

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

United States of America, Complainant vs. Westwind Farms, Inc.,  
Respondent; 8 U.S.C. 1324a Proceeding; Case No. 90100052.

ORDER GRANTING MOTION IN LIMINE

On February 13, 1990, the United States of America, Complainant, filed a Complaint Regarding Unlawful Employment against Respondent, Westwind Farms, Inc. On March 19, 1990, Respondent filed its Answer.

A prehearing conference was held on May 1, 1990. During the conference Respondent informed the Court that it intended to present testimony from Representative Sidney W. Morrison (R-Washington), and that its intent in so doing would be to inform the Court as to the legislative intent behind the Immigration Reform and Control Act of 1986 (IRCA).

On May 9, 1990, Complainant filed a motion in limine requesting that the Court exclude any such testimony.

The Court hereby takes notice of the legislative history of IRCA. The intent of Congress is fully documented in the Congressional Record and elsewhere. See, e.g., Montwieler, The Immigration Reform Law of 1986: Analysis, Text, Legislative History, 181-535 (1987). The Court concludes that the legislative history provides both fuller and clearer information about the Congressional intent behind IRCA than would the testimony of a single representative.

ACCORDINGLY, IT IS HEREBY ORDERED that Representative Morrison's testimony on the legislative intent behind IRCA shall be, and hereby is, excluded. Note that Representative Morrison is not hereby precluded from testifying as to other matters within his personal knowledge relating to this case. Since it appears, from the representation of Respondent's Counsel during the prehearing conference, that there is no purpose for Representative Morrison to testify other than to cast light on the Congressional intent behind IRCA, it appears unnecessary to have Mr. Morrison testify. However, rather than conclusively presume that to be the case, the Court

shall offer Respondent an opportunity to show that Representative Morrison's testimony would be admissible in other respects.

ACCORDINGLY, IT IS HEREBY FURTHER ORDERED that Respondent show cause, on or before June 4, 1990, why Representative Morrison's testimony as to matters other than Congressional intent should be admitted into evidence.

**SO ORDERED.**

Dated: May 11, 1990.

FREDERICK C. HERZOG  
Administrative Law Judge