has been expressed is the
19 possibility of either inadvertent or deliberate
20 discrimination against protected parties and in this
21 southwestern part of the country, obviously, with
22 probably some considerable emphasis on the
23 undocumented aliens that come in from Mexico --
24 although it is not limited to that -- the potential
25 exists, obviously, for this kind of discrimination.

1 The statute has an anti-discrimination
2 clause in it. And we, the U.S. Civil Rights
3 Commission, like the EEOC, were mandated by Congress
4 to do something about monitoring the impact of the Act
5 with respect to the undocumented aliens in terms of
6 how it is being administered and how it is being
7 carried out by the employers and other interested
8 parties.

9 Let me ask you a few initial questions, and
10 then you may want to come up with a summary statement,
11 if you wish.

12 MR. FLORES: Okay.

13 MS. KURTZ: Have you been having any
14 increase in complaints about discrimination based on
15 the Immigration Reform and Control Act?

16 MR. FLORES: No, we have not had any
17 increase. I believe that we have had to date one
18 charge filed that could be considered to be
19 Immigration Reform related.

20 MS. KURTZ: Are you cooperating -- that is,
21 the EEOC -- are you cooperating with the Immigration
22 and Naturalization Service in working with employers
23 on the documentation of their workers?

24 MR. FLORES: Yes, we are, and we've done
25 several things along those lines. First of all,

1 locally here, the Department of Labor, the State
2 Department of Labor put together a series of 20
3 seminars for employers throughout the state. There
4 were two versions, one for agricultural employers and
5 one for nonagricultural employers.

6 Both the INS and ourselves, along with the
7 American Immigration Lawyers Association and the
8 Colorado Department of Labor and the governor's
9 office, participated in those seminars. These were
10 held throughout the state in such cities as Durango,
11 Montrose, Grand Junction, Lamar and throughout the
12 state, as well as in the metropolitan area here.

13 In addition to that, I will be going to
14 Aspen week after next to conduct a seminar there also
15 for employers. I understand the INS will also be
16 there. I think Mr. Charles McClure of the Immigration
17 and Naturalization Service will be there.

18 There's other things that have been going on
19 nationally. The EEOC nationally has been meeting with
20 the Department of Justice, attempting to reach a
21 memorandum of understanding on the filing of charges.
22 Other things that we have done, though, prior to that
23 -- that MOU has not been signed yet; nor has, I
24 believe, agreement been reached on the entire
25 substance of the MOU -- but we have done some things

1 preparatory to that.

2 We have been directed by our headquarters at
3 the local level to advise people coming to us that
4 have questions as to amnesty, we are to direct them to
5 the QDEs, the Qualified -- what are they -- Qualified
6 Designated Entities for advice. Additionally, we will
7 take charges of discrimination, even though the
8 employer -- we know even at the intake stage that
9 employers do not have the 15 employees, we will take
10 charges. We will forward those to our Washington
11 office, who in turn will turn them over to the
12 Department of Justice.

13 In the near future, INS or the Department of
14 Justice is supposed to be providing us with the
15 official charge forms that will be used by the special
16 counsel, and we will furnish them to the public upon
17 request.

18 MS. KURTZ: Have you issued any written
19 materials to assist the people in complying with the
20 statutes?

21 MR. FLORES: The -- locally we have not, but
22 the Commission nationwide has issued a policy
23 statement that was issued in, I believe it was,
24 February of -- February 26th, 1987. The EEOC came out
25 with a policy statement on the relationship of

1 Title VII of the Civil Rights Act to the Immigration
2 Reform and Control Act of 1986. That, I understand,
3 has now been translated additionally into Spanish.

4 There were press releases that went along
5 with that. And those materials -- anybody wishing a
6 copy of those policy statements, we will certainly
7 give them a copy of those policy statements.

8 MS. KURTZ: Would you be in a position to
9 leave copies with us to make it part of the record in
10 this proceeding?

11 MR. FLORES: Yes. I did bring a copy of the
12 -- of the press release, as well as the policy
13 statement. I do not have a copy of the Spanish
14 version with me, but I do have a copy of an August
15 14th press release that -- in Spanish. The policy
16 statement that we were given attached to that,
17 however, is in English also. So this is also part of
18 it.

19 MS. KURTZ: Mr. Flores, is there any --
20 would you like to make any further comments with
21 regard to the role of the EEOC and what experience you
22 are having to date?

23 MR. FLORES: Basically, we've done other
24 things also, as far as trying to inform the public.
25 As far as attorneys are concerned, on May 12th the

1 American Bar Association held a tele-conference
2 throughout the country on Immigration Reform. We
3 participated in that by being local moderators of --
4 the regional attorney, Mr. Nelson Alston, and myself
5 as district director attended that and were
6 co-moderators, along with the ABA people on that
7 matter.

8 And I've also done some local seminars, one
9 put on by the Latin American Research and Service
10 Agency, LARASA, at the Westside Health Clinic, at
11 which I spoke. And I may add that INS was also
12 present at that particular seminar.

13 Additionally, in Durango, Colorado we have
14 as an agency a voluntary assistance program. And that
15 is to inform employers, usually smaller-size and
16 medium-size employers, how to comply with Title VII.
17 We have incorporated into the agenda of those
18 voluntary assistance programs the Immigration Reform
19 and how it relates to Title VII.

20 The Colorado Department of Labor has put out
21 a brochure that explains the Immigration Reform and
22 Control Act and the requirements to all the people
23 that come for referrals to them seeking employment.
24 Our -- there is a section in that brochure that deals
25 with employment discrimination and has our district

1 office name, address and phone number there so that
2 people can contact us there. I have received a couple
3 of phone calls, inquiries regarding matters dealing
4 with Immigration Reform.

5 I believe I have covered everything, unless
6 you have any specific questions as to any other
7 matters. I believe I have covered generally what the
8 agency has been doing.

9 MS. KURTZ: Do you -- I know this is
10 speculative, but of course the enforcement is just
11 starting. I believe they made their first field
12 inspection yesterday morning. Do you have any
13 estimate of what might be the impact on charges filed
14 with you as they get into the enforcement aspects of
15 the Immigration Reform Act? I know it's speculative.

16 MR. FLORES: It's very speculative. I
17 imagine that we'll have more charges than what we've
18 received so far. Up to now, of course, people were
19 able to just put special rules on the I-9s, but now as
20 of September 1, of course, that's no longer
21 applicable. They must have actually filed their
22 papers with the INS, and we need proof of that before
23 employers can legally employ them.

24 So I suspect that there will be some. How
25 many, I don't know. I don't know what the population

1 is out there to be able to give any sort of an
2 accurate estimate.

3 MS. KURTZ: Will your staff be handling any
4 of those complaints locally, or is everything simply
5 going to go from you to Washington and then across to
6 Justice?

7 MR. FLORES: No. Let me make a
8 clarification. On those charges where we have
9 jurisdiction, in other words, employers with 15 or
10 more employees, we will do the actual investigations
11 here.

12 MS. KURTZ: So just the small employers?

13 MR. FLORES: It's just the small employers
14 that fall strictly within the Immigration Reform and
15 Control Act. Now, there's one additional factor
16 involved here that I don't know that many people have
17 considered, which is that most of the states -- all of
18 the states in my region, in my district here, which is
19 six states, the states of North Dakota, South Dakota,
20 Montana, Wyoming, Colorado and Nebraska; all of those
21 have state and local Fair Employment Practices
22 Commissions.

23 Most of those have employee limits far lower
24 than ours, some as low as two employees, some of them
25 any employees, anybody that has any employees is

1 considered an employer and therefore subject to the
2 Anti-Discrimination Acts, the state
3 Anti-Discrimination Acts. Some of those charges may
4 be filed with those state agencies.

5 Now, I will raise that point in a meeting
6 with all of the directors of the state agencies and
7 one local agency that we find. I believe that's set
8 for the latter part of October. And I will raise that
9 -- we're going to raise several points regarding --

10 MS. KURTZ: Do you -- I know that these are
11 so-called 706 agencies, what you're discussing. I
12 presume that the discrimination is being filed under
13 Title VII, national origin, rather than under
14 discrimination under the Immigration Control and
15 Reform -- Reform and Control Act, and therefore your
16 deferral would be effective --

17 MR. FLORES: Well, the charges that I'm
18 particularly talking about are those where we don't
19 have jurisdiction because of the number of employees.

20 MS. KURTZ: Yes.

21 MR. FLORES: However, there may be overlap
22 between the state 706 agencies and the local 706
23 agencies. Their statutes or their ordinances go --
24 have a far lower limit of employees before an employer
25 is covered. And therefore, it would be a violation of

1 the Immigration Reform and Control Act, as well as
2 either the state statute or the local ordinance.

3 And I think we need to work out between us
4 and the 706 agencies a procedure whereby they would
5 also refer these folks to the Department of Justice
6 and the office of the special counsel.

7 MS. KURTZ: I see. So it's kind of a
8 reverse referral to the normal --

9 MR. FLORES: Right. In other words, they
10 have jurisdiction to process and everything else. But
11 I would hope that they would want to protect the
12 individual's federal rights, as well as their state or
13 local rights.

14 MS. KURTZ: Do you have any questions?

15 MR. PALACIOS: Without divulging the names
16 of the employer or the employee, could you just
17 briefly describe the allegations of that one charge
18 you mentioned?

19 MR. FLORES: I'm sorry. I have not looked
20 at the charge. I just know that it is in our system.
21 I don't know what the allegations are.

22 MR. PALACIOS: Another question. You
23 mentioned that there was a seminar held in Durango.
24 Did you attend that one?

25 MR. FLORES: I attended the voluntary

1 assistance program that we had there. I also attended
2 one of the seminars of the 20 seminars in Montrose.

3 MR. PALACIOS: Which is right up there?

4 MR. FLORES: Right.

5 MR. PALACIOS: How was that publicized?

6 MR. FLORES: The Department of Labor -- and
7 unfortunately, I believe the Department of Labor had
8 the same problem that you all had in your notices
9 about these particular hearings. They sent out, I
10 believe, something like 80,000 notices to employers
11 throughout the state.

12 However, at least by the time that the
13 Montrose seminar was held, which I attended -- and
14 that was held on the 29th of June, which was a Monday
15 -- most of the employers had received their notices
16 that previous Friday or that weekend, and some of them
17 had not even received them yet. However, all seminars
18 held subsequent to that, I believe that the notices
19 arrived in time for people to attend.

20 At the particular seminar in Montrose, there
21 were about 25 in the morning session, which was for
22 nonagricultural employers, and about 25 also in the
23 afternoon session for agricultural employers.

24 MR. PALACIOS: So you think that's a good
25 turnout, or do you have any way of knowing?

1 MR. FLORES: I don't have a range. Others,
2 I hear there were greater turnouts. The earlier ones,
3 it was poor turnout at some of them. It was maybe 10,
4 15 people there at those seminars. But the later ones
5 when employers had gotten notice of it, they attended.
6 I've heard, you know, some figures as high as 200, I
7 think at seminars. But I think that that was here in
8 the metro area.

9 MR. PALACIOS: Okay. Those 80 some odd
10 thousand letters that went out, would the businessmen
11 in Cortez have received those?

12 MR. FLORES: I don't know what their mail --
13 that mailing was done by the state, and I don't know
14 what --

15 MR. PALACIOS: The reason I ask is because I
16 was in Cortez a couple days ago, and the question that
17 came up there was -- first of all, there was a total,
18 complete confusion about the I-9. They didn't
19 understand it, and they were just thoroughly confused.
20 But they also said that no one had come down there and
21 talked to them about it.

22 And so what they would desperately like is
23 some kind of a seminar or workshop or something in the
24 Cortez area for the businessmen down there.

25 MR. FLORES: Like I said, I don't believe

1 that there was one in Cortez. But there was one in
2 Durango that was held sometime towards the middle part
3 of July. We had our voluntary assistance program on
4 June 30th in Durango. I did the employment
5 discrimination portion of it. But I got flooded by
6 questions regarding the I-9. And you're right, they
7 have a lot of questions down there.

8 And I simply told them, "Look, I know a
9 little bit about it, but I'm not the authority on
10 that; the INS is. We simply enforce Title VII and the
11 Civil Rights Act, and we don't get into the
12 Immigration Reform and Control Act. I know -- because
13 I've attended all these seminars, I know what's
14 required and what's not required on these forms, but
15 I'm not the official word on that."

16 MR. PALACIOS: Sure.

17 MS. KURTZ: Any questions, Mr. Pilla?

18 MR. PILLA: No.

19 MS. KURTZ: Mr. Flores, I certainly
20 appreciate your taking the time to come out and meet
21 with us today. We apologize for the very short notice
22 and appreciate all the more your effort to come out
23 and meet with us without a reasonable time -- advance
24 notice.

25 I'm still going to be checking now and then

1 to find out when people find out that this forum was
2 scheduled. The post office seems to have done us in
3 in fairly good shape. But we certainly do very much
4 appreciate your presentation this morning, and it will
5 be made part of the official record, which we will
6 forward to Washington as part of our -- in response to
7 our Congressional mandate to look into how the program
8 is working.

9 MR. FLORES: Well, thank you very much for
10 inviting us to participate in this forum.

11 MS. KURTZ: Thank you, sir.

12 We will, then, adjourn temporarily. We're
13 expecting some other people, but they haven't said
14 when they will be coming in, so we'll just adjourn
15 temporarily.

16 (A recess was taken.)

17 MS. KURTZ: It is now 9:30, and we're going
18 to reconvene our forum. The next person to testify is
19 Mr. Jack Lang from the Colorado Civil Rights
20 Commission. And if you'd just have a seat, Mr. Lang.

21 MR. LANG: Thank you, I will.

22 MS. KURTZ: For the record -- and I know
23 you've given us your business card -- would you please
24 state your full name, the organization with whom you
25 are affiliated and the address.

1 MR. LANG: Yes. My full name is Jack Lang y
2 Marquez. I am the director of compliance for the
3 Colorado Civil Rights Division. The address of the
4 Colorado Civil Rights Division is 1525 Sherman,
5 Room 600C, Denver, Colorado 80203.

6 MS. KURTZ: Thank you. The Colorado
7 Division of Civil Rights, or as we old-timers call it
8 the Colorado Civil Rights Commission, is one of the
9 706 agencies which we were discussing with Mr. Flores
10 a bit earlier. We also have our own parallel statutes
11 dealing with discrimination on approximately the same
12 grounds that one finds in Title VII and the Age
13 Discrimination Act and other Acts of like nature.

14 Mr. Lang, this forum is investigating the
15 impact on various parties of the Immigration Reform
16 and Control Act pursuant to a Congressional mandate to
17 report back to them on what is happening with the Act.
18 I know that the Division of Civil Rights has permanent
19 outposted offices around the state, as well as being
20 headquartered in Denver.

21 And I would ask you, please, if you would,
22 to give us a statement about what experiences, if any,
23 your agency has been encountering with respect to the
24 civil rights of the persons involved. And also if you
25 have been engaged in any educational activities to

1 minimize the likelihood of discrimination and to
2 improve the quality of compliance, whether -- as to --
3 in those types of areas.

4 MR. LANG: Thank you, Miss Kurtz. The
5 Colorado Civil Rights Division, as you correctly
6 stated, is a 706 deferral agency. And as such, we
7 have been working closely with the local office of the
8 Equal Employment Opportunity Commission at a number of
9 levels.

10 The first level, of course, is that of
11 public education. We have jointly participated in
12 some of the fora that were conducted statewide for
13 employers, and some of our regional managers who are
14 stationed in Greeley, Grand Junction, Colorado Springs
15 and Pueblo, as well as some of our staff here in
16 Denver did have the opportunity to provide information
17 to employers at those fora. So that's one level at
18 which we've been working.

19 We've also been continuing an ongoing
20 dialogue with the EEOC with respect to the assurance
21 that complaints of discrimination, as they emerge,
22 will be handled expeditiously and in a non-duplicative
23 way. The Civil Rights Commission has a work-sharing
24 agreement with the Equal Employment Opportunity
25 Commission, under the terms of which we investigate

1 complaints of discrimination that are initiated with
2 our agency, and the Equal Employment Opportunity
3 Commission investigates complaints of discrimination
4 which initiate with their offices.

5 There are some exceptions to those basic
6 terms of the work-sharing agreement, and one of the
7 anticipated exceptions may be cases that seem to have
8 a specific impact or a specific relevance due to the
9 requirements of the Immigration Reform and Control
10 Act.

11 I would say at this point that we have very,
12 very little to report in terms of complaint-filing
13 activity. I believe that Mr. Flores may have
14 commented prior to my testimony that the -- part of
15 the problem at this point is confusion with respect to
16 individuals who might be entitled to file complaints.

17 There are, of course, now three possible
18 recourses for the filing of complaints in the state of
19 Colorado; one of which is the State of Colorado Civil
20 Rights Commission, one of which is the Equal
21 Employment Opportunity Commission for those employers
22 of 15 or more employees, and one of which is the
23 Department of Justice which, frankly, has no specific
24 geographically located complaint-filing mechanism in
25 place, as I understand, in Colorado. And that, of

1 course -- that mechanism is only in place for -- with
2 respect to employers of four employees or more.

3 Because of the fact that the Colorado Civil
4 Rights Commission has jurisdiction over all employers
5 of any size, we have been attempting to educate the
6 general public to the fact that in order to avoid any
7 confusion about jurisdiction that individuals who feel
8 that they have been aggrieved or whose civil rights
9 have been violated under the provisions of this Act
10 can certainly start with us. And we can direct them,
11 if necessary, to the appropriate federal agency, if it
12 seems that a federal agency might be in a more
13 advantageous position with respect to handling the
14 complaint.

15 We've had very few complaints filed. In
16 fact, we haven't had any real specific indication that
17 an individual says, "I have been denied an opportunity
18 for employment or I have been required to -- or I've
19 been subject to disparate treatment because of my
20 national origin, and I believe it's a direct result of
21 the Immigration Reform and Control Act."

22 To my knowledge, we have no complaints at
23 this point that have that specific allegation. The --
24 there may be a number of reasons for this, one of
25 which is the very massive effort that was made to

1 educate employers in Colorado to assure that they are
2 in compliance with the Act initially and that all
3 employees, regardless of their national origin, be
4 subjected to the same registration requirements, the
5 same identification verification requirements.

6 And I think all employers at this time,
7 after startup, are certainly complying, to our
8 knowledge, in an across-the-board and universal way
9 and thus avoiding disparate treatment. I have fears
10 that as time goes by, employers will tend to be lax if
11 the provisions of the Act aren't strictly enforced.
12 And so we certainly advocate strict enforcement and
13 appropriate sanctions for those employers who are --
14 about whom it is learned that violations are
15 occurring.

16 I think a secondary reason for the dearth of
17 complaints at this point is the historic reason why
18 Hispanics don't file as many complaints as their
19 numbers in society. Currently the statistics reflect
20 that Hispanics comprise 18 percent of the population
21 in Colorado. They do not file complaints with the
22 Colorado Civil Rights Division, as far as I know, nor
23 do they file with the Equal Employment Opportunity
24 Commission in proportion to their numbers within our
25 population.

1 Some studies that I'm aware of recently have
2 been conducted in Arizona to find out why people of --
3 particularly bilingual people, people who don't speak
4 English well -- do not take advantage of the
5 complaint-filing process and exercise the opportunity
6 to have their -- to have violations of their civil
7 rights corrected.

8 Interestingly, the study -- which was
9 conducted under the auspices of the Phoenix City
10 Commission and Arizona State University -- learned
11 that bilingual people, be they Hispanic or oriental or
12 native American, tend not to trust various organs of
13 government just as a matter of their culture. They
14 have a very low trust level that governmental agencies
15 will provide them a fair and impartial hearing or
16 investigate, even though it was also learned that they
17 understand that they are experiencing discrimination,
18 they recognize discrimination when it occurs and feel
19 that their rights are violated and do definitely
20 acknowledge discrimination as it occurs.

21 A secondary reason, and this was a study
22 conducted with respect to housing, is that individuals
23 simply don't want to go where they're not wanted.
24 This is a -- I don't know if this is more true of
25 Hispanics than -- and of native Americans and other

1 non-English-speaking persons, but I think it could
2 fairly be said that it may be one of the reasons, that
3 if they already have a barrier for socialization, such
4 as minimal English-speaking skills, the knowledge that
5 they may not be wanted, either on the job or on the --
6 in a housing situation, is a major obstacle and a
7 major reason not to pursue an administrative complaint
8 process.

9 The corollary of that, of course, is that
10 such people do want to be in places where their own
11 extended family can be found, be that blood relatives
12 or be that simply people of their own culture and
13 national origin. For those same reasons, I believe
14 that the number of complaints that we can expect to be
15 filed will be minimal.

16 I think that there are a couple of
17 exacerbating factors with respect to the Immigration
18 Reform and Control Act that will also hinder the
19 filing of complaints, one of which is the concern that
20 the filing of complaints may lead to deportation and
21 may lead to misunderstanding about actual status.

22 There is also confusion about at what stage
23 a person may apply for employment, at what stage of
24 the verification process they may apply for
25 employment. And people feel that if they are in the

1 process of applying for citizenship that they would
2 rather not jeopardize that process by applying for
3 employment. I think there may be some confusion with
4 employers, as well. However, this is based upon
5 hearsay information rather than upon actual factual
6 data or documentation that I could present at this
7 time.

8 You asked also what other efforts we're
9 making in terms of education. We have participated in
10 a lengthy interview program on Radio Station KUVU,
11 which is a public broadcasting service station here in
12 the Denver area. And we are also scheduled to
13 participate in a public service program on Radio
14 Station KBNO, which will be broadcast in both Spanish
15 and English. And the purpose of that program is
16 basically to explain our role as the State Civil
17 Rights Commission in assisting individuals who feel
18 that they've experienced discrimination.

19 Part of what I've said this morning has to
20 do with the fact that officially the agency does not
21 have a lot to report. Unofficially, we have heard
22 through various community resources various concerns
23 about the implementation of the Act, various reasons
24 why complaints are not being filed. These are --
25 these ideas are, I'm afraid, speculative to some

1 degree, but they are based upon genuine input that we
2 have had from people within the community.

3 One of the messages that we have tried to
4 get across to individuals who have called us on the
5 telephone for information is the importance of their
6 utilizing officially-designated resources for
7 assistance in -- particularly in attempting to obtain
8 citizenship.

9 We're quite concerned about the large number
10 of so-called immigration assistance services that seem
11 to be springing up almost overnight in various parts
12 of the City of Denver and probably in other parts of
13 the state. I have seen them, and I'm concerned over
14 the kinds of fees that may be charged and possible --
15 the possibility of unscrupulous and unethical behavior
16 is very real and very present.

17 Again, these are not things that I can
18 document specifically. I'm sort of raising a flag at
19 this point and saying that there should be some effort
20 to monitor the various agencies that are springing up.
21 And to the extent that attorneys, for example, are
22 opening up immigration assistance offices, I believe
23 they should be monitored by the Bar Association. To
24 the extent that they are so-called social agencies, I
25 believe that the Immigration Service should clearly be

1 monitoring them.

2 One other barrier, I think, to -- not so
3 much to the filing of discrimination charges but to
4 the processing of citizenship applications that I'm
5 quite concerned about -- and I'm sure you've heard
6 testimony from others -- is the fee that is charged
7 for documentation. Although it may seem a small fee
8 for the -- for what is obtained, that \$185 fee for
9 individuals is certainly a very, very large obstacle
10 for individuals who are seeking documentation.

11 I'd be glad to answer any other specific
12 questions. I hope I've addressed the questions that
13 you asked me.

14 MS. KURTZ: Do you have any questions?

15 MR. PALACIOS: You mentioned a \$185 fee.

16 MR. LANG: Right.

17 MR. PALACIOS: And the fact that you felt
18 that this was a -- a large sum of money to some of
19 these people. As I understand it, the total sum they
20 may have to pay would be 420?

21 MR. LANG: 420 is the cap for a family. So
22 if it's -- you know, that would be -- I'm not sure
23 that that's well known. I think the 185 is something
24 that people hear, and they don't always hear at the
25 same time that there is a cap of 420.

1 MR. PALACIOS: Have you actually had
2 discussions with people that talked about that 185 and
3 their feelings about it? Or have you heard stories?

4 MR. LANG: I've heard stories from people
5 who say that this is certainly an obstacle; that first
6 of all there's no certainty that they will be able to
7 prove, for example, that they've been living since --
8 since January 1, 1982 that they've been living
9 continuously in the United States. I challenge almost
10 anyone to provide records to show that they've been
11 continuously living in the United States since 1982,
12 let alone a person who has been mobile and who has, by
13 the very nature of their life-style, been simply not
14 likely to keep any kinds of -- any records that would
15 reflect that.

16 That uncertainty about being able to
17 document and prove sufficiently their eligibility for
18 citizenship, coupled together with the idea that, "I'm
19 going to be paying out \$185, and if I can't prove my
20 citizenship I might be subject to deportation," all of
21 those taken together constitute, I think, a
22 significant reason why people are not taking advantage
23 yet of the documentation process in great, great
24 numbers as may have been anticipated.

25 The -- it's a big risk. You're laying down

1 almost \$500 or at least a little over 400 for a
2 family, knowing that you may not have what you have to
3 have to prove your citizenship, and at the same time
4 -- or your eligibility for citizenship, and at the
5 same time you are running the risk that if you can't
6 prove your eligibility for citizenship, you may be
7 subject to deportation. I think that the requirements
8 are entirely too risky for the average person who may
9 be eligible and qualified to take advantage of.

10 MR. PALACIOS: Almost a Russian roulette
11 kind of proposition.

12 MR. LANG: I think that's a good
13 description.

14 MR. PALACIOS: And I assume there are no
15 provisions -- if they cannot prove that I belong here
16 legally, there are no provisions for a refund?
17 Probably a frivolous question, but -- they'll get
18 thrown out, and they'll keep their money also?

19 MR. LANG: I doubt very much if there is a
20 provision for a refund. I honestly don't know, one
21 way or the other, if there is.

22 MR. PALACIOS: I'm sure there's not. The
23 reason I raised that question about the 185 is that
24 we've heard from others who claim that that was a very
25 small sum to pay, considering the final outcome of the

1 whole process; if, in fact, you can document and prove
2 that you are legally here.

3 MR. LANG: It's a small price to pay for
4 citizenship. In an absolute sense, that's true. The
5 price of citizenship is normally something that is far
6 more dear than that. But I'm just suggesting that
7 that can be one other hurdle to clear for an
8 individual or for a family --

9 MR. PALACIOS: Certainly.

10 MR. LANG: -- in deciding whether to even
11 start the application process.

12 MR. PALACIOS: And I can understand that,
13 the emotional barriers and burdens, certainly.

14 MR. LANG: As well as the fear that the very
15 agency, Immigration and Naturalization Service, that
16 has been essentially viewed as the enemy in terms of
17 their continuing to live here, legally or illegally,
18 the very agency that has traditionally been one to
19 fear is now supposedly going to assist them to become
20 citizens. And that mistrust of bureaucracy and the
21 mistrust of the governmental process that I suggested
22 earlier is a barrier to filing discrimination
23 complaints also serves as a barrier to applying for
24 documentation of citizenship.

25 MR. PALACIOS: Leaving that, have you

1 received any charges of discrimination based on IRCA?

2 MR. LANG: We have received only a couple of
3 charges that seem related to that. We've had a number
4 of phone calls of people complaining -- both employers
5 and employees -- complaining about or asking about
6 whether, for example, the -- it is legitimate for an
7 employer to require such-and-such a documentation as a
8 condition of employment.

9 We find that there is a lot of confusion
10 about that. And most of the inquiries that we've
11 received, we've been able to sort out and educate and
12 resolve on an informal basis. The formal complaints
13 are minimal to none at this point.

14 MR. PILLA: No questions.

15 MS. KURTZ: Jack, thank you very much for
16 coming down this morning. I certainly appreciate the
17 cooperation of your organization in developing this
18 analysis, which will become part of a formal report
19 from the Commission to the Congress with regard to
20 this. And what you've had to tell us has been very
21 helpful.

22 MR. LANG: Thank you. If I might ask if
23 it's possible that the information specifically -- the
24 testimony specifically that was obtained from the
25 state of Colorado, if it could be shared with our

1 agency, we would be very grateful.

2 I don't know what your process is at this
3 point, but it will help us in our efforts to identify
4 specific -- especially if there have been specific
5 issues identified throughout the state that should be
6 brought to our attention, I think this would be a very
7 easy means of doing that, the sharing of that
8 testimony with our agency.

9 MR. PALACIOS: If you could just send us a
10 letter requesting that, we'd be happy to supply it to
11 you.

12 MR. LANG: To whom should we address the
13 letter? Mr. Pilla?

14 MR. PILLA: That would be fine.

15 MR. LANG: All right.

16 MS. KURTZ: Jack, thanks a million.

17 MR. LANG: Thank you very much. Appreciate
18 the opportunity.

19 MS. KURTZ: Will you also express my
20 appreciation to your director for this presentation?

21 MR. LANG: I should mention that Dr. Porter
22 had a dental appointment this morning, or she would
23 have been here personally to present this testimony.
24 But she asked me to be here in her stead.

25 MS. KURTZ: Thank you.

1 MR. LANG: Thank you. I hope you have some
2 more business today.

3 MS. KURTZ: We will. People are just kind
4 of drifting in.

5 MR. LANG: Thank you very much.

6 MS. KURTZ: Would you be willing to --

7 MS. ORTEGA: I could comment on a little
8 bit. Which it won't be too much, because I think that
9 Mr. Lang probably said a lot the things that -- about
10 the culture and a lot of of the things that I deal
11 with. But I can tell you a little bit about some of
12 the families that I deal with. And --

13 MS. KURTZ: Wait for just a minute until
14 Mr. Pilla gets back.

15 MS. ORTEGA: Actually, I came to observe.

16 MS. KURTZ: You have a particular point of
17 view or a particular kind of experience that is more
18 direct than anybody else we've talked to.

19 First, would you state your name, your
20 organization and your address for the sake of the
21 record.

22 MS. ORTEGA: Okay. My name is Darlene
23 Ortega, and I'm acting director for the social service
24 component at Servicios de LARASA, 4055 Tejon.

25 MS. KURTZ: Denver?

1 MS. ORTEGA: Denver 80211.

2 MS. KURTZ: Thank you. Now, I understand
3 from an earlier conversation that we were having that
4 you have been talking directly and advising people who
5 have concerns about the -- what action they should
6 take or what their rights might be under the
7 Immigration Reform and Control Act.

8 MS. ORTEGA: That is correct. We're not
9 part of the immigration organization, but we do get a
10 lot of clients from the northwest part of town. And a
11 lot of the clients that we do get are able to express
12 to us -- I've asked them, "Well, you qualify for
13 amnesty. Why haven't you applied?"

14 And they have mentioned, as Mr. Lang did
15 mention a while ago, the cost. Many of them do not
16 have that good a job, and some of them are not even
17 employed. Some of them are just working part-time.

18 MS. KURTZ: Could I just establish one
19 thing, and then I'll let you talk here.

20 MS. ORTEGA: Okay.

21 MS. KURTZ: Now, the function of the
22 organization is that people simply walk in and ask for
23 your services, so you have been talking directly with
24 the people involved when you are telling us about the
25 experiences? These are not people -- I mean, this

1 isn't things that other people have told you? You
2 have direct knowledge of the people that you've been
3 talking with?

4 MS. ORTEGA: That is correct.

5 MS. KURTZ: Now, without naming anybody,
6 would you share with us what the concerns are of the
7 people with whom you have talked about the Immigration
8 Reform and Control Act.

9 MS. ORTEGA: Okay. A lot of these people
10 that I do talk to, I've asked them about the problems
11 they're having at work. They are requesting a letter
12 from their -- their employers are asking them for
13 letters as to if they've gone and applied, and they do
14 need to have that letter so that they can go on.

15 In one instance, I did talk to one of the
16 clients, and one of the clients mentioned to me, "I
17 did work for this so-and-so company for something like
18 three to four years."

19 But when this person went to go ask the
20 employer to give him a letter, he refused. So at that
21 point, being that the people that I do work with, I am
22 not part of the immigration -- we're not even -- we
23 send them to other organizations where we feel they
24 would be able to help them, because we have several
25 Catholic immigrations (sic) just as information.

1 Our agency took the training for
2 immigration, but we put in the application fairly
3 late, so therefore we didn't get the license to be
4 working with immigration. But these are specific
5 cases.

6 In another case, I have, for instance, a
7 client that has nine children. Okay. They have lived
8 in the housing projects. At one point, they came to
9 me, and they had this fear that they might not be able
10 to qualify because they had lived in the housing
11 projects. And nine children, where else can you live?

12 And then, too, he mentioned to me, "Well,
13 how can I pay the amount that I have to pay for myself
14 and my wife plus the nine children? How can I come up
15 with this kind of money?"

16 So these are concerns that people bring to
17 us. And sometimes I do tell them to go to the proper
18 organization. But sometimes they do call me back, and
19 they say, "Well, they are requesting for these kind of
20 moneys. We have to pay for the interview, and we have
21 to pay to get fingerprinted, and we have to pay for
22 the examination," which I think the health centers are
23 the ones that are doing this.

24 We have various complaints that come in,
25 mostly jobs. They come in and say, "We can't work.

1 This is what they're asking us."

2 I've asked them, "Why don't you report this
3 to the Civil Rights?" And like Jack mentioned a while
4 ago, I think they fear. They fear to -- or they do
5 not trust. That's the impression that I do get.

6 MS. KURTZ: Do you have any questions?

7 MR. PILLA: In some of the outlying areas
8 where we were holding these forums, we heard a lot of
9 testimony from Job Training Centers about the fear and
10 confusion. And what you're saying is that you're
11 hearing more and more of that from your clients; is
12 that correct?

13 MS. ORTEGA: Exactly. And this is direct
14 services. These are clients that come in directly to
15 me. We have an employment component at our agency.
16 And a while back, we would see everyone, even though
17 they didn't have the I-9. And anymore, they have to
18 go down to the Job Service Center and get that I-9.

19 MR. PILLA: Are they having problems getting
20 the I-9 because they're not going through the amnesty
21 process and don't have the documentation?

22 MS. ORTEGA: Exactly, exactly. That's what
23 I've been told. I don't know for sure if this is
24 true, but that's what I have been told by clients.

25 MR. PILLA: Have many of these people been

1 here prior to January 1st of 1982? Do you have
2 knowledge of that?

3 MS. ORTEGA: Yes. A lot of the clients that
4 I've talked to have been here for something like 10,
5 12 years.

6 There is another concern that does arise, is
7 that many of these clients probably have not been here
8 since 1982, but they do have American-born children.
9 And it really concerns them that here these children
10 are Americans, and they're used to our way of life.
11 And what's going to happen when they go back, if they
12 are deported or if they don't qualify? So that's
13 really a concern.

14 MS. KURTZ: What's the solution? They want
15 to stay underground, in a sense?

16 MS. ORTEGA: They want to stay in the U.S.
17 That's all there is to it. They would want to go back
18 and visit because they do have relatives, but they've
19 gotten used to our way of life. Some of their
20 children have gotten educated. This family of nine
21 that I was talking about, most of them have graduated
22 from high school. Some are in junior high.

23 But yet they have this fear of -- or the
24 money, that maybe they won't be able to apply because,
25 "How can we apply with nine children? We barely make

1 enough to feed our children. And we can't go in and
2 apply for food stamps. Because we won't get a chance
3 to then apply for the amnesty."

4 MR. PILLA: Are these people aware of the
5 deadlines?

6 MS. ORTEGA: Yes, they are. And I have
7 heard that many of them that could apply for the
8 amnesty, from relatives, have gone back to Mexico.

9 MR. PILLA: Already?

10 MS. ORTEGA: Already. And I say, "Well, how
11 are they doing?"

12 Well, they want to come back, but they feel
13 that they're going to be sent back anyway. A lot of
14 the people that would qualify for the amnesty are back
15 in Mexico.

16 MR. PILLA: What is the area serviced by
17 your agency?

18 MS. ORTEGA: We service all of the
19 metropolitan Denver area, all Hispanics that go to
20 Servicios. And even from Adams County and Arapahoe
21 County, a lot of the non-English-speaking families go
22 to Servicios.

23 MR. PILLA: What would you estimate your
24 caseload is in a typical month?

25 MS. ORTEGA: My caseload, when I was doing

1 direct, was about 600.

2 MR. PILLA: 600 a month?

3 MS. ORTEGA: 600 a month.

4 MR. PILLA: And how many caseworkers like
5 you are at the center?

6 MS. ORTEGA: At this point, I only have two.
7 I used to be one, but I was moved up to acting
8 director. And whenever we do have immigration
9 problems that do arise, I am the one that sees them,
10 because I went through the training. And it would
11 just be very difficult for me to shove a lot of these
12 problems to the other two workers that really do deal
13 with emergencies and housing and evictions.

14 MR. PILLA: So the 600-a-month figure, that
15 was just for you as a caseworker, or for the center as
16 a whole?

17 MS. ORTEGA: That was not for the center.
18 See, Servicios has different components, and this is
19 just the social service component on the basic
20 emergency services.

21 MR. PILLA: Do you have a figure on the
22 number of clients utilizing all the services in a
23 particular month?

24 MS. ORTEGA: For immigration?

25 MR. PILLA: For -- could you break it down

1 by the categories?

2 MS. ORTEGA: Okay.

3 MR. PILLA: Do you have that data?

4 MS. ORTEGA: I don't have that with me.

5 MR. PILLA: Any estimate?

6 MS. ORTEGA: Okay. Aside from -- we also
7 have other direct services that we help the whole
8 community such as bread, and we have other donations.
9 If I would total all that up, that would be about
10 maybe 10,000 people. It's 8 to 10,000 people.

11 MR. PILLA: That's monthly?

12 MS. ORTEGA: That's monthly. That's
13 indirect.

14 MR. PILLA: Are the clients aware of the
15 other -- of the Designated Entities?

16 MS. ORTEGA: Uh-huh, sure. They are. And
17 they do go to them. Some of them do, and some of them
18 don't. And some of them in the past have seen
19 attorneys and lawyers. Some of them say that they
20 have applied seven years ago, and they still haven't
21 heard anything on what's going on.

22 MS. KURTZ: Applied for what?

23 MS. ORTEGA: For their citizenship or their
24 residency.

25 MR. PILLA: So they were going through the

1 process, and they haven't heard.

2 MS. ORTEGA: Right, they haven't heard. And
3 a lot of times, I don't have the authority to call. I
4 usually refer them to the other agencies where they
5 have -- like for instance just the information like
6 you just mentioned, because they probably would have
7 the authority.

8 MR. PILLA: Now, these people that believe
9 themselves to be in the process, they're not applying
10 for amnesty?

11 MS. ORTEGA: No. Because they've already
12 spent a lot of money paying the attorney, at least a
13 \$500 down payment.

14 MR. PILLA: Have you seen a proliferation, a
15 growth in the number of individual services that were
16 mentioned by the Colorado Civil Rights Commission
17 representative?

18 MS. ORTEGA: I really can't answer that.

19 MS. KURTZ: Thank you very much.

20 MS. ORTEGA: Uh-huh. You're welcome.

21 MS. KURTZ: Well, I think we'll take another
22 recess for a bit.

23 (A recess was taken.)

24 MS. KURTZ: We're now reconvening at
25 approximately 10:18. We're just continuing the

1 previous testimony.

2 During the break, you were telling us about
3 another client who was having difficulties with
4 documentation. And it seemed to be indicative of the
5 kinds of -- of the practical kinds of problems that at
6 least some of the older workers have.

7 And I would ask you now if you would tell us
8 that account again of the problems your client was
9 having so that we could have it as part of the record.

10 MS. ORTEGA: Okay. This is some research
11 that I've tried to help the client find out about
12 where he was born. This client was born in New
13 Mexico, a little town in New Mexico. And at the time
14 he was born, they would not register them because they
15 were born at home. The deliveries all happened in the
16 home. The father and the mother were from Mexico.

17 He has tried -- he has gone to Santa Fe, New
18 Mexico to the Bureau of Vital Statistics to try and
19 look for a birth certificate to see if he's
20 registered, which he is not. He has gone to Chihuahua
21 where his parents were born and were from, and he is
22 not registered there. The only thing that he found
23 was the baptism where he was baptized, and that so
24 happened in Mexico about three or four months after he
25 was born.

1 So therefore, he feels that -- he does have
2 a Social Security number, he has registered for the
3 service, but here he is having that problem of not
4 knowing where he belongs. He is an American, but yet
5 he cannot find the documentation to prove it.

6 MS. KURTZ: Approximately how old is this
7 person?

8 MS. ORTEGA: The person is 42, 43 years old
9 at this time.

10 MS. KURTZ: Did you say that some of his
11 records had been destroyed, some records regarding him
12 had been destroyed in a fire?

13 MS. ORTEGA: He went back to New Mexico and
14 checked the churches and checked many other possible
15 places where he might be able to find some
16 documentation. Because I think he did mention to me
17 he did attend some schooling, but I can't recall what
18 he told me. But they were destroyed.

19 MS. KURTZ: So this gentleman was having --
20 was having -- as far as we know, he is a native-born
21 American citizen.

22 MS. ORTEGA: Uh-huh.

23 MS. KURTZ: But he cannot -- he cannot prove
24 it from the standpoint of producing any birth
25 certificate, baptismal record in this country or any

1 school records.

2 MS. ORTEGA: That's correct.

3 MR. PILLA: Does this person have a license?

4 MS. ORTEGA: A driver's license? I believe
5 he does.

6 MR. PILLA: Yesterday we heard from the
7 Department of Motor Vehicles representative who said
8 that his agency requires a birth certificate. Am I
9 correct in this?

10 MS. KURTZ: Well, depends on when you got
11 it. That was the reason I was pursuing the question
12 about renewals. He probably has had it long before
13 the Colorado Motor Vehicle Department decided to put
14 any criteria on it. You could just walk in -- there
15 wasn't even an examination, for that matter.

16 MR. PILLA: Well, it has date of birth. Now
17 it has a date of birth on it.

18 MS. KURTZ: It has a date of birth on it.
19 It's whatever you tell them.

20 MS. ORTEGA: That is correct. He also
21 registered for the service.

22 MR. PILLA: Did he serve in --

23 MS. ORTEGA: He didn't serve, but he also
24 registered. And not even with that was I able to get
25 him his birth certificate. I have spent something

1 like six months writing letters and checking out for
2 this man to see where he belongs.

3 MR. PILLA: Are his parents still alive?

4 MS. ORTEGA: He has a mother that is very,
5 very ill at this time, and it probably won't even be
6 worth it. He doesn't want to upset her. Wouldn't
7 even be worth -- she does not know how to read or
8 write.

9 So therefore, he's lost, as far as any
10 information. I think years ago, you were able to
11 obtain a Social Security card, also. It wasn't as
12 difficult as it is today.

13 MS. KURTZ: That's quite a new development.

14 MR. PILLA: But he's been always using the
15 same birth date, so all these documents have the same
16 birth date?

17 MS. ORTEGA: Exactly.

18 MR. PILLA: And when they ask for a place of
19 birth, he puts the name of the small town in New
20 Mexico?

21 MS. ORTEGA: That's correct. But then when
22 he wanted to apply for the amnesty or find out who he
23 really was, he had all these difficult problems. He
24 kept telling them, "I am an American."

25 And he didn't have anything to prove that he

1 was an American, that he was a born American.

2 MR. PILLA: But he has consistency in
3 documentation. There's got to be a way for him to --

4 MS. KURTZ: Well, theoretically there would
5 be. But in any event, I wanted this information on
6 the record, because this is a part of the country --
7 especially the southern part of the state of Colorado
8 was part of old Mexico until the turn of the century,
9 after the end of the Mexican war. And the general
10 requirements which the rest of the country, as it
11 existed prior to the Mexican war, had in place just
12 simply were not part of this culture that we had
13 roughly from the line between Pueblo and Colorado
14 Springs and from there south.

15 And I had heard some of the stories about
16 the problems of people who were born on reservations
17 or who were born in small predominantly or universally
18 Hispanic communities in the southern part of Colorado
19 or down into New Mexico who simply did not have
20 registration of births as part of the requirements
21 with which their parents were acquainted and probably
22 simply did not have births registered, did not have --
23 may have had baptismal records but not necessarily at
24 the place of birth.

25 And many times with those little churches

1 that we had in southern, southwestern Colorado, New
2 Mexico, very frequently those churches burned so the
3 baptismal records aren't there, either. These little
4 one-room schoolhouses out in the middle of nowhere
5 built of wood have frequently burned.

6 And some of the people who are quite apart
7 from the question of whether or not they are
8 undocumented aliens simply are totally unable to
9 identify in a documentary sense who they are, where
10 they came from, when they were born, where they were
11 born or that they even legally exist.

12 MR. PILLA: Well, this example that she gave
13 us, clearly the man is without a country.

14 MS. ORTEGA: Right.

15 MR. PILLA: I think in this case, he's going
16 to need a lot of affidavits from people, parish
17 priests if they're still around.

18 MS. ORTEGA: He himself has gone to New
19 Mexico to try to get all the information that he can
20 get, trying to locate the priest, which he hasn't been
21 able to do.

22 MR. PILLA: Maybe family friends who knew he
23 was born that can certify.

24 MS. KURTZ: One of the -- sometimes this
25 works; not always, but sometimes it works. Sometimes

1 there is -- there are census records. It takes a
2 while, but they can write to the Bureau of the Census
3 in Washington, tell them as much as they know about
4 the family on census dates, which are the years ending
5 in zero.

6 And sometimes the Bureau of the Census has
7 been able to come up with a document following the
8 birth of a child which says in such-and-such a
9 location they counted this father, this mother, these
10 children of these ages at this location. And that --
11 that geneological research has worked for a number of
12 people who are in the situation where your client
13 finds himself.

14 MS. ORTEGA: Uh-huh.

15 MS. KURTZ: And with the recent interest in
16 geneology that has been developed because of the
17 television shows like "Roots" and so on, I believe
18 that the census has some capability of doing a record
19 search. At least you wouldn't waste more than a
20 22-cent stamp in addressing a question to the Bureau
21 of the Census in Washington saying that this is what
22 you know about this person, but you have not been able
23 to document it and asking them if they can provide any
24 records out of the census.

25 MS. ORTEGA: That sounds like the next thing

1 that I'm going to do or the last thing that I can do
2 to try and help this client. Good idea.

3 MS. KURTZ: It has worked in some cases.
4 And as I say, with the growing interest in
5 geneological research, it's -- the Census Bureau is
6 probably more tuned in, if I might use that term, to
7 this kind of an inquiry than it would have been, say,
8 10 or 15 years ago.

9 MS. ORTEGA: This man is very frustrated.
10 So I am going to tell him about this and see what the
11 outcome will be. I'm not going to stop helping him
12 until we do find out who he is. That's -- thank you.

13 MS. KURTZ: It might help.

14 MS. ORTEGA: Right.

15 MR. PILLA: Thank you very much.

16 MS. KURTZ: Thank you very much.

17 MS. ORTEGA: You're welcome.

18 MS. KURTZ: It is now 10:30. We will be in
19 recess until someone else appears to testify.

20 (A recess was taken.)

21 MS. KURTZ: No more witnesses have appeared,
22 so the hearing is now adjourned at noon, and the
23 record will remain open for written submissions.

24 (The hearing concluded at 12:00 p.m.,
25 September 11, 1987.)

1 STATE OF COLORADO)
2) ss. REPORTER'S CERTIFICATE
3 COUNTY OF BOULDER)

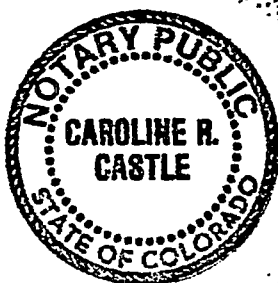
4 I, Caroline R. Castle, do hereby certify
5 that I am a Registered Professional Reporter and
6 Notary Public within the State of Colorado.

7 I further certify that these proceedings
8 were taken in shorthand by me at the time and place
9 herein set forth and were thereafter reduced to
10 typewritten form, and that the foregoing constitutes a
11 true and correct transcript.

12 I further certify that I am not related to,
13 employed by, nor of counsel for any of the parties or
14 attorneys herein, nor otherwise interested in the
15 result of the within action.

16 In witness whereof, I have affixed my
17 signature and seal this 24th day of September, 1987.

18 My commission expires May 7, 1988.



Caroline R. Castle

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