

## FBI RAIDS WAL-MART FOR ILLEGAL WORKERS

### STORE EXECS KNEW CONTRACT FIRMS BROKE THE LAW, OFFICIALS SAY

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#### **Body**

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Federal immigration officials raided Wal-Mart stores across the country Thursday, arresting 250 cleaning-crew workers they suspect of being illegal aliens.

The raids, at 61 stores in 21 states, were part of an investigation into whether the world's largest retailer or its subcontractors knowingly hired illegal immigrants, the officials said.

The workers were employed by one or many of the 110 contractors that perform cleaning services in more than 700 of the retailer's nearly 3,000 U.S. stores, a Wal-Mart spokeswoman said.

Federal law enforcement personnel, who spoke on the condition of anonymity, said recordings of meetings with contractors show that some Wal-Mart executives knew about the immigration violations.

Immigration agents also searched the office of one manager at the Bentonville, Ark., headquarters of Wal-Mart Stores Inc. and carried away boxes of paperwork, officials said.

No raids were conducted in Minnesota or Wisconsin.

If the discount chain is found to have known about the workers' illegal status, it could be fined up to \$10,000 per worker, said Garrison Courtney, a spokesman for the Immigration and Customs Enforcement agency, the largest investigative arm of the Department of Homeland Security.

Suzanne Haney, a Wal-Mart spokeswoman, said the company has "seen no evidence from (the government) that anyone from Wal-Mart was involved in any scheme involving illegal workers."

Wal-Mart has initiated its own internal investigation into the matter and plans to cooperate fully with investigators, Haney added.

Mona Williams, another Wal-Mart spokeswoman, said the company believes each of its subcontractors uses only legal workers.

The workers rounded up Thursday were from a variety of places, including Eastern Europe and central Mexico, Courtney said. It will be up to an immigration judge to determine whether they face criminal charges and whether they will be deported, he said.

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Some immigration groups and labor officials blasted the arrests. Instead of punishing the workers, they said, the government should be penalizing large corporations, which tend to hire subcontractors for low-skill services to distance themselves from responsibility for worker conditions and liability for illegal hiring practices.

"It's one of the ways in which employers have insulated themselves at a time when entire industries, particularly janitorial services, are dependent on immigrant workers -- a large number of whom are undocumented," said Frank Sharry, executive director of the National Immigration Forum.

The raids come at a time when controversial workplace arrests had fallen dramatically from their 1997 high of 17,500 to about 450 in 2002. And much of the emphasis of immigration authorities now working for the U.S. Department of Homeland Security is on fighting terrorism and criminal activity by immigrants and U.S. citizens.

Cornell Law School professor Stephen Yale-Loehr said immigration authorities are far too extended in their attack against immigrants involved in terrorism to focus their budget on otherwise law-abiding janitors, he said.

In Washington, Rick Swartz, a veteran immigration activist, said the raids should arouse political suspicions. "Enforcement goes on every day, but these were in several cities and obviously designed to make headlines," Swartz said.

The investigation was triggered by a probe launched by the Pennsylvania attorney general's office in 1998. A spokesman said only that the initial probe "started as a money-laundering investigation."

Courtney said the agency routinely conducts such operations, but that only those snaring a large number of people get public notice. Within the last year, he said, ICE rooted out about 250 illegal workers at T.J. Maxx discount stores and rounded up more than 40 landscapers at the U.S. Air Force Academy.

But the government's strategy of enforcing immigration laws in corporate America was dealt a blow this year when a federal jury acquitted Tyson Foods and three of its managers of conspiring to bring illegal immigrants from Mexico and Central America to work in the company's food processing plants.

Congress in 1986 made it a crime for businesses to knowingly employ illegal immigrants and required employers to fill out paperwork on each employee's status.

Since then, raids of the kind at the Wal-Mart stores have become less frequent, said Jo Anne Adlerstein, an immigration lawyer at Proskauer Rose LLP.

"I don't think these government raids accomplish anything," she said. "I have no recollection of seeing anything as expensive as a coordinated raid in 21 states" like the one at Wal-Mart. "It's a waste of manpower."

Wal-Mart, which employs more than a million people in this country and 300,000 overseas, is not the first U.S. company to face immigration scrutiny. A 3-year-old lawsuit against several California supermarkets asserts that the supermarkets and their cleaning subcontractors violated minimum wage and overtime laws in using illegal immigrants to clean their floors.

The raided Wal-Mart stores were in Alabama, Arkansas, Arizona, Connecticut, Delaware, Kentucky, Massachusetts, Maryland, Michigan, North Carolina, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia and West Virginia.

The Los Angeles Times, New York Times, Cox News Service and Dallas Morning News contributed to this report.

## Classification

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