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Immigration debate: Firms warn of lack of workers

Federal crackdown could force firings across the state.

By Susan Ferriss - Bee Staff Writer

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California businesses, which employ the majority of illegal immigrants throughout the country, are reeling after federal officials announced a new workplace crackdown.

People in industries as diverse as California's hotels and massive farms, its restaurants and convalescent homes, said Wednesday they are confused and fear they could be forced into mass firings.

Those at risk are employers who've received letters from the Social Security Administration saying their workers' numbers don't match names in federal databases.

As early as this month, the Department of Homeland Security plans to require all employers who have received those letters to fire the workers if the discrepancy cannot be resolved relatively quickly.

The department is planning to use the letters to track down employers and conduct raids if necessary, leading to fines or prosecution of businesses that don't fire the workers in question.

Homeland Security has been considering using Social Security information as a tool to enforce immigration laws for some time, but officials were waiting to see if Congress would approve changes to put some illegal immigrants on a path to legal residency.

Central Valley farmers -- and other agricultural interests who provide a huge percentage of the nation's food -- are warning Americans that they believe small businesses could go under and that prices could soar or products could become scarce.

"This is the nightmare I always hoped we would never get to," said Manuel Cuhna of the Nisei Farmers League, an industry association in the San Joaquin Valley, a cradle of American food production.

"I'm totally agitated about this," Cuhna said. "Everybody has received those letters, 90 percent of them in the farm

industry. We're going to have to shut down the food chain."

Cuhna said he and others are frustrated because, "One part of the government has been telling us not to fire workers, and now another is going to tell us to fire them."

Up to this point, the Social Security Administration has instructed employers, in those letters, not to fire their workers but just to inform them of the mismatch.

Some workers, sensing their covers were blown, voluntarily left jobs after the letters arrived.

Many California employers see the new Homeland Security policy as an attack on the same businesses that have for years implored Congress to create better tools to help them check the veracity of workers' documents.

They also were counting on Congress to provide more legal work visas to foreign workers they need in many jobs.

While some Social Security numbers are stolen by fraudulent document artists, most of the mismatches in numbers are thought to be due to illegal immigrants' use of invented Social Security numbers.

A Sacramento construction worker who builds sound walls along freeways and housing subdivisions said he has used a fake Social Security number for 10 years.

"The employers are just going to keep hiring people, but off the books completely," he predicted, requesting that his name not be used out of fear he might be discovered.

Cuhna said he received a call Wednesday from a California dairy farmer who has received a number of letters informing him of employees' mismatched names and Social Security numbers.

But his businesses relies on foreign workers willing to do the isolated, messy job of caring for and milking cows, Cuhna said.

"He's in a panic. If they come and take his workers away, he'll have no one to milk his cows and his cows will die," Cuhna said.

"I told him, 'Take photos of those cows with their legs up in the air and send it to Congress.' "

Inside thousands of California dairies, which produce about 20 percent of the nation's milk, "There are a lot of illegal workers, let me tell you that," Cuhna said.

Jesse Alderete, a labor contractor in the Salinas Valley, the largest producer of U.S. fresh vegetables, said: "This is going to be delicate. There are going to be hundreds of thousands of people running around without jobs."

Larry Rohlfes, a director of the California Landscaping Contractors Association, said, "I know it's coming, and I know it's going to hurt." Rohlfes' group has been outspoken in admitting employers probably have undocumented workers on their payrolls. The same employers say they have done all that was required of them to check employee documents, copy them and keep them on file.

He predicted that dismissed landscapers will enter the underground economy.

Trying to ferret out workers by following Social Security's mismatch letters might also backfire by sparking a greater demand for cards with stolen Social Security numbers, said some former Homeland Security officials.

"This will, frankly, spur more identity theft of legitimate legal residents' and American citizens' documents," said Victor Cerda, a Washington, D.C., immigration lawyer who was in charge of removal of illegal immigrants while with Homeland Security.

He said the new policy was a "dramatic shift" toward putting the responsibility for illegal immigration on employers, a good shift but too "piecemeal" because it doesn't address a real demand for labor.

"Is Congress really going to line up with Homeland Security when enforcement goes into their neighborhoods, and disrupts business and they start hearing from constituents?" Cerda asked.

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