

The Mafia and the Mexicans:

by Barry Lando

The passing of Ray Farrell was scarcely noticed early this year; much attention was focused on the fate of men like former Secretary of Commerce Peter Petersen and former CIA Director Richard Helms, and few noticed that President Nixon also chose to accept Farrell's resignation after 31 years as head of the Immigration and Naturalization Service (INS). Although Farrell was sometimes considered to be no more than a genial figurehead, his forced resignation was just the latest indication that things are far from right in the Immigration Service.

Most recently there was the 1972 Justice Department investigation of INS called "Operation Clean Sweep,"

Barry Lando is a producer for CBS' 60 Minutes.

which was instigated by activists in the INS civil service unions, who say they threatened Attorney General Kleindienst with public disclosures if he didn't investigate. The Justice Department probe questioned more than 150 INS officials about charges ranging from selling border crossing cards to smuggling heroin and resulted in several indictments.

For several years before "Clean Sweep," the INS had had difficulty getting funding increases approved, partly because the Office of Management and Budget questioned the competence of many high-ranking INS officials. And during this coming summer, the General Accounting Office will release its own inquiry into the Immigration Service's "efforts to prevent and apprehend illegal aliens," which reportedly will be a scathing indictment of the administra-

crooked justice from the INS

tive practices of the INS.

Despite the recent attention, the Immigration Service is still suffering from the residue of years of almost total indifference by the Congress, the press, and the executive branch. This bureaucratic anonymity has left an inbred clique of career immigration officials, many of whom, like Farrell, joined the Service on the eve of World War II and are known throughout the agency as the "Class of '41."

The Immigration Service is far from a regular beat for the Washington press corps. Until recently, for the INS to make headlines, it would have had to do something dramatic, like deporting Henry Kissinger.

Congress, too, has shown only sporadic interest in the affairs of Immigration. While congressmen may from time to time ask for INS help in straightening out their constituents' problems, for routine matters of bud-

geting and policy control, Congress turns things over to one or two specialists. Chief of these is Congressman John Rooney, a Brooklyn Democrat who is chairman of the House appropriations subcommittee which oversees Justice Department funding.

Fortunately for the old hands at Immigration, Rooney has been as sympathetic to them as he was to the FBI when it was run by his close friend, J. Edgar Hoover. The former INS director, Ray Farrell, was a crony of Rooney, accompanying him on junkets so frequently that some INS officials referred to him as "Rooney's baggage boy." Rooney's idea of a tough appropriations hearing consists of an exchange of pleasantries and a few cursory questions. His power is greatly enhanced by a total lack of Senate interest in the entire subject. Although Senate Judiciary Committee Chairman James Eastland heads a

special immigration subcommittee with a seven-member staff and a budget of \$200,000, it has not held full-scale hearings on the INS since 1965.

The executive branch is in a far better position than either the press or Congress to monitor the Immigration Service, but here the problem has been a lack of will. Although the INS contains one third of all Justice Department employees, Ramsey Clark was not atypical when he estimated that as Attorney General he spent less than one per cent of his time dealing with immigration matters. His predecessor, Nicholas Katzenbach, arranged free rides to New England for himself and his family on the INS airplane, but otherwise paid little attention to the Service.

He Stoppeth One of Ten

To be perfectly fair, it must be said that the Immigration and Naturalization Service faces several unusual handicaps. For one thing, its job is virtually impossible to do. Although the INS expels a large number of aliens—500,000 in 1972, 80 per cent of them Mexicans—it barely manages to keep up with the inflow of new arrivals. Border patrolmen in Southern Texas, for example, say that for every alien they catch, nine others get through. Most estimates put the total number of illegal aliens now living in the U. S. at something between one and five million.

Even when it does its job well, the INS wins little popularity. Its task of expelling aliens does not endear it to a public that usually views the process through the perspective of the hapless victims. (For illustrations, see Joan Baez' ballad "Deportee" or Arthur Miller's *A View from the Bridge*, in which two Italians pathetically await the INS.) This kind of demoralization may lead to the corruption and political favoritism that permeate INS activities.

Politics is king at the Immigration Service, and no one is more intimately involved with it than Rep.

Rooney. One of Rooney's most effective weapons in last year's successful primary battle with Allard Lowenstein was the thousands of Brooklynites grateful for Rooney's help in allowing them, their relatives, or their employees to stay in this country. An example of Rooney at work is provided by the case of a Filipino teacher who was working in this country illegally. Normally this would mean deportation, but as an immigration official explained in his memo on the case, top INS officials in Washington had told him that "because of Congressman Rooney's interest, no action should be taken until further notice."

While Rooney has the best political pipeline to the Immigration Service, other legislators are also aware of the political rewards of intervening in constituents' immigration problems. Outside intervention is especially fruitful because INS officials are given broad discretionary power to decide immigration cases. In any local INS office, letters from congressmen may be seen on key officials' desks. "When a congressman calls or writes," says one New York INS investigator, "this is a signal for everyone to dance. Not tomorrow. You do the dance immediately. To wit: you ascertain immediately what the congressman wants and you do your damndest to accommodate him." The New York official should know; congressmen intervene in five per cent of the immigration cases handled by the New York city office.

Politicians keep their hold on the INS by intervening in promotions and hiring in the Service. Immigration officials bucking for a promotion regularly solicit and receive congressional letters and telephone calls of recommendation to boost their cause. "If the FBI operated along the same system," said Ramsey Clark, "the Bureau would have been destroyed in no time flat."

Sometimes congressional interventions and political favoritism involve something as minor as helping a family keep a live-in maid who entered

the country illegally. But sometimes the issues involved are far more serious. Take the case of Michael Piancone.

The Cheeky Cheesemaker

Piancone runs a \$500,000 pizza franchise operation in New Jersey and is said to be the largest employer of illegal Sicilian aliens in New Jersey; he is under investigation by the Justice Department for alleged connections with Carlo Gambino and organized crime.

Piancone first came to the United States from Italy as a visitor and applied for permanent residence in 1966 at the INS office in Newark. Since immigration laws were written to favor those whose vocational skills are in short supply in America, Piancone claimed to be an experienced cheesemaker and submitted an affidavit from an Italian cheese factory. Unfortunately, when a suspicious INS official checked with the factory, he found that Piancone had never worked there. Generally this kind of misrepresentation is grounds for denial of a request for permanent residence, but the Newark officials allowed Piancone to reapply. He submitted more documents—which a later investigation found were laced with half-truths and contradictions—and Piancone's petition for permanent residency was granted. Jim Jacey, the examining officer who approved the petition, says that he was told to do so by Dominic Rinaldi, head of the Newark office.

The Piancone case would have remained closed except that in 1970 immigration officials in the Newark office were investigating the role of illegal immigrants in the importation and sale of heroin, and Piancone's name continually cropped up during the inquiry. Reexamining Piancone's file, an INS investigator noted the peculiarities of the case and asked an assistant U. S. attorney if there was any chance of prosecuting Piancone for submitting fraudulent documents

to the INS in 1966. In his final report, the INS investigator wrote, "The Assistant U. S. Attorney advised that in his opinion Michael Piancone could not be prosecuted without prosecuting the approving officer or any officer directing the approval of his application for permanent residence as co-conspirators, inasmuch as they had knowledge of the falsity of the documents at the time of approval." Submitted in January, 1971, the investigator's report was promptly killed by the Newark office. As Jim Donovan, a former Newark INS investigator explained, "We were constantly running into that kind of crap in Newark. Everything was politics and influence."

The Citizen Soldier

Some INS investigators charge that similar machinations led to naturalization of Anthony Anastasia, nephew of the late "Tough Tony" Anastasia, one-time Mafia boss on the Brooklyn docks. In 1966, Anthony Anastasia, who had originally entered the United States illegally from Italy as a ship jumper, was secretary-treasurer of the International Longshoremens Local 1716 in Brooklyn. Since the ILA constitution stipulates that all union officials must be American citizens, Anastasia was in danger of losing his union post.

Although not publicized at the time, Jack Lazarus, the key INS investigator for the Anastasia case, strongly believed that Anastasia should be denied citizenship. In March, 1966, Lazarus was sent to Utica, New York, Anastasia's home prior to moving to Brooklyn. Police reports, beginning as early as 1959, listed Anastasia as an associate of local underworld leader Joe Falcone and alleged that Anastasia was taking a 10 percent skim-off from illegal slot machine operations in the Utica area. After a few hours' investigation in Utica, during which Lazarus felt he had developed promising leads to Anastasia's past, the INS investigator

was abruptly ordered back to Manhattan by his supervisor. Despite Lazarus' objections, the Utica investigations were called off. So Anastasia applied for U. S. citizenship, which a Brooklyn court granted later in 1966.

That same year the FBI listed Anastasia as a "soldier" in the Gambino family of the Mafia—a listing which still stands. INS officials told newsmen, however, that they had spent two years investigating Anastasia's background and found nothing serious enough to block his chances for citizenship.

Some INS investigators suspect that Rep. Rooney may have played a role in the Anastasia case. One of Rooney's key political supporters is Tony Scotto, a Brooklyn Longshoremen official who, according to the FBI, is a "captain" in the Gambino family of the Mafia. Whatever else may be said of the connection, it contains a certain irony, since the FBI (whose money comes through Rooney) has been hounding Scotto (whose help goes to Rooney).

Hoffa as Angel of Peace

But procedures like these are not limited to INS offices in New York and Newark. Take the Boston office, run by Patrick Coomey, another member of the Class of '41. Coomey's original political patron was said to have been former House Speaker John McCormick, and he is now reportedly closely tied with the office of House Majority Leader "Tip" O'Neill. For years one of Coomey's warmest friends was prominent Boston immigration lawyer, John Driscoll. In 1971, when Coomey was Immigration's deputy director in Boston, Driscoll was convicted of conspiring to smuggle aliens into the country, served four months in Danbury Penitentiary, and was disbarred.

INS investigators and other government officials who developed the case against Driscoll feel that Coomey's actions during the probe were, at best, unethical and may have been actually

criminal. For example, the investigators suspect that Coomey leaked material from INS files to Driscoll for his defense. One of the investigators, Bob Ramsey, detailed this and several other charges against Coomey in a memo he sent to the Justice Department as Coomey was being considered for director of the Boston office.

The memo was mailed on April 2, 1971, and less than three weeks later Coomey was promoted without an investigation; no further investigation has been held since then. This was typical: for years the top officers in INS have covered for each other, squelching investigations, keeping scandals quiet. The Justice Department claims that they sent Ramsey's memo to the Immigration Service. Although the INS acknowledges receiving a similar memo from Ramsey a few months after Coomey's appointment, Immigration officials contend that they never received the original memo. As for Driscoll, even months after he was disbarred and thereby prohibited from handling immigration cases, he continued to frequent Coomey's new office and maintain an active interest in pending immigration matters.

This playing of favorites extended to the very top of the INS structure during Farrell's regime. For example, take Farrell's involvement last September in former teamster leader Jimmy Hoffa's efforts to go to Hanoi to negotiate a prisoner release before the Vietnam ceasefire. Recently released from prison and barred from holding union office, Hoffa was stopped only when Secretary of State William Rogers overruled the Passport Office decision to validate Hoffa's passport for the trip. According to high officials in the Passport Office, it was Farrell who played a key role in convincing them to approve Hoffa's request. The then-INS director made two telephone calls to the Passport Office suggesting that Hoffa had support from leading Justice Department officials for the Hanoi journey. Farrell reportedly asked the Passport Office

to avoid mentioning his interest in the Hoffa case and still refuses to explain why he intervened.

Marlboro Man

Even the rugged outdoorsmen of the Border Patrol, perhaps the most dedicated group in INS, feel hamstrung by political considerations. Although the 1,500 members of the Patrol have a legal right to go anywhere within 30 miles of the U. S. border, several Border Patrolmen stationed in Texas claim they have been told to avoid certain ranches where they know that the owners are working illegal immigrants at pay levels of three and four dollars a day. "Nobody backs us up when we want to do something about it," said Al Cowan, an official of the Border Patrolmen's union, "Our supervisors should back us up, from the ones right above us to Washington, D. C. But they don't. You could say their motto is: 'Don't Make Waves.'"

Typical of the political interference about which patrolmen complain is the D-5 program, which permits Mexicans to work in this country provided that they act as spies for the INS and identify illegal aliens.

A number of patrolmen claim the program is a farce because many D-5s never turn in illegal aliens. INS officials deny this, pointing to the detailed files kept on tips provided by each informant. But Al Cowan claims that he—like many patrolmen—has been ordered to falsify records in order to make the D-5 program appear productive.

While Congress seems the principal beneficiary of the political favors provided by the INS, the Immigration Service is not above giving a little help to the Nixon Administration as well. Take Romana Banuelos, appointed by the President in October, 1971, to be U. S. Treasurer—the woman whose signature appears with that of Treasury Secretary George Shultz' on new dollar bills. She fit perfectly into President Nixon's pantheon of self-

made Americans, having scrambled up the economic ladder in Los Angeles to become director of a bank and owner of a large Mexican food-products plant. Many in Los Angeles feel that she rose to the top on the backs of her fellow Chicanos.

A few days after Ms. Banuelos' appointment as Treasurer, the INS raided her Los Angeles plant and found a large number of illegal aliens working there. This was far from an isolated occurrence; it was, in fact, the sixth time Ms. Banuelos had been cited for employing illegal aliens. After attracting some newspaper attention the issue soon died down.

It is not against the law to hire illegal aliens, but it is illegal for American citizens to hide them from the INS. In April, 1972, Teamsters Local 630, then on strike against the Banuelos plant, told INS officials in Los Angeles that illegal aliens had been hidden during the October raid by Ms. Banuelos and her son, the plant foreman. An INS investigator began looking into the case, taking statements from a large number of eager witnesses. But abruptly the probe was canceled. Officials in Washington claimed that the Banuelos inquiry had been merely "suspended" because the National Labor Relations Board was looking into the dispute with the Teamsters. Yet, an NLRB attorney handling the Banuelos case said that INS had never bothered to contact his office and, if asked, the NLRB would have voiced no objection to the INS investigation.

Appointment of a new director for the Immigration Service is more likely to provide cosmetic changes than to curtail the political favoritism and corruption which permeate it. The man who many believe was the real power in the INS under Farrell—Ed Loughran, deputy director—is staying on. Even then, how well the INS performs will depend on the man at the top, because Congress, the Justice Department, and the press have been satisfied to let the agency rest in squalor. ■

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THE SCREWING OF THE AVERAGE MAN :

The case for the extended family: Life Insurance today

by Urban Lehner

As cinematic art, the 30-second clip is hopelessly flawed by melodrama. But as an example of a certain genre of television selling, it is unexcelled. A 30-ish father is playing basketball with his son when suddenly the action stops. Booms the ominous voice of the narrator: "If you die, young man, will your son have a backboard to shoot at?"

What sets this and other life insurance commercials apart from the normal Madison Avenue fare is that they seem to pander to our *best* instincts. We can renounce the Oldsmobile and walk to work, feel socially virtuous as we perspire through the summer without an air conditioner, and haughtily eschew such sleazy baubles as the electric knife sharpener. But where is the man so cruel that he

would deny his flesh and blood a little innocent recreation should he no longer be there?

By holding out this promise of never-ending security for our families, the life insurance industry has grown, in one century, from a tiny clutch of companies with little capital into one of America's most powerful business empires. In 1971, the last year for which figures are available, total life insurance in force in the United States was \$1.5 trillion, up 139 per cent over 1961.

Americans bought \$189 billion worth of new life insurance in 1971; by contrast, the market value of the new automobiles they purchased that year came to \$33 billion. In all, the life insurance industry collected \$23 billion in premium payments. You can count on two hands the nations of the world whose gross

Urban Lehner is a Philadelphia reporter.