Center for Immigration Studies

Backgrounder

Immigration Policy at the Edges

International Migration to and Through the U.S. Island Territories

By David S. North

Recent developments have focused attention on U.S. immigration policies as they relate to America's outlying island jurisdictions. A federal district court ruling in the U.S. Virgin Islands, a controversy in American Samoa about the exclusion of Arabs, and the proliferation of sweatshops staffed by foreign workers in Saipan mean that these islands, usually of little interest to Mainland policy makers, cannot be ignored in the broader effort to overhaul our immigration policies and procedures.

As background, the United States relates – in quite different ways – to immigration from and through eight island jurisdictions. While all the islands are, to differing degrees, Third World jurisdictions, they can be grouped as follows regarding their impact on immigration to the Mainland:

- First there is Puerto Rico, the largest, the most populous and – given its relatively low income structure – the least likely to attract much international immigration. There is, however, much migration of Puerto Rican-born citizens to the mainland.
- Then there is Guam in the Pacific and the U.S. Virgin Islands in the Caribbean. In these places, as in Puerto Rico, all locally-born persons are U.S. citizens and the U.S. immigration law applies, just as it does in Kansas.
- In a third grouping are American Samoa (in the South Pacific), and the Commonwealth of the Northern Mariana Islands (CNMI, near Guam in the North Pacific). Samoans are U.S. nationals, not citizens, and CNMI residents are U.S. citizens. Both of these jurisdictions control their own immigration policies; the problematic consequences of this policy decentralization are discussed later.
- The final grouping consists of the three freely associated states in the central Pacific; they are the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. They are former Spanish, former German, and former Japanese colonies, all quasi-independent nations heavily subsidized by Uncle Sam, and were run by the United States directly for several decades after World War II. The inhabitants are citizens of their respective nations but have, under certain circumstances, the right to settle in the United States in a sort of permanent, non-immigrant status. Migration from these islands (mostly tiny and very poor) to the more prosperous U.S. islands of Guam, CNMI, and Hawaii has been significant locally, and these three jurisdictions (unlike immigrant-impacted Mainland communities) have managed to secure modest immigration-impact financial aid from the U.S. Department of the Interior.

  Partially because of the islanders' blanket access to the United States as non-immigrants, many citizens of the Marshalls and FSM have fallen victim to abusive migration-labor schemes, according to a series published in the *Baltimore Sun* and the *Orlando Sentinel*.[1] The workers were recruited by prominent people in the islands for attractive-sounding jobs and training opportunities on the Mainland. They found instead that they were placed in badly paid jobs and that much of their income was siphoned off by the middlemen who recruited and placed them in the first place. Given their arrival in the U.S. through what amounts to a gap in the immigration system, that system could not help the islanders once they arrived in the United States.

David North has had extensive experience in both immigration and island policies; he is currently Washington correspondent of the Virgin Islands publication, St. Thomas Source, *and formerly had the same role with the late* Pacific Islands Monthly, *a Fiji-based news magazine. For three decades he was an immigration policy researcher working with, among others, the Ford and Sloan Foundations and the U.S. Departments of State, Justice, Labor, and HHS.*

Returning to the broader question of immigration policy, and given the different immigration policy arrangements in the various islands, one might imagine different management patterns for airborne migrants and one would be right. There are five patterns of immigration control.[2]

The Puerto Rican pattern is much like that of the American airports near the U.S.-Mexico border. Departing passengers are not screened as they leave, but Border Patrol officers are sometimes present and can ask travelers of interest to show their documents. From time to time illegal entrants are identified in this way. If one feels confident enough, and hostile enough, one can refuse to respond to the agents.

The Virgin Islands pattern, the subject of the decision by U.S. District Court Judge Thomas K. Moore (see below), is for all Mainland-bound passengers to go through INS departure checkpoints in Virgin Islands airports (the judge calls them "cattle chutes") just as one would go through an arriving checkpoint after the plane lands on the Mainland from, say, Europe. Some of these departing passengers in the Virgin Islands, including the subject of this case, have just been interviewed by INS inspectors[3] as they arrived at the same airport.

The third pattern relates to passengers flying from Guam to the United States; all flights pass through Hawaii (it is a seven-hour trip between the islands) and all passengers are screened by INS before they board in Guam, *and* after they land in Hawaii. The screening at Honolulu for passport-bearing U.S. citizens is less thorough than for others; the former simply need to show in Hawaii that the INS had stamped their boarding passes with a red stamp prior to leaving Guam.

The fourth pattern is for people flying from Saipan (the main CNMI island) to Hawaii or to the U.S. mainland. The only available route is Saipan-Guam-Hawaii so the passengers are screened by INS: 1) as they arrive on Guam, 2) as they leave Guam, and 3) as they arrive in Honolulu. CNMI, as noted above, is outside the jurisdiction of the INS.

The fifth pattern applies to passengers arriving from American Samoa and from the three freely associated states. Passengers, whether aliens or U.S. citizens or U.S. nationals (a nearly equivalent status), simply go through the normal inspection process for people arriving from a foreign nation. Again, virtually all of the traffic from these places to the U.S. is through Hawaii or Guam.[4]

Screening of *departing* passengers by an immigration-control agency, incidentally, is a much more efficient operation than the screening of *arriving* passengers, just because of the inherent logistics of the situation. For example, let's say we are dealing with a fully-loaded, 200-passenger airliner flying into and out of the U.S. Virgin Islands. When it arrives from another country, everyone deplanes in a few minutes and wants to go through immigration immediately. INS has to deploy three or four inspectors right away or face criticism for long lines of passengers. But when the same plane gets ready to depart, this time for Puerto Rico or the U.S. mainland, the 200 passengers do *not* descend on the checkpoint all at the same time. Some are early, some are on time, and few make it just before the gate closes. Because of this pattern, a smaller crew of inspectors can screen the passengers, with less time pressure on the inspectors and less waiting for the passengers. Given the greater amount of time available for the inspection of each departing passenger, a more careful screening may result – which is exactly what happened in the case described below.

Newer oil tankers have double hulls to prevent oil spills and to help keep the ships from sinking; in a few years, all the big ones will have two hulls. The oiler that sank off Spain last year had a single hull, and its sinking has made a remarkable mess of a lovely coastline.

The U.S. immigration system is mostly a one-hull operation. But it does have, in two quite different spheres, dual checking operations, each designed to prevent the onward movement of illegal aliens who have already managed to enter the nation. One of these two practices (as it applies to the U.S. Virgin Islands) is now under serious judicial attack.

Of the two processes, the better known is the set of traffic stops staffed by the Border Patrol on highways just north of the Mexican Border. While all northward-bound vehicles are potentially subject to inspection, most cars (certainly the newer ones with only a driver) are waved through, while those that might seem to be carrying illegal aliens are stopped and inspected. The idea is to apprehend people who have made illegal entries and are now seeking to enter the nation's interior. It is a recognition by INS that its control of the border and of the ports-of-entry is not perfect, and that mistakes are made.

Under judicial review at the moment is the smaller double-checking process – the practice of inspecting all persons leaving the U.S. Virgin Islands and Guam on their way to the Mainland. While most residents of both territories are U.S. citizens, flights from those areas to the Mainland are pre-screened by INS personnel, just as if the flights were leaving for the United States from an airport in the Bahamas or in Canada.

Judge Moore has ruled that inspecting people going to the Mainland from the Virgin Islands (i.e., from one part of the United States to another) is unconstitutional. His decision has been appealed by INS and is now before the Third Circuit.[5]

A couple of decades ago INS made some serious efforts to enforce the immigration law *within* the country; industrial sweeps were made, and the Border Patrol would visit the fields during harvest periods and carry away workers without appropriate documentation. There is little of that these days, and INS concentrates its enforcement efforts on the edges of the nation; it is always easier to turn people away from entering the country than it is to locate them in the interior and throw them out. The District Court decision, if upheld on appeal, will be yet another setback for interior enforcement.

False Claim to U.S. Citizenship. Camille Pollard, a citizen of Guyana, flew into the St. Thomas[6] airport on May 13, 2001. She identified herself as a U.S. citizen named Katisha Kenya Norris and was admitted by INS. A few hours later, in the same airport, she sought to depart on a flight to New York City. This time she was seen by a different inspector (Allison Haywood) who asked the routine question: "where were you born?"[7]

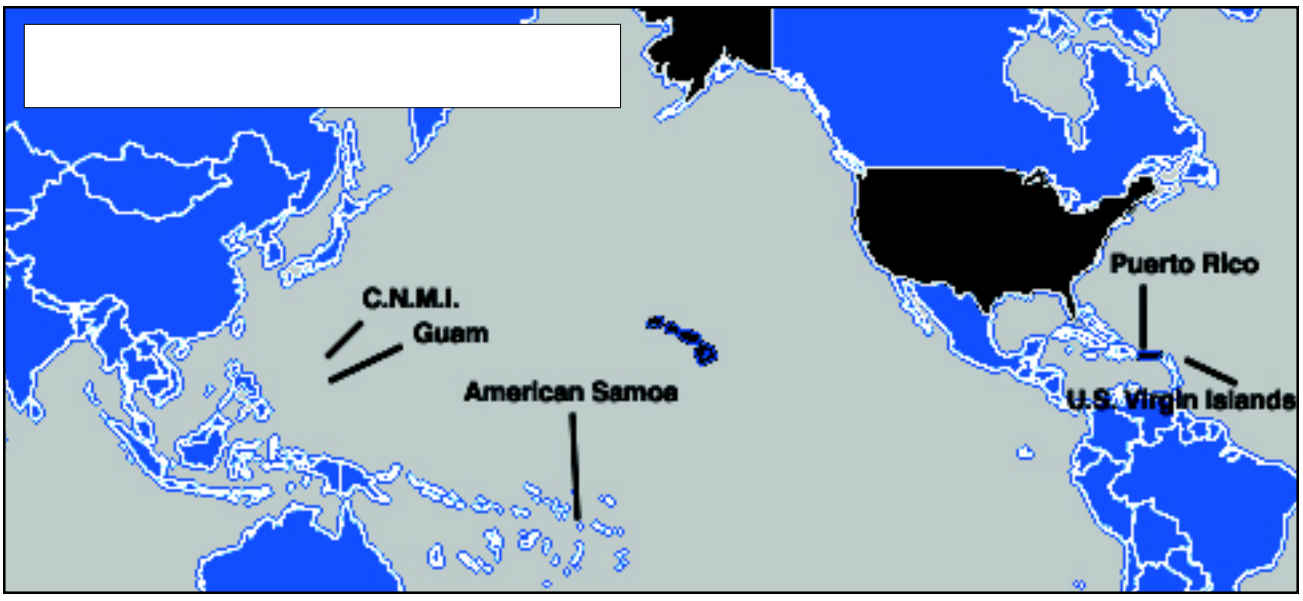
Ms. Pollard said she had been born in Queens, New York; Ms. Haywood, hearing something other than a New York accent, pressed a little further and asked what elementary school she had attended. Ms. Pollard said she forgot. Then she failed to remember the middle name of the man identified as her father on a birth certificate she was carrying. Ms. Haywood then turned the matter over to her supervisor who continued the questioning; he also checked his computer data base and could locate nothing on anyone named Katisha Kenya Norris. He then read Ms. Pollard her *Miranda* rights on the belief that she had made a false claim to U.S. citizenship. Ms. Pollard then waived her rights, according to the Judge's decision, and admitted her true identity and citizenship.

She then sought legal assistance. She found Douglas Beevers, Assistant Federal Public Defender in St. Thomas, and he filed a motion saying that it was unconstitutional to inspect persons moving from one part of the U.S. to another (citing the equal protection clause) and thus the confession that was obtained as a byproduct of such a process should be suppressed.

Judge Moore agreed with him, and the U.S. Justice Department has appealed the verdict to the Third Circuit Court of Appeals. Three judges from the Third Circuit, sitting in St. Thomas, heard the case in November 2002. It is not known when a decision will be handed down.

Judge Moore cited the Fourth and the Fourteenth Amendments among the grounds for his decision, and launched into an intriguing history of the provision in the Immigration and Nationality Act (INA) that the INS said supported the exit screening procedure.[8] The judge wrote that the provision (subsection 212d(7)) had its origin in the 1917 Immigration Act, written when the United States had jurisdiction over both the Philippines and the Canal Zone. At that time, in those two places, there were plenty of people who were legally there, but had no legal right to travel to the U.S. mainland; hence it was sensible to impose exit screening on those traveling to the United States. He then said that for a while early in the 20th century that situation also had existed in the Virgin Islands (i.e., there were then Danish subjects in the islands who had not yet adjusted to U.S. citizenship) but that had not been the case for many decades.

The judge also did not accept the government's effort to use the precedent of the traffic stops just north of the U.S.-Mexico border, a practice that has passed judicial muster. He said that the flows of illegal aliens over the 85 miles of Virgin Islands beaches could not be compared with the flows over the 2,000 miles of the southern land border. He suggested that INS should dismantle its departure control at the airports and bring in the Border Patrol to watch for illegal aliens landing illicitly. (He did not explore



the relative costs or efficiencies of these two approaches; using the Border Patrol to watch the 85 miles of shoreline would be much more expensive than using inspectors to work with departing passengers at the islands' two international airports.)

There has always been a noticeable but not sensational flow of illegal aliens into the Virgin Islands, but most of it does not come from relatively nearby Haiti. While Haiti is closer to the Virgin Islands than to Florida, the pattern to date has been for Haitian smugglers to take the longer trip west (to Florida), rather than the shorter trip east. The illegal alien traffic into the Virgin Islands consists largely of people from the "Down Islands", the small, mostly ex-British islands south and east of the Virgins, as well as ship-borne Chinese. Small boats can move easily and safely through international waters to either St. Croix or St. Thomas.

A Discontented Judge. Returning to the decision, one gets a feeling reading Judge Moore's 80-page decision that he is unhappy on several levels with the Federal Government, generally, and with the Bush Administration's Justice Department, specifically, and that some of the manifestations of this unhappiness may not help get his decision affirmed by the Third Circuit.

He, for instance, on several occasions noted that the Justice Department did not provide him the information he sought in the case, or did so in a clumsy and thoughtless way.[9]

On a more fundamental level, he felt that the Virgin Islands, with its largely black population (he himself is white), had been discriminated against repeatedly by the federal government. He wrote, for example: "Although I can find no evidence in the record that the departure control gate has a racially disparate impact on black Virgin Islanders, there is no denying that racial and cultural prejudice permeated the early years of, and still affects, the relation of the United States with the Territory of the Virgin Islands."[10] He returned to this theme several times, expressing himself vigorously.

Then he moved from a general civil rights position, on how the Virgin Islands were treated by Washington, to a much narrower one when he argued that lifetime appointments to federal judgeships were the norm on the Mainland, but not in the Virgin Islands, where he holds a 10-year-term that is expiring soon. He wrote:

> *"I touch on one last point of double discrimination by Congress against the Virgin Islands and its residents. In 1966, Congress made the Federal District Court of Puerto Rico an Article III court whose judges serve during good behavior [i.e., they have lifetime appointments] but left the District Court of the Virgin Islands an Article IV court whose judges now serve 10-year terms. This is double discrimination because Congress not only treats the Virgin Islands differently from all the states but also treats it differently from our fellow unincorporated territory of Puerto Rico, a differing treatment for which there is absolutely no conceivable rational basis.*[11]

Meanwhile, it has been widely reported in the Virgin Islands that Judge Moore, though a Republican appointed to the bench during the first Bush Administration, is not expected to be reappointed by the current Bush White House.[12] Perhaps this has something to do with the harsh language he used frequently in his decision.

A reading of the decision, without any other information, suggests that the Justice Department did not handle this case very well at the trial level; maybe its arguments were more vigorous and more on target at the appeals level.

When the United States worked out its relations with American Samoa at the turn of the last century, and 70 years later with the Commonwealth of the Northern Mariana Islands (CNMI), leaders of both island territories argued that theirs were small societies (with populations measured in the tens of thousands) and that if they were not protected from the operations of the U.S. immigration law their ways of life could be threatened by large influxes of foreign migrants. "We want to control our own demographic destiny," was their argument, and Washington agreed.

Both sets of islands then created laws that were quite different from the mainland's Immigration and Nationality Act (INA). There is no such status as "immigrant" in either territory, nor is there a process by which an alien can become a citizen while living in those jurisdictions (or, in the case of Samoa, become a U.S. national).[13] So the only people who are allowed to vote and hold office are native-born islanders and the occasional mainlander who has U.S. citizenship. As a result, the legislatures of both territories are racially pure – nothing but Samoans in Samoa and nothing but the Commonwealth-born in the CNMI.[14] (In contrast, the legislatures of Hawaii and Guam are rich mixes of ethnicities.)[15]

In short, despite decades of contact with American political systems, the general concept of the equality of individuals and races is not well-established in these islands; the Civil Rights Revolution of the 1960s never reached this far west. [16]

Both sets of island immigration laws, however, allow easy access – but virtually no protections – for foreign workers who do the dirty work of the islands. These island

temporary worker programs make the mainland non-immigrant programs, controversial though they may be, look like exercises in benign, Scandinavian-style socialism. In general terms, the citizen islanders work for the local government, or do not work at all; factory jobs and jobs needing specialized education (physicians, scientists, and many teaching positions) are filled by outsiders. Agriculture and fisheries are now very minor economic activities in both jurisdictions, though they were the only pillars of the islands' economies in pre-contact days (e.g., lettuce and bananas are *imported* into American Samoa).

Many Sweatshops on Saipan. Both Saipan and Samoa have a remarkable economic advantage over everywhere else on earth. Both have their own, exploitative immigration policies and, in effect, their own, pro-employer minimum-wage programs; but both are protected by the U.S. tariff system (designed in part to help mainland workers), so products of both islands can be shipped to the United States without the payment of duty.

This odd situation has been more thoroughly utilized on Saipan than in Samoa. There are a couple of dozen garment factories on Saipan, all owned by Asian-controlled firms, all managed by Asians, all using Asian-made textiles, and all manufacturing clothing made almost exclusively for the mainland market. Neither Mainlanders nor Chamorros[17] play significant roles in this billion-dollar a year business, and one cannot buy stock in these firms through one's broker, as these are all privately-held firms.

Further, with minor exceptions, all the workers are non-immigrants, mostly from China, recruited through provincial arms of the Chinese Communist government. All arrive in debt, because they have to pay a substantial sum to *leave* China to take a job elsewhere (and some of these payments may be bribes as well as advance income tax payments) and all find themselves working at miserable jobs with miserable pay. The INA does not apply at all, and there is only a minor role for the mainland minimum wage. (The minimum wage is set by the CNMI legislature but mainland overtime rules apply, a peculiar situation.) Meanwhile, in addition to the exploitation of the workers, the United States loses about $200 million a year in duties that would have been paid had the same employers, using the same cloth and the same workers, been operating from factories in China or Hong Kong.[18]

The non-immigrant program has been used extensively in the CNMI, not only for Chinese to work in the garment factories, but for widespread use of Filipinos in retailing, restaurants, hotels, and as household servants (remarkably common in this jurisdiction). The program is so large that a majority of the CNMI workforce consists of non-immigrants, people who cannot stay legally in the islands after their work permits expire, people who cannot hope to become citizens. The CNMI immigration policy is thus much like those of the Persian Gulf sheikdoms.

Until a couple of years ago one particularly nasty element of the CNMI immigration policy, as it applied to Chinese women but not Filipinas, was to impose a grim three-way choice on garment workers who became pregnant. They could: 1) have an illegal abortion on Saipan, a jurisdiction not covered by *Roe v. Wade*, thus losing the baby but keeping their job; or 2) be deported to China for a possible mandatory abortion under Chinese law; or 3) run away from the factory, losing their job and their residence and their legal status all at once, but keeping the baby.[19] I have been told that the mandatory abortions are no longer part of the factories' policies, probably because of a class action law suit brought against the industry by a mainland law firm.

While the mandatory abortion policies were in place, scores and perhaps hundreds of the Chinese women involved managed to be smuggled from CNMI into Guam on small boats, winding up later in asylum proceedings on Guam, often securing legal status.

Efforts by the Clinton administration to extend the INA and the Mainland minimum wage law to the CNMI were blocked in Congress, notably by then-House Majority Whip Rep. Tom Delay (R-Texas), who, with his wife and aides, was a guest of the CNMI government in the islands during the late 90s.[20] I understand, but have no documentation, that the current Bush administration has become concerned about CNMI's immigration policies, not because of worker exploitation, but because of post-9/11 concerns about homeland security.

Some Sweatshops in Samoa. There are two flows of non-immigrants into American Samoa, one older and less abusive, and one more recent. The older, larger, and continuing pattern is for citizens of Western Samoa to come to the capital of Pago Pago to work in the two tuna processing plants, primarily as the gutters of fish. While the Western Samoans are paid little by mainland standards, they speak the same language as the majority population and are not subject to social discrimination. (The tuna plants, owned by off-island interests, employ thousands of workers and, with the over-staffed local government, are the principal sources of jobs in the islands.)

The newer, smaller, and more abusive pattern relates to the importation of Vietnamese women to work in garment factories, again owned by off-island corporations. The odious practices of Daewoosa-Samoa,[21] now out of business, included, according to *The New York Times*:

- "Women employed there, the report added, accused managers of routinely entering their barracks to watch them shower and dress..."

- "The factory... was at one point cited by the Occupational Safety and Health Administration for an extremely rare violation: withholding food from workers..."

- "One federal investigator likened the factory compound to a prison..." [22]

The Vietnamese women were at multiple disadvantages after they paid thousands of (borrowed) dollars in Vietnam to get these lousy jobs in a facility where they were routinely locked up at night. Among other things, none of the women spoke either English or Samoan, and there were no English-Vietnamese interpreters within thousands of miles. Further, they, as physically small outsiders, were frequently badgered by the rather larger indigenous teenagers.

It was the *federal* Labor Department that intervened in this situation, and it was the *federal* Justice Department that later allowed some of the women to be paroled into the mainland rather than either be forced to stay in American Samoa or be deported by Samoan authorities back to Vietnam for failing to obey their Korean bosses. Island officials – I have personal knowledge of this – refused to help these women and were furious about mainland interventions.

Usually Samoa's ham-handed immigration policies are ignored by the mainland press, but in December there was an exception. Several months after it had been implemented, an American Samoa policy to bar entry to anyone of "Middle Eastern descent" was reported in *The Washington Post*.[23] Washington then apparently leaned on Pago Pago and the policy was quickly reversed. As the *Post* noted: "The territory of 62,000 gets relatively few visitors from anywhere, let alone the Middle East...."

In summary, the United States has long had special immigration procedures, and sometimes policies, for managing immigration to and through its islands, recognizing the existence of different dynamics than those operating in the 50 states. Sometimes these special arrangements, such as the preclearance of departing passengers have been useful, and sometimes, such as the delegation of immigration policy to Samoa and Saipan, they proved to be terrible mistakes.

Judge Moore's decision deals with only a single element of a more complicated situation, but it did serve another purpose – it brought some badly needed attention to a usually ignored aspect of America's immigration policies, how they work in the U.S. islands.

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[1] The articles, described as the product of a joint year-long investigation, appeared in the two newspapers on September 15, 16, and 17, 2002. For the Internet version of the first of the articles, see www.sunspot.net/news/nationworld/bal-te.indent15sep15.story The islanders, usually with little knowledge of either the English language or U.S. labor laws, were generally submissive to their Mainland employers; and since they had little cash, they could not fly back to the Pacific.

[2] This section is based on numerous interviews with frequent travelers along these routes, officials in two Puerto Rican government agencies, two INS staffers, and personal observation over the years.

[3] Both inspectors and Border Patrol agents are uniformed INS employees; the former work only at ports of entry, while the latter work anywhere in the nation, usually right at the border, but sometimes in the interior.

[4] The Virgin Islands decision apparently was written without regard to the multiple variations in island-Mainland migration management patterns outlined above. The judge, however, was aware of the traffic from Guam, writing in a footnote: "How the INS may treat passengers flying from Guam is not before me." *United States v. Pollard*, U.S. District Court of the Virgin Islands, Division of St. Thomas and St. John, June 18, 2002, FN 35. http://www.vid.uscourts.gov/dcopinion/01cr190.pdf

[5] *United States v. Pollard*, U.S. District Court of the Virgin Islands, Division of St. Thomas and St. John, June 18, 2002, FN 35. http://www.vid.uscourts.gov/dcopinion/01cr190.pdf

[6] There are international airports on both St. Thomas and St. Croix.

[7] *United States v. Pollard*, op. cit., pp. 6-7.

[8] *Ibid.*, p. 10.

[9] "Although the United States was also ordered to provide supplemental briefing on the history and purpose of the preclearance checkpoints, it provided none of the legislative history or case authority set forth in this opinion." *Ibid.* FN 10.

[10] *United States v. Pollard*, op cit, p. 31.

[11] *Ibid*. p. 41. The Federal District Court Judge in the CNMI is also a Title IV judge. The High Court Judges in American Samoa are not Title III judges either; they are appointed by the Secretary of the Interior. There is no Federal District Court in American Samoa; it is the only place under the U.S. flag that lacks one.

[12] "Moore Won't Be Nominated for 2nd Court Term," *St. Thomas Source*, U.S. Virgin Islands, August 29, 2002, http://new.onepaper.com/stthomasvi/?v=d&i=&s=News:Local&p=54411

[13] There is a minor exception for persons with one U.S. national parent who have been born outside of the territory; they can become U.S. nationals if they apply for that status. A baby born to two American Samoans, anywhere in the world, is automatically a U.S. national. A U.S. national living elsewhere in the U.S. can, with the passage of time, apply to become a U.S. citizen in a streamlined process.

[14] The principal indigenous population in the CNMI is that of the Chamorros (the same is true of Guam), but in the CNMI there is another, smaller group, the Carolinians, who have been residents since the Spanish times. The two groups have equal legal rights in the CNMI.

[15] Until recently the CNMI and American Samoan legislatures had been purely male institutions as well. The Territorial Senate in Pago Pago is likely to remain an all-male preserve for a long time. One has to be a chief (matai) to vote for the senators, and matais are almost exclusively male. The American Samoan upper house is thus closer to the House of Lords than it is to a democratic institution. Oddly, the matai-only voting system, which used to dominate the politics of the nearby, independent state of Western Samoa (recently renamed Samoa) has been eliminated by that nation's government.

[16] This is based on years of observation, first as Washington Correspondent of the late Fiji-based news magazine, *Pacific Islands Monthly*, and later as an official of the Office of Insular Affairs in the U.S. Department of the Interior. See also the citations in endnote 18.

[17] In many factories there are a few Chamorros on the payroll as a token gesture to CNMI law about hiring at least some local residents; some of them work, some simply play cards.

[18] For evidence offered by both sides of these issues, see three government publications: "*Hearing on S.1100 and S. 1275*, Senate Committee on Energy and Natural Resources", U.S. Senate, March 31, 1998, GPO, Washington, D.C.; Office of Insular Affairs, *Federal-CNMI Initiative on Labor, Immigration and Law Enforcement in the Commonwealth of the Northern Mariana Islands*, Third Annual Report, July 1997, U.S. Department of the Interior, Washington, D.C.; and U.S. Commission on Immigration Reform, *Immigration and the CNMI*, Washington, D.C., 1997.

For journalistic coverage, see, for example: Terry McCarthy "Give Me Your Tired, Your Poor...And the Northern Marianas -- a U.S. possession -- will put them to hard labor," *Time*, February 2, 1998; William Branigin, "Northern Marianas Not a Workers' Paradise," *The Washington Post*, October 14, 1997, and "U.S. Pacific Paradise is Hell for Some Foreign Workers," August 29, 1994; and Philip Shenon, "Saipan Sweatshops Are No American Dream," *The New York Times*, July 18, 1993.

[19] See the testimony of Interior Secretary Bruce Babbitt and others at the Senate hearing cited above, and ABC-TV's "20-20" program on the Saipan garment industry, broadcast on March 12, 1998.

[20] For a snippet of his speech on Saipan to CNMI politicians strongly supporting CNMI and the local garment industry, see the ABC-TV program cited above.

[21] This Korean-owned firm apparently is not related to the Daewoosa conglomerate in Korea.

[22] Steven Greenhouse, "Beatings and Other Abuses Cited at Samoan Apparel Plant That Supplies U.S. Retailers," *The New York Times*, February 6, 2001, p. A14. Chinese women have been imported to work in another garment factory in American Samoa but the conditions there were apparently better than at Daewoosa-Samoa.

[23] Dan Eggen "American Samoa Faces Flap Over Security Alert: Order Singled Out Those of Middle East Descent," *The Washington Post*, December 19, 2002, p. A3. There usually is little written about American Samoa's immigration policies outside the lively pages of *Samoa News*, a local daily which is much the most outspoken and reform-minded newspaper in the U.S. Pacific island territories.

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