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Office of the Attorney General

Washington, D. C. 20530

January 6, 1976



MEMORANDUM

To: James M. Cannon
Assistant to the President for Domestic Affairs

From: Edward H. Levi *712*
Attorney General

Subject: Domestic Council Committee on Illegal Aliens

In response to your memorandum of December 10, 1975 regarding the status of the Domestic Council Committee on Illegal Aliens you should know that after discussing this matter with the President, I had several meetings with Secretary Dunlop to review the Administration position regarding H.R. 8713, the "Rodino bill," and the desirability of seeking a bilateral agreement with Mexico to regulate the admission to the United States of temporary Mexican workers and discourage unauthorized entry. Secretary Dunlop and I have each discussed the illegal alien problem with our Mexican counterparts.

A meeting of all of the Cabinet members of the Committee will be held this month. The agenda will include a discussion of the pending legislation affecting the illegal alien issue and a plan for organizing task forces to report by June 1, 1976.

As you know, we believe it is premature for the President to make a major statement on the illegal alien issue at this time. However, pursuant to your conversations last week with the Deputy Attorney General, attached is a brief statement on this issue suitable for the President's use.

Domestic Council Committee on Illegal Aliens

The United States has, throughout its history, been the most hospitable nation in the world for immigrants. We continue to accept more immigrants each year than any other country. Immigration to the United States is intended to be governed by the Immigration and Nationality Act which has, as a primary goal, the reunification of families. In addition, it offers asylum to certain refugees and admission of some workers whose skills are in short supply domestically.

Yet immigration into the United States today is primarily characterized by large numbers of people, probably numbering in the millions, who enter the country illegally each year. They come in a variety of ways, but their purpose in coming is that which has historically motivated many immigrants -- a search for economic opportunity.

This influx of unauthorized immigrants has important implications. Many compete for jobs which are of interest to American workers. Many others, however, seem to accept employment for which Americans are unavailable and in this way contribute to our economy and country. Nevertheless, because of their illegal status, all must live in fear of apprehension and subject to economic exploitation or abuse. Thus, we share an interest with the countries from which they come, notably Mexico, in assuring adequate opportunities for authorized immigration and discouraging illegal entry.



At my direction a Domestic Council committee, composed of the heads of agencies with a clear interest in illegal immigration, has initiated an in-depth examination of the many interrelated issues involved in the illegal alien problem. Its work will result in a full-range of recommendations directed at dealing more effectively with the unauthorized flow of people into this country. The Congress has also been concerned about the illegal alien problem and presently has under consideration two measures directed at ameliorating it. The first, H.R. 8713 would prohibit the knowing employment of illegal aliens. It is intended to greatly reduce the opportunities for work which attract most unauthorized immigrants. The second, H.R. 981, would create a preference system for the Western Hemisphere identical to that now applicable to the Eastern Hemisphere, establish Western Hemisphere country quotas, and improve the current provisions for admittance of needed temporary and permanent workers. These changes would create an orderly system for Western Hemisphere immigration, reduce for eligible individuals the now lengthy delay in obtaining visas, and facilitate the authorized admission of those whose skills are determined to be required in the United States. Their cumulative effect should be to diminish the incentives for illegal immigration without unacceptable costs or compromise of fundamental values. I support the principles embodied in these measures and urge their speedy passage.

We must continue to try to assure that our immigration policies are both fair and enforceable, realistically sensitive to economic limitations, but faithful to our tradition as a nation of immigrants.



WASHINGTON

January 15, 1976

MEMORANDUM FOR THE PRESIDENT

FROM:

JIM CANNON *Jin*

SUBJECT:

Relocation of the I&NS Regional Headquarters
in Richmond to Dallas

The Immigration and Naturalization Service (I&NS) is planning to relocate its regional headquarters in Richmond, Virginia, to Dallas, Texas, on January 19, 1976. This proposed relocation is strongly opposed by the local Richmond community and by several members of the Virginia Congressional delegation. Because of Congressional sensitivity to the matter, I thought you ought to be aware of its background.

BACKGROUND

The present I&NS regional alignment has resulted in an increasingly serious management problem because the number of illegal aliens has increased significantly in recent years. Of the current four I&NS regions, the Southwest region (which encompasses the entirety of the U.S./Mexican border) has a disproportionate share of all I&NS employees (approximately 45 percent) and is responsible for well over 50 percent of the I&NS's total workload. To begin to bring I&NS regional offices into better compliance with the standard Federal regional offices plan, a new four-region plan was developed. This plan was approved by the Attorney General and OMB in February 1975.

Under the new plan, each of the four regions will have a far more equal personnel situation, workload and span of control. The area along the U.S./Mexican border, where the highest percentage of illegal aliens enter, will be divided between the new Southern and Western regions, thereby enabling much better management control over the area where the most significant problems are encountered. It is also hoped that productivity will be improved because of the leveling-off of personnel and workload among the four regions.

The reasons for moving the current Southeast regional headquarters in Richmond to Dallas are:



- the State of Virginia is not included in the new Southern region;
- Dallas is one of two standard Federal regional cities within I&NS's new Southern region;
- Dallas is close to the Southwest border, where the action is; and
- by moving to Dallas, I&NS will be co-located with the U.S. Customs Service and the Drug Enforcement Administration, with which they must coordinate operations.

Members of the White House staff recently met with representatives of Senators Byrd and Scott and Congressmen Satterfield and Robinson, a representative of Governor Godwin, and representatives of the Richmond community to discuss the impending move. Essentially, the Virginia contingent objected to the move because:

- it would result in a loss to Richmond of about 60 jobs and \$1.5 million annual payroll;
- it would have a negative impact on Richmond's efforts to preserve its downtown area; and
- they do not believe it is cost effective, since it would result in a one-time expenditure of approximately \$650,000 in moving expenses.

Those at the meeting were informed that their views would be made known to you but that they should not expect Presidential intervention.

At my request, the Deputy Attorney General has personally reviewed this situation. He has advised me that the proposed move to Dallas is clearly in the best interests of the I&NS and the U.S. Government and that to delay or terminate the move would cause great personal hardship to numerous I&NS employees who have sold their houses in Richmond and purchased others in Dallas. The Deputy's memorandum is attached at Tab A.

I do not believe that any further action on our part is warranted.

CC: John O. Marsh, Jr.
Max L. Friedersdorf



THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

January 13, 1976

MEMORANDUM FOR: Richard D. Parsons
Associate Director and Counsel
Domestic Council

SUBJECT: Proposed Immigration and Naturalization
Service Regional Realignment

Attached is a proposed letter from Commissioner Chapman to the spokesman for the Richmond group that met with you last week on the I&NS regional realignment. The letter and accompanying enclosures were prepared by the Immigration and Naturalization Service.

I have reviewed these materials, and I believe that, contrary to the opinions expressed by the Richmond representatives at your recent meeting, Commissioner Chapman has provided the Richmond community and the Hill with an ample -- and compelling -- rationale in support of the proposed realignment of I&NS regions. That rationale, in brief, is:

1. The proposed closing of the Richmond office is part of an overall, government-wide policy of establishing standard federal regions. In response to OMB Circular A-105 issued on April 24, 1974, the Department of Justice asked I&NS to explore the feasibility of conforming to the long-range organizational and management goals established by OMB for all Federal domestic agencies. I&NS, after an extensive study, developed a redesigned four-region plan that I&NS, the Department of Justice and OMB believe conforms to the concept of standard Federal regions and at the same time is best suited to I&NS's own personnel and workload characteristics.

The establishment of uniform regional boundaries has been endorsed for all Federal domestic agencies. The purpose of this policy, as enunciated by the Office of Management and Budget, is to "provide greater opportunities for securing management improvements and economies among federal departments and agencies including establishment of common administrative support and federal supporting service facilities." Within these guidelines it is possible to maintain present I&NS regional offices in each region except for the new Southern Region.

The I&NS plan was submitted to the Department of Justice on January 31, 1975, and to OMB on February 12, 1975. Approval of the realignment and the anticipated managerial improvements was granted by the Department and on February 27, 1975 by OMB. The move of the Richmond office to Dallas is the most critical element of the I&NS regional realignment. If the move is not effected, the Southern Region, stretching from the Carolinas through New Mexico, will be operated from a site external to its boundaries and far removed from its principal workload. This would require attendant high operational costs.



2. The revised regional structure will increase I&NS operational and management effectiveness and efficiency. Because of current disproportionate workloads and spans of control among the regions, unequal demands are placed on top program managers. The Southeast Regional Office (Richmond) was opened in 1955 when the Service first regionalized and this Office has served I&NS well for the past 20 years. However, over this time period the workload of the Service has grown and shifted considerably, resulting in the ineffectiveness of the current I&NS regional structure. The regional realignment equalizes workload, personnel, and span of control.

The one-time cost of the move will be more than offset by the subsequent savings realized by the more efficient and effective management of the Immigration and Naturalization Service under the improved regional structure, of which the move from Richmond is only a single, but crucial part. These savings will be realized without increasing budget or personnel.

3. There are distinct advantages to having a regional office in Dallas. Dallas is one of two standard Federal regional cities within the I&NS new Southern Region. The other is Atlanta. The new regional office has the advantage of being near the many offices in problem areas along the Texas border which it will administer as well as being within easy access of the Atlanta and Miami offices over which it will continue to have jurisdiction. It will be co-located with the Drug Enforcement Administration and Customs offices with which it must coordinate. The new regional office in Dallas will be able to participate in the Federal Regional Council to coordinate with other concerned Federal agencies on the illegal alien and drug enforcement problems, two areas of major concern in the United States today.

4. Including Virginia in the Northeast Region rather than the Southeast Region is mandated by the workload and by geography. In reviewing alternative regional structures for I&NS, the possibility of including the Philadelphia District (Standard Region III), which includes Richmond and the Commonwealth of Virginia, in the Southern Region was considered. This was not found to be a viable alternative, however, since it created regions with too much geographic diversity and imbalanced workloads. Also, the workload of the Philadelphia, Baltimore, and Washington Districts is much more similar to that of the districts in the Northeast than to that in the new Southern Region.

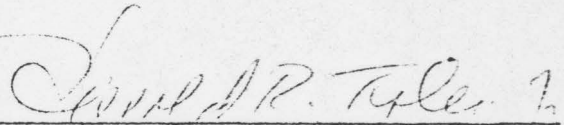
5. Closing the Richmond office will not result in a significant impact on the economy of that city. The I&NS office in Richmond accounts for less than one percent of Federal employment in Richmond and only one-tenth of one percent of the Richmond area payroll. While the I&NS office will be closing, another Federal agency, the EEOC, is in the process of opening a regional office in Richmond. The Richmond representatives concede that their objections to the proposed move are not on the grounds of impact to the local community.

6. Closing the I&NS office in Richmond will not result in substantial hardship to the employees of that office. Thirty-two of the 62 employees in the Richmond office are moving to the Dallas office when the Richmond office closes. Unfortunately, some employees in the Southeast Regional Office in Richmond -- although offered an opportunity to move to Dallas -- do not desire to move with the office. I&NS is making a concerted effort to assist these employees in obtaining other Federal employment in the Richmond area.

7. To delay the move, even on an interim basis, would create more disruption than it would prevent, and would be unfair to those employees expecting to report to work in Dallas on Monday, January 19, 1976. Any delay or termination of plans for the move at this time would cause undue hardship to many Service employees. Six of the Richmond I&NS employees have sold their Richmond homes, seven have bought homes in Dallas. Seven have moved. Sixteen new employees have been hired and ordered to report for duty on January 19. Another three Service employees have been promoted from other I&NS offices into positions in Dallas and are en route from other cities. The office in Richmond will be packed and moved beginning January 12, and file transfers necessitated by the regional alignment have already been made. A new tenant is preparing to take over the Richmond office space commencing January 19.

In view of the above, the Richmond to Dallas move appears eminently sensible. The objection raised by the Richmond opponents of the move is that it is not a wise expenditure of federal funds. They base this objection on the General Accounting Office's estimate of the dollar cost of moving the personnel and equipment of the Richmond office to the new Dallas location.

Unfortunately, the GAO report is far too limited for the purposes for which it has been used. It does not examine savings and efficiencies inherent in the total I&NS regionalization plan, nor the overall Executive Branch concept of using standard federal regions with headquarters in standard federal region cities. Prior to the adoption of this concept several years ago, OMB conducted lengthy studies to determine the best method of dealing with this difficult question of how best to control the location of federal offices around the country. This move is the final result of that process.



Harold R. Tyler, Jr.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

INFORMATION

January 15, 1976

MEMORANDUM FOR: Jim Cannon
FROM: Dick Parsons *D.*
SUBJECT: Relocation of the I&NS Regional
Headquarters in Richmond to Dallas

Attached is a draft Information memorandum from you to the President which is self-explanatory. Basically, it outlines the facts you, Paul O'Neill and I discussed yesterday concerning the impending relocation of the I&NS regional office in Richmond, Virginia, to Dallas, Texas.

I have discussed the contents of the memorandum with Bill Kendall and Tom Loeffler, who were at the meeting with the Virginia delegation, and they concur in the approach taken.

I believe the President should be aware of this situation before the actual move takes place on January 19.

Attachment

THE WHITE HOUSE
WASHINGTON

INFORMATION

January 16, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jim*
SUBJECT: Illegal Aliens

The Attorney General has scheduled a meeting of the Domestic Council Committee on Illegal Aliens for Wednesday, January 21.

His agenda will include a discussion of legislation pending in Congress which would affect illegal aliens and a plan to organize task forces to report to him by June 1, 1976.

cc: Jim Lynn
Dick Parsons



REQUEST

January 20, 1976

MEMORANDUM FOR: Jim Cannon
FROM: Dick Parsons
SUBJECT: Domestic Council Committee on
Illegal Aliens Meeting



The Attorney General has called a Cabinet-level meeting of the Domestic Council Committee on Illegal Aliens, to be held on January 21, 1976, at 1:00 p.m. You have been invited to attend. This memorandum provides essential background for your information.

BACKGROUND

The Domestic Council Committee on Illegal Aliens was created by the President on January 6, 1975 (see memorandum at Tab A). Although several meetings of the committee were held last year, little was accomplished apart from a realization of the lack of information concerning the status, location, etc., of the illegal alien population.

In an effort to more clearly focus and revitalize the committee's activities, the President, this past summer, directed that the committee undertake a full-scale analysis of all aspects of the illegal alien problem (see memorandum at Tab B). Partially in response to this directive, the I&NS has commenced a major study of the demography and impact of illegal aliens in the United States. With the exception of this action, little else has been done, however.

You should know that a separate but similarly charged entity, the Department of State's Interagency Committee for the Study of Problems Related to Illegal Mexican Migration into the United States, has met with the Mexican government and begun a dialogue on possible methods to resolve our mutual problem. Lynn May and I have attempted to see that the work of the Interagency committee is coordinated with that of the Domestic Council committee.

AGENDA

The meeting you will be attending on the 21st is designed to get the Domestic Council committee moving again. The major agenda items include (1) a discussion of pending legislation relating to the illegal alien issue (see Tab C) and (2) a discussion of an

organization plan to carry out the committee's responsibility for developing, coordinating and presenting to the President policy issues that cut across agency lines dealing with the illegal alien problem. This second item (discussed in detail at Tab D) calls for the establishment of five task forces focusing on the following areas:

- Economic and Labor Market Impact.
- Immigration Law and Policy.
- Enforcement.
- Social and Community Impact.
- Foreign Relations.



THE WHITE HOUSE
WASHINGTON

INFORMATION

January 16, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jim*
SUBJECT: Illegal Aliens

The Attorney General has scheduled a meeting of the Domestic Council Committee on Illegal Aliens for Wednesday, January 21.

His agenda will include a discussion of legislation pending in Congress which would affect illegal aliens and a plan to organize task forces to report to him by June 1, 1976.

cc: ~~Jim~~ Lynn
✓ Dick Parsons



JANUARY 6, 1975

Office of the White House Press Secretary
-----THE WHITE HOUSE

January 6, 1975

MEMORANDUM FOR: THE DOMESTIC COUNCIL

Secretary of State
Secretary of the Treasury
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health, Education and Welfare
Secretary of Housing and Urban Development
Secretary of Transportation
Assistant to the President Baroody
Director, Office of Management and Budget
Chairman, Council on Economic Advisers
Chairman, Council on Environmental Quality
Administrator of the Environmental
Protection Agency
Director, ACTION

SUBJECT: Domestic Council Committee on Illegal Aliens

I am today establishing a new Domestic Council Committee on Illegal Aliens. This Committee will develop, coordinate and present to me policy issues that cut across agency lines to provide better programs for dealing with this National problem. The Attorney General will serve as the Chairman of this Committee. The membership of the Committee will consist of the Secretary of State, Secretary of the Treasury, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health, Education, and Welfare, Assistant to the President Baroody, and the Director of the Office of Management and Budget.

GERALD R. FORD

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WASHINGTON

June 16, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JIM CANNON *JWC*

SUBJECT: Domestic Council Committee on Illegal Aliens

BACKGROUND:

On January 6, 1975, you established the Domestic Council Committee on Illegal Aliens to develop, coordinate and present policy issues that cut across agency lines to provide better programs for dealing with the national problem of illegal aliens. The meetings of the Committee have revealed the current total lack of solid data on the problem and the difficulty in obtaining it. The Committee is divided on its future course -- whether it should adopt a limited, methodical approach which would take several years to carry out or attempt a quicker resolution with several attendant risks. Your guidance is necessary to resolve this impasse.

OPTIONS:

There are two competing alternatives for the Committee's future activities and a non exclusive third option.

1. Limited Step by Step Approach:

A limited option would be to establish a legislative strategy for the passage of the Rodino Bill, which establishes penalties for the employment of illegal aliens, and determine a position on the Kennedy Bill, which would confer legal status on illegals who have resided in the United States for more than three years. The Committee would also monitor an Immigration and Naturalization study, currently awaiting Congressional appropriations approval, which would identify the number, location and employment patterns of illegals in the United States. Following completion of this preliminary study and building on the data it provides, a series of impact studies could then be devised, if considered necessary, to examine the effect of illegal aliens in areas like jobs, schools, social welfare, etc.

Pro - This option would permit a positive step by step approach without incurring great additional costs or creating mandates for further action. It would furnish data necessary to establishing the parameters of the problem and for the formulation of a logical sequence of studies leading to solutions.

Con - It is a limited approach to the problem and would not do much before the election to solve the larger accompanying economic and social impact of the pressure of illegal aliens apart from establishing sanctions against employment.

2. Immediate Comprehensive Approach:

An alternative approach would encompass the legislative and monitoring activities outlined above plus the immediate commencement of long-range impact studies to examine such problems as:

- a. What are the cost effects of illegal aliens on social services like welfare, unemployment insurance, health delivery and education?
- b. What is the cultural and social impact of illegal aliens on areas in which they settle? Do they make contributions to the communities in which they concentrate or are they parasites?
- c. What is the effect of the illegal aliens influx on our foreign policy and international relations? (This question would be examined in concert with the Secretary of State's Interagency Committee for Study of Problems Related to Illegal Mexican Migration into the United States.)
- d. How many and what type of jobs do the illegals take away and in what industries? Can these jobs be filled by Americans and is the U.S. labor force adequate and willing to work in jobs now occupied by illegal aliens?

Pro - It would provide a large body of background data and accelerate your Administration's efforts to deal with the problem.

Con - This proposal would take time, money and the commitment of a full time staff of agency personnel or consultants. The impact studies could heighten tensions among Spanish speaking groups and the results, particularly in the social services area, could produce evidence of the inordinate cost of illegal aliens on state and local governments. This could create pressures for Federal subsidies to ease the problem.

An option, not excluded by adoption of either of the preceding two, would be an examination of current laws covering immigration and admission of aliens for employment. This study would seek to determine whether or not liberalizing these laws would remove the influx of illegals and their impact on the economy. It could review the policies of other countries in this regard, notably Europe, and evaluate the old Federal "Bracero" employment program, in which Mexican citizens were allowed entry for employment under a quota system.

Pro - Would provide the data for a "legalistic" solution to the problem by examining the feasibility of admitting more aliens as immigrants and legal workers.

Con - The study could incur the opposition of organized labor to whom the "Bracero" program was an anathema.

RECOMMENDATIONS

- Option 1 (Limited Step by Step Approach) - Levi, Buchen, Marsh
Seidman
- Option 2 (Immediate Comprehensive Approach) - Dunlop, Lynn, Cannon
- Option 3 (Review of Immigration and Work Entry Laws) - Levi, Buchen, Marsh,
Lynn, Cannon

DECISION:

Option 1 _____ or Option 2 _____

Option 3 Yes _____ No _____



Pending Legislation Relating to the Illegal Alien Issue

H.R. 8713 - The "Rodino Bill"

H.R. 8713 would prohibit the knowing employment of illegal aliens. It is intended to eliminate the opportunities for employment which attract illegal aliens. H.R. 8713 would not require an applicant to show proof of citizenship or eligibility to work in order to obtain a job and would not require that an employer inquire as to his status. The bill proposes a three-step penalty structure, with a warning for a first offense, a civil fine for a second offense and criminal penalties for subsequent offenses. It would also provide for legalization of status for most illegal aliens who have been in the United States since 1968.

H.R. 8713 has been criticized for conflicting reasons. Some have asserted that a requirement that an applicant show proof of citizenship or eligibility to work is necessary if the prohibition is to be effective. Others argue that it is inappropriate to involve employers in enforcing the immigration laws. Strong concern has been expressed, by the U. S. Commission on Civil Rights among others, that the bill would encourage illegal discrimination against members of minority groups seeking employment.

The Administration has supported H.R. 8713 in the belief that a prohibition against the knowing employment of illegal aliens would be widely complied with voluntarily and that the many compromises reflected in the bill adequately meet the various criticisms of it. The bill has passed the House of Representatives in each of the last

two Congresses, but has not been acted upon by the Senate. In this session it has been favorably acted upon by the House Judiciary Committee, but is unlikely to be reported for floor action soon.

H.R. 981

H.R. 981 would amend the Immigration and Nationality Act to create for the first time a preference system and annual country quotas for Western Hemisphere immigration, for which visas are now issued on a first come - first serve basis. The preference system and annual 20,000 per country quota now applicable to the Eastern Hemisphere would be applied to Western Hemisphere, except for Mexico and Canada which would receive annual quotas of 35,000 each. In addition, the bill would simplify and expedite the labor certification process for the admission of needed workers.

The bill would serve to create more orderly Western Hemisphere immigration. It would reduce for those entitled to preferences the current two to three year waiting period for obtaining a visa and make the labor certification process a more viable means of obtaining needed labor legally. In these ways it would alleviate some of the incentive for illegal immigration. Altering its prior position, the Administration now supports applying the 20,000 quota to Mexico and Canada. Providing for immigration subject to the quotas of either 35,000 or 20,000 would, however,

reduce authorized immigration from Mexico, although it could increase immigration from Canada. Thus, it might exacerbate the pressures for illegal immigration from Mexico.

With the exception noted, the Administration supports H.R. 981. There is a general consensus among the interested parties that H.R. 981 is a desirable effort to improve the system of Western Hemisphere immigration, but would not alone substantially reduce illegal immigration. It is still being considered by the House Judiciary Committee and, absent a strong effort, its enactment in this Congress is not anticipated.

DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS

Background and Proposed Organization Plan



The Committee

In January 1975, President Ford established the Domestic Council Committee on Illegal Aliens, chaired by the Attorney General, "to develop, co-ordinate and present policy issues that cut across agency lines to provide better programs for dealing with this national problem." Surveys of agency attitudes and approaches to various aspects of the illegal alien problem were prepared and certain possible legislative proposals were explored. Subsequently, the President refined the Committee's mandate, requesting development of a legislative strategy, initiation and evaluation of long range studies on key questions regarding the impact of illegal aliens, and review of the U.S. immigration laws to assess whether they should be modified in light of the influx of illegal aliens. A task force approach to discharging these responsibilities was suggested.

The Illegal Alien Problem

Immigration to the United States is intended to be governed by the Immigration and Nationality Act of 1965, under which approximately 400,000 aliens are admitted annually. Actual immigration, however, bears little relation to the program prescribed by law. In 1974, 788,000 deportable aliens were located, about twice the number authorized admission that year. Latest estimates indicate that there are now 8 million illegal aliens in the United States.

Historically, illegal aliens have been Mexicans, concentrated upon our Southwest border, performing agricultural work. Today, however, only about 60% of illegal aliens are Mexican and there are increasing concentrations of illegal aliens in urban, industrialized areas throughout the country. There are, for example, estimated to be 1 million in the New York City metropolitan area alone. While most Mexicans seem to enter the United States surreptitiously and illegally, the majority of others enter legally in a temporary status and become illegal aliens when their visas expire.

Illegal aliens come to the United States seeking economic opportunity. Population trends in the countries from which they primarily come suggest that the incentive to emigrate in search of jobs should be expected to increase in the foreseeable future.

The influx of unauthorized immigrants has important, but somewhat unclear, implications for the United States. Many compete for jobs which are of interest to American workers. Many others, however, seem to accept employment for which Americans are unavailable. Nevertheless, because of their illegal status, all live in fear of apprehension and are subject to economic exploitation or abuse. The question of how illegal immigration and the proposals to deal with it affect the needs and interests of the United States is of central importance.

Immigration should be controlled by a system of laws which are fair and effective. The Committee's goal should be to develop an improved immigration policy, sensitive to economic realities, reflecting democratic values and faithful to our tradition as a nation of immigrants.

Organization of the Committee

The Committee consists of the Attorney General, the Secretaries of Agriculture; Commerce; Health, Education, and Welfare; Labor; Treasury; and State; the Director, Office of Management and Budget; and Special Assistant to the President Baroody.

It is proposed the Committee be organized into 5 task forces:

- Economic and labor market impact
- Immigration law and policy
- Enforcement
- Social and community impact
- Foreign Relations *

The task forces are intended to be working committees whose members are available to commit a substantial percentage of time and agency resources, including travel if necessary, to this effort. Task force chairmen should be senior officials of their departments selected by their respective Secretaries. The task force chairmen will comprise a steering committee for coordination and immediate

* Note: This subject will be handled by a previously constituted group, the Interagency Committee on Mexican Migration to the U.S. The Committee is chaired by the Department of State and was established pursuant to meetings between President Ford and President Scheverria of Mexico in 1972. The scope of its activities as originally defined will be broadened for purposes of the Domestic Council Committee.

response purposes. A modest level of staff support, located in the Department of Justice, will be available.

It is proposed that task force reports to the Committee be made by June 1, 1976. Task force efforts should include recommendations on pending legislation and other proposals, development of studies and pilot programs, identification of new areas for inter-agency cooperation, new contracts or use of existing resources to develop needed data, and contacts with affected constituencies within and outside government. The advice of interests and experts from outside the federal government should be considered particularly important. The task force reports should provide a basis for a full range of recommendations from the Committee to the President.

The membership and responsibilities of the proposed task forces are as follows:

1. Economic and Labor Market Impact Task Force

Chair: Labor

Members: Agriculture
Commerce (Bureau of Economic Analysis-
Balance of Payments)
Treasury (Internal Revenue Service)
Office of Management and Budget

As indicated earlier, most illegal aliens enter the U. S. in search of jobs. Many believe they take agricultural and industrial jobs normally filled by American workers, compete as low-skilled laborers most directly with unskilled ethnic or minority

groups, depress wages of American workers, adversely affect the balance of payments by sending money out of the U. S., and impose costs on American taxpayers by using public services and directly or indirectly contributing to the cost of welfare. There are indications, however, that illegal aliens perform economically essential functions for which Americans are unavailable, thus contributing to our economy and country. Analysis and consensus on the economic impact of illegal aliens are critical. This task force would analyze the economic impact of illegal aliens from two vantage points: (a) the labor-market economic sector and geographical distribution of illegal workers, their behavior and movement in the labor market, and their effects on native workers; and (b) the fiscal effect of illegal aliens on public expenditures, tax revenues and the balance of payments.

2. Immigration Law and Policy

Chair: Justice (Immigration and Naturalization Service)

Members: State (Security and Consular Affairs)
Labor
Office of Management and Budget

The goals of the Immigration and Nationality Act are the reuniting of families and the admission of needed workers and certain refugees. However, the Act has had several unforeseen effects, contributing to the long backlog in obtaining admittance from the Western Hemisphere which is itself an inducement to illegal immi-

gration. This task force would evaluate the basic premises of the Act and how it might be improved. This would include consideration of the approaches to immigration of other countries, the numerical limits on authorized U. S. immigration, the possibility of a preference system and country quotas for the Western Hemisphere, and means of improving the process for admitting needed workers on a permanent or temporary basis, including the possibility of bilateral arrangements to control the flow of what is now illegal immigration.

3. Enforcement Task Force

Chair: Justice (Immigration and Naturalization Service)

Members: State (Security and Consular Affairs)
HEW (Social Security Administration)
Treasury (Internal Revenue Service)
Special Assistant to the President for
Hispanic Affairs.

Law enforcement resources appear to be inadequate to meet the demands posed by present levels of illegal immigration. This task force would examine ways to organize and utilize these resources more effectively. This would include consideration of means of preventing visa abuse and use of fraudulent documents, compliance with and enforcement of FICA and withholding tax requirements, INS enforcement programs, and present practices in issuing social security numbers. The task force would also evaluate the resource implications of other possible law enforcement techniques. In the case of both present and possible law enforcement programs, explicit consideration should be given to their impact on U. S. citizens and authorized aliens.



4. Social and Community Impact

Chair: Health, Education and Welfare

Members: Commerce (Bureau of the Census)
Assistant to the President
Agriculture (Food and Nutrition Service)
Justice (Community Relations Service)



The influx of large numbers of immigrants has traditionally created community tensions, animosity from those who feel most threatened and sympathy from many others. It has also imposed additional public responsibilities on the communities in which they settle. These factors are complicated by the secret, illegal status of much of the current generation of immigrants. This task force would also be a vehicle for communication and cooperation between the Committee and the many ethnic, immigrant and state and local groups intensely interested in this area. This task force would assess the social ramifications of illegal immigration, including its effect on federal, state and local tax-supported services and programs, its population growth and distribution implications, and its consequences for legal resident aliens and minority groups.

5. Foreign Relations

Existing Interagency Committee on Mexican Migration
chaired by the Department of State.

This task force would be responsible for co-ordination and communication with those countries from which illegal aliens primarily come. In conjunction with the other task forces it would also develop short-run proposals which might be adopted by foreign

countries to discourage emigration and long range recommendations for assisting in the alleviation of conditions which cause aliens to emigrate. The primary emphasis of this task force would be on Mexico.

REQUEST

January 20, 1976

MEMORANDUM FOR: Jim Cannon
FROM: Dick Parsons
SUBJECT: Domestic Council Committee on
Illegal Aliens Meeting



The Attorney General has called a Cabinet-level meeting of the Domestic Council Committee on Illegal Aliens, to be held on January 21, 1976, at 1:00 p.m. You have been invited to attend. This memorandum provides essential background for your information.

BACKGROUND

The Domestic Council Committee on Illegal Aliens was created by the President on January 6, 1975 (see memorandum at Tab A). Although several meetings of the committee were held last year, little was accomplished apart from a realization of the lack of information concerning the status, location, etc., of the illegal alien population.

In an effort to more clearly focus and revitalize the committee's activities, the President, this past summer, directed that the committee undertake a full-scale analysis of all aspects of the illegal alien problem (see memorandum at Tab B). Partially in response to this directive, the I&NS has commenced a major study of the demography and impact of illegal aliens in the United States. With the exception of this action, little else has been done, however.

You should know that a separate but similarly charged entity, the Department of State's Interagency Committee for the Study of Problems Related to Illegal Mexican Migration into the United States, has met with the Mexican government and begun a dialogue on possible methods to resolve our mutual problem. Lynn May and I have attempted to see that the work of the Interagency committee is coordinated with that of the Domestic Council committee.

AGENDA

The meeting you will be attending on the 21st is designed to get the Domestic Council committee moving again. The major agenda items include (1) a discussion of pending legislation relating to the illegal alien issue (see Tab C) and (2) a discussion of an

organization plan to carry out the committee's responsibility for developing, coordinating and presenting to the President policy issues that cut across agency lines dealing with the illegal alien problem. This second item (discussed in detail at Tab D) calls for the establishment of five task forces focusing on the following areas:

- Economic and Labor Market Impact.
- Immigration Law and Policy.
- Enforcement.
- Social and Community Impact.
- Foreign Relations.



DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS
January 21, 1976

Attendees

Dept. of Justice	Edward H. Levi, Attorney General, Chairman, Domestic Council Committee on Illegal Aliens
	Leonard H. Chapman, Commissioner, Immigration and Naturalization Service
	Doris M. Meissner, Executive Director, Domestic Council Committee on Illegal Aliens
	Mark Wolf, Special Assistant to the Attorney General
Dept. of Agriculture	J. Dawson Ahalt, Deputy Director of Agricultural Economics
Dept. of Commerce	James A. Baker, III, Under Secretary
	Robert B. Ellert, Acting General Counsel
Dept. of Health, Education and Welfare	William A. Morrill, Assistant Secretary for Planning and Evaluation
	Ira Goldstein, Executive Assistant to Assistant Secretary for Planning and Evaluation
Dept. of Labor	John T. Dunlop, Secretary
	Abraham Weiss, Assistant Secretary, Planning Evaluation and Research
Dept. of State	Lawrence Eagleburger, Deputy Under Secretary for Management
	William H. Luers, Deputy Assistant Secretary for Inter-American Affairs
	Loren E. Lawrence, Deputy Assistant Secretary, Security and Consular Affairs
Dept. of the Treasury	Stephen S. Gardner, Deputy Secretary
Office of Management and Budget	Calvin J. Collier, General Counsel



Attendees

White House

Myron Kuropas, Special Assistant
to the President for Ethnic Affairs

Domestic Council

James M. Cannon, Assistant to the
President for Domestic Affairs

Richard Parsons, Associate Director,
Domestic Council



January 22, 1976

MEMORANDUM FOR: Jim Cavanaugh
FROM: Dick Parsons
SUBJECT: Weekly Report



1. Drug Abuse: Nothing new.
2. Civil Rights: Nothing new.
3. Illegal Aliens: The Attorney General chaired a meeting of Cabinet members of the Domestic Council Committee on Illegal Aliens yesterday, at which a new five-task force organizational structure was agreed upon. The new structure involves task forces on:
 - Economic and Labor Market Impact
 - Immigration Law and Policy
 - Enforcement
 - Social and Community Impact
 - Foreign Relations

The task forces are to make preliminary reports to the full committee by June 1, 1976.

I will be meeting with Doris Meissner, Executive Director of the Domestic Council Committee on Illegal Aliens, tomorrow morning to help her organize this effort.

4. Puerto Rico: The House Subcommittee on Interior and Insular Affairs commenced its hearings Tuesday on the Proposed Compact of Permanent Union between the United States and Puerto Rico. It appears at this point that those hearings will move very slowly, giving us an opportunity to develop an Administration response to the proposed compact.

Judge Taylor - Illegal Aliens 2/2/76

Honnet came up w/ formal paper work -

memo next week -
organizing task force
ec
sonit, etc



getting fact raises problems w/ civil rights,

Saying anything re

2. very uneasy - Re a Rodicio or other spokes - Rodicio being pushed by labor -

3. John Delap - memo of labor - Mexico - bilateral arguments.

4. Cabinet Committee to meet 3d week of January to

5. was with reference? ^{Interagency Committee} Brown & Rodicio and

Justice

OCT 20 1976

THE WHITE HOUSE
WASHINGTON

1976 OCT 22 AM 7 23
October 19, 1976

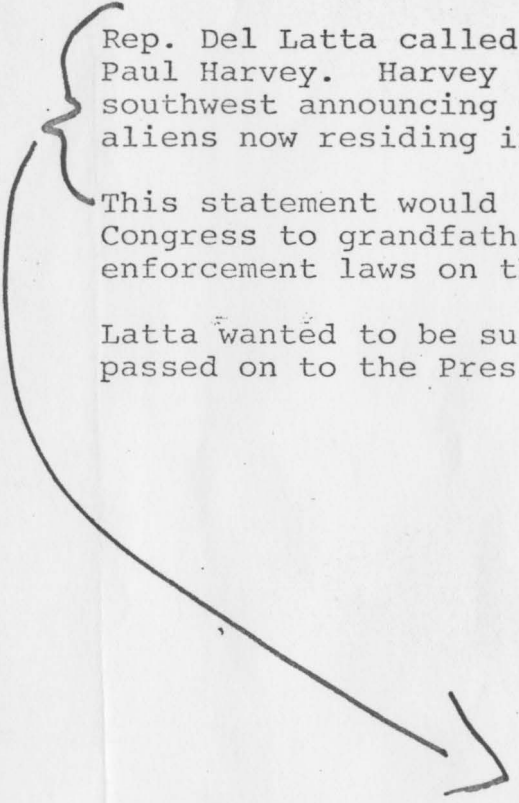
Copies to:
Mike DeLoe
Jim Cannon

MEMORANDUM FOR: MAX FIREDESDORF ✓
FROM: PATRICK ROWLAND PR
SUBJECT: Rep. Del Latta (R- Ohio)

Rep. Del Latta called regarding a broadcast today by commentator Paul Harvey. Harvey stated that Mondale made a speech in the southwest announcing that Carter would grant amnesty to illegal aliens now residing in the country.

This statement would seem to parallel a proposal in the 94th Congress to grandfather in illegal aliens in return for tougher enforcement laws on the hiring of illegal aliens in this country.

Latta wanted to be sure that this Carter-Mondale policy was passed on to the President.



Jim Callahan
FVI



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

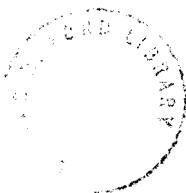
April 9, 1976

MEMORANDUM FOR: Jim Cannon
FROM: Dick Parsons
SUBJECT: Progress of the Domestic Council
Committee on Illegal Aliens

You requested a summary of what the Committee has done so far.

- On January 21, 1976, the Committee established five task forces and a steering committee to better and more efficiently handle the subject matter. The task force areas are: economic and labor market impact; immigration law and policy; enforcement; social and community impact; and foreign relations.
- On March 4, 1976, the Steering Committee met and worked out outlines for each task force to follow in approaching and executing its respective area.
- On April 18-20, the Committee's Foreign Relations Task Force (Interagency Committee on Illegal Mexican Migration) will host a delegation of Mexicans here in Washington in order to discuss the illegal alien problem and how to approach it.

Presently, there are no other definitive progressions.





UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

OFFICE OF
POLICY AND PLANNING

March 23, 1976

MEMORANDUM

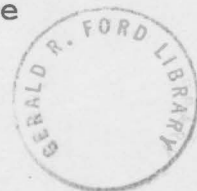
To: Domestic Council Committee on Illegal Aliens

From: Doris M. Meissner, ^{DM} Executive Director
Domestic Council Committee on Illegal Aliens

Subj: Steering Committee Meeting Minutes,
March 4, 1976

Attached please find minutes from the Domestic Council Committee on Illegal Aliens Steering Committee meeting of March 4, 1976 and work outline for each task force which were reviewed and adopted at that meeting.

Attachments



John Parson
Can I get
a brief summary
of what this
Committee has done
so far.



DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS
STEERING COMMITTEE MEETING
March 4, 1976

Attendees:

Edward H. Levi, Chairman
Sam Bernsen, INS
Leonard F. Chapman, INS
Barry Chiswick, CEA and Technical
Adviser to Steering Committee
John Dreyfuss, State
Ronald Gainer, DOJ
Ira Goldstein, HEW
James F. Greene, INS
Edward Guss, INS
Fred Kahn, DOL
Norbert Krieg, State
Doris Meissner, DOJ
John Nahan, INS
Richard Parsons, Domestic Council
James Purcell, OMB
Dennis Roth, DOL
Victor Vazquez, HEW
Abraham Weiss, DOL
Michael Wenk, DOJ
Mark Wolf, DOJ

Each of the five task forces established at the January 21, 1976 meeting of the full committee reported its progress and future agenda.

For the Immigration Law and Policy Task Force, General Chapman, chairman, reported that the work of the task force would proceed in two phases: the first, to be completed in March, will recount the history and basis of our present law and will assess its impact; the second will be an attempt to articulate what our law ought to be and will be based on the findings of the other task forces. It will consider the full range of options from no immigration to unrestricted immigration.

Because the other task forces may not report with sufficient information or time prior to the June 1 reporting date, Attorney General Levi urged the Immigration task force to develop some assumptions of what the impact of illegal aliens might be in order to analyze possible policy alternatives.

Abraham Weiss, chairman of the Economic and Labor Market Impact Task Force, reported that his group had developed a broad outline of questions that need to be answered before any definitive statements about illegal alien impacts can be made. The basic data needs on illegals will be supplied by a census-type study which will be funded by INS but is not yet underway. Mr. Weiss offered the technical services of his staff to INS in structuring the study.

The main interest of the Economics task force is in labor-related questions. It will assess experience with the worker certification and farm labor contractor programs and offer modifications as necessary. It sees the June report as a status report outlining the state of the art and does not believe any definitive information can be available by that time. Census and related data on the foreign born were suggested as useful sources of information for comparison group analysis to further the work of this task force.

The Economics task force suggested inviting a resource group of experts to meet with all task forces and lend assistance with the difficulties of learning about illegals. Mr. Levi cautioned against the danger of not giving equal opportunity for interested parties to be heard. It was agreed that individual meetings of task forces with select researchers and academics were appropriate but should not create high visibility or be accompanied by circulation of task force papers.

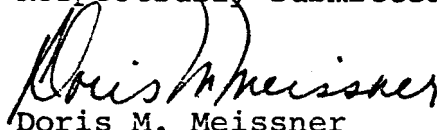
Victor Vazquez, chairman of the Social and Community Impact Task Force, reported that his group would produce a descriptive portrait of the social impact of illegals to be based on statistics where possible. They will also outline perceptions of illegals and propose research which would serve to validate or disprove these perceptions. Both the Economics and Social task forces propose to consider social services programs in their work. The former will take a cost-benefit approach and the latter will look at program use and impact.

For the Enforcement task force, James Greene, chairman, explained that his group will report on four areas: (1) how to enforce current authorities more effectively; (2) law enforcement priorities; (3) necessary legislation; and (4) disincentive measures to decrease the flow of illegals. Conclusions from other task forces should affect the work product of the Enforcement group and will be incorporated when they become available.

John Dreyfuss, State, reported for the Foreign Relations Task Force in the absence of William Luers, chairman. This task force will meet in April with government of Mexico officials. The U.S. wishes to convey to Mexico our belief that the illegal alien issue is a serious one and that the status quo may change. In addition to the Mexico meeting this task force will develop information for the June 1 report on international migration push-pull forces and foreign policy aspects of changes in immigration policy.

The remainder of the meeting was devoted to a discussion of (a) the proposed INS census survey on the numbers, characteristics and flows of illegal aliens in the U.S. and (b) a recent Supreme Court decision, DeCanas v. Bica, February 25, 1976, which upheld California's right to pass a state law regulating the employment of illegal workers but remanded the statute in question to the California courts for a ruling on whether or not it conflicts with federal immigration laws.

Respectfully submitted,



Doris M. Meissner
Executive Director
Domestic Council Committee
on Illegal Aliens

Domestic Council Committee
Steering Committee Meeting
March 4, 1976

Agenda

- A. Opening remarks
- B. Reports on work of task forces
 - 1. - Immigration Law and Policy - INS, Gen. Chapman
 - Economic and Labor Market Impact - DOL, Abraham Weiss
 - Social and Community Impact - HEW, Wm. Morrill
 - Enforcement - INS, James Greene
 - Foreign Relations - State, Wm. Luers
 - 2. Clarify areas of overlap; identify issues overlooked
- C. Information and data needs
 - 1. Presentation of INS research plans - Edward Guss, Director, Office of Planning and Evaluation, INS
 - 2. Additional data needs; how to meet them
- D. June report
- E. DeCanas v. Bica - February 25, 1976 Supreme Court decision - Sam Bernsen, General Counsel, INS
- F. Other

IMMIGRATION LAW AND POLICY TASK FORCE

Work Outline

1. Brief historical run-down on U.S. immigration. (For INS)
 - A. Early laws.
 - B. Who came (nationalities, workers, relatives) when and why?
2. Theoretical premises of 1965 amendments of Immigration and Nationality Act. (For State)
 - A. Exclusion of undesirables and unneeded workers.
 - B. Numerical limitation on immigration with preferences for relatives, workers and refugees.
 - C. Control of non-immigrants.
3. Impact of the 1965 amendments and their administration.
 - A. Who came since 1965? (For INS)
 1. Immigrants
 2. Non-immigrants.
 3. Illegal aliens and workers.
 - B. Who wants to come? (For State)
 1. Documented demand
 2. "Invisible" demand factors
 - C. How are we administering the present law. (For State, INS and DOL).
4. Relevant immigration policies of other countries.
 - A. Canadian and Australian immigration systems. (For State)
 - B. Western Europe's guest worker system. (For DOL)
5. Conclusions and recommendations including options for revising basic immigration system and administration -- to be considered later.

DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS

Economic and Labor Market Impact Task Force

Work Outline

The initial charge to the task force was to analyze the economic impact of illegal aliens from two vantage points: (a) the labor-market economic sector and geographical distribution of illegal workers, their behavior and movement in the labor market, and their effects on native workers; and (b) the fiscal effect of illegal aliens on public expenditures, tax revenues and the balance of payments. (Organization Plan adopted January 21, 1976)

In view of time and staff constraints, it has been agreed by the chair and the Executive Director of the committee that this task force would outline the state of the art within the purview of the task force and propose a plan to find some solutions to any knowledge gap deemed critical in determining the economic impact of illegal aliens.

Below is the work outline for this task force:

1. Demographic Profile (Basic data collection-INS)

a) Definition: distinction between nonimmigrants who overstay, those who enter illegally, and nonimmigrants who engage in work.

b) Description: Size, composition, marital status, sex, age, education level, place of origin, current location, and length of stay.

- c) Labor market status: earnings, industry, occupation.
- d) Economic objectives of illegal aliens (acquisition of low-skill, labor occupation and/or higher status?)
- e) Is illegal immigration largely a rural phenomenon, an urban phenomenon, or both?
- f) Frequency of illegal entry in a year. Any previous apprehensions? If so, this year? other years? Frequency of apprehensions.

2. Labor Market

- a) What is the extent of jobs held by illegals at the expense of those which citizens and legal immigrants would otherwise fill (displacement effect)?
- b) What is estimated cost of displacement in lost earnings to American workers and what is increase in tax burden as the result of such displacement (unemployment compensation, welfare, etc.)?
- c) How do wages paid illegals, by industry and occupation, compare with average wages paid for comparable jobs in the labor market area?
- d) If citizens and/or legal aliens spurn jobs held by illegals, are illegals filling appropriate labor market function and enabling marginal firms to continue to operate? (In absence of illegal

alien labor supply, would firms redesign production function in direction of more capital intensive operation?)

- e) Are lower wages paid illegals reflected in lower prices and hence possibly offsetting disemployment of American workers (in broad economic terms)?
- f) Proportion of total working population accounted for by illegals.
- g) What is the extent of substandard wages and working conditions encountered by illegal aliens and who are the most frequent offenders?
- h) Dynamics of occupation and geographical movement.
- i) Projections for the future.

3. Balance of Payment/International Income Transfer

If in work status, do illegal aliens send part of savings to country of origin?

- a) If so, approximate amount per year?
- b) What is aggregate amount of money sent outside U.S. by illegals?
- c) What is percent of money sent by illegals to total balance of payments status for that year?



- d) What is percent of money sent out to other countries by citizens and legal aliens?
- e) What is percent of money sent out to other countries by Federal agencies e.g., social security payments?
- f) What is effect of such outflow on economies of foreign countries? (e.g. is this a form of informal foreign aid?)
- g) What is effect of such outflow on U.S. economy?
- 4. Are wages paid to illegal aliens subjected to either Federal or State taxation procedures? What is extent of tax evasion?
- 5. Critique of current labor certification and FLCRA programs (DOL programs)
 - a) Effectiveness
 - b) Cost
 - c) Labor market impact
 - d) Court cases
 - e) Desired legislative changes in program
- 6. Economic implications of enforcement costs (apprehension, detention, deportation) ^{1/}
- 7. Domestic and foreign experience with guest and/or imported labor and/or illegals.

^{1/} The data will be collected by the Enforcement Task Force. However, the economic analysis will be performed by this task force.

DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS
Social and Community Impact Task Force

The Social and Community Impact Task Force in its first meeting held on March 1, 1976 discussed the issues and problems ~~surrounding these issues~~ surrounding these issues and decided to approach ~~its~~^{its} goal through the following activities:

1. Develop a review of the literature to determine what information is available which bears on the problem and how it can be used to address the social and community perspectives.
2. Develop an assessment of descriptive data on ethnic communities which can be used in determining extent of use of domestic programs and services by illegal entrants. The task force anticipates developing a rationale which would permit generalization to the illegal alien segment from the descriptive portrait developed for the like domestic minority community.
3. Examine the effects of enforcement activities on the domestic minority communities to determine what their impact is on the social activities of these communities and their illegal alien members.
4. Assess the social impact of current and proposed immigration policies on the domestic minority communities, as well as upon the broader domestic scene.

5. Identify data gaps and develop research ~~work~~^{ideas} which can be presented to the Domestic Council Committee on Illegal Aliens with recommendations for further development and eventual funding.

In general, the Task Force was painfully aware not only of the lack of data on social impact issues, but also of the apparent lack of mechanisms for obtaining this information. The members felt that ~~the following activities~~ ways for obtaining the needed information would have to be found and that some empirical data base would have to be developed before any meaningful discussion of the issues could be held. It was with this perspective in mind that the Task Force identified the following activities to be completed prior to their next meeting scheduled for March 15, 1976:

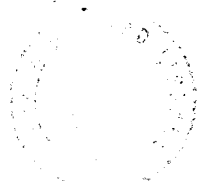
1. develop and circulate a "mini" review of the available literature
2. circulate copies of key studies to Task Force members
3. prepare ^{an} outline of data available which may be useful in developing a descriptive profile of minority communities for use in assessing utilization of programs and services by their illegal alien status members. (Bureau of the Census)
4. develop for presentation at next meeting an outline of available program data which may be useful in determining extent of service delivery to illegal aliens. (each member agency)

Enforcement Task Force

I. History of Immigration Enforcement

- A. Traditional U.S./Mexico Border problem
 - 1. Past experience with importation of Mexican workers
 - 2. Concept of an "open" border policy.
- B. Public's increasing sensitivity to immigration enforcement during difficult economic periods
- C. Illegal alien problems defined to some extent by allocation of resources
 - 1. Geographical deployment of resources
 - 2. Inherent nature of system geared to keeping persons out -- ill equipped to deal with persons once they are here
- D. Court decisions
 - 1. Individual aliens rights
 - 2. Impact on enforcement techniques

II. Present Enforcement System

- A. Department of Justice: Immigration and Naturalization Service
 - 1. Basic authorities
 - 2. Enforcement techniques
 - 3. Resources
 - 4. Priority of programs
 - B. Department of State: Bureau of Security and Consular Affairs
 - 1. Basic authorities
 - 2. Screening mechanisms
 - 3. Resources
 - 4. Priority of function
- 

C. Indirect Involvement

1. Department of Labor
2. Department of Treasury (Customs and IRS)
3. State and local law enforcement

III. Further Interagency Cooperation

A. Test case: 1972 Social Security Act Amendments

1. Administrative difficulties
2. Extent of INS/SSC cooperation
3. What has been the impact?
4. What experience tells us about future interagency cooperation efforts

B. Administrative improvements in INS/Visa Office cooperation

1. Greater exchange of currency
2. Additional information needed
3. Pilot programs

C. Department of Labor

1. Laws that affect illegal aliens
2. Extent of current enforcement
3. Pilot programs

D. IRS

1. Studies
2. Experience of pilot projects

IV. Dilemmas for Future Enforcement

- A. The relative priority assigned to immigration enforcement within total criminal justice system
 - 1. Ratio of immigration violations to prosecution as compared to other violations
 - 2. Incompatibility of system for immigration enforcement, e.g., U.S. Attorney's policy and penal system
- B. Inadequacy of System's Controls
 - 1. Fraudulent documentation and problems of identification
 - 2. Lack of departure controls
 - 3. Records keeping
- C. What level of compliance are we aiming for?

V. Disincentives

- A. Aimed at individual
 - 1. Deprive from economic benefits
 - 2. Deprive from benefits under ITNACT
 - 3. Increased sanctions
- B. Aimed at employer
 - 1. Sanctions, e.g., criminal and civil
 - 2. Eliminate tax benefits
- C. Narrow benefits that can be obtained
 - 1. Develop consistent federal guidelines
 - 2. Work to insure consistency of state and local regulations



D. Other

1. Harsher punishment for smuggling
2. Greater restrictions on travel and stay.

Foreign Relations Task Force

Work Outline

I. Meeting with Mexican government officials -- scheduled for early April

Agenda

- A. Overview of problem of undocumented aliens - advance exchange of papers
- B. Exchange of basic research documents and information
- C. Legislation
 - 1. Review of current and proposed U.S. and Mexico legislation dealing with undocumented migration
 - 2. Review of obligations and commitments assumed by each country in the light of international law and opinions rendered by international bodies.
- D. Suggestions for ameliorating the problem of the migratory flow of Mexican laborers to the U.S.
- E. International coordination or cooperative measures which might result in slowing the flow.
- F. Proposals for regularizing the status of undocumented Mexicans in the U.S.
- G. Protection of undocumented migratory workers in U.S.

II. Migration causal factors

- A. Push forces: Unavailability of economic opportunity -- rural to urban migration -- political oppression -- uneven economic development -- population pressures
- B. Pull forces: International economic disparity -- U.S. demand for cheap labor -- cultural and family ties -- lack of penalties.

III. Major illegal alien sending countries

- A. Identify characteristics
- B. Analysis of U.S.-sending country relations

IV. Foreign policy implications of changes in U.S. immigration policy or illegal alien constraints



V. Competing foreign policy actions

A. Foreign student and foreign visitor travel policies

B. Foreign aid priorities

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

file
Justice - Illegal Aliens
INFORMATION

May 20, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: Jim Cannon *Jani*

SUBJECT: Domestic Council Committee on Illegal Aliens -- Status Report



The purpose of this memorandum is to briefly review the progress of the Domestic Council Committee on Illegal Aliens.

The full Committee met on January 21, 1976, to consider the Attorney General's recommendation that several task forces be established to better and more efficiently handle the subject matter. The Committee endorsed the Attorney General's recommendation and created Task Forces in the following five areas:

- Economic and Labor Market Impact;
- Immigration Law and Policy;
- Enforcement;
- Social and Community Impact; and
- Foreign Relations.

The Committee also established a Steering Group to coordinate the work of these Task Forces.

All of the Task Forces have met regularly since their creation. The initial emphasis has been on the development of a sound information base upon which further analysis can proceed. In addition, the Foreign Relations Task Force recently met with a delegation of Mexican officials to explore how our two countries might better cooperate in combating the illegal alien problem.

The Attorney General is hopeful that he will be able to give you an interim report by mid- to late June.

Hold - to be started 11/3

CLEARANCE SHEET check w/ Parsons

DATE: 9-27-76

JMC ACTION

Required by: _____

STAFF RESPONSIBILITY PARSONS

SUBJECT: Preliminary Report of the Domestic Council
Committee on Illegal Aliens

RECEIVED FROM: Parsons DATE RECEIVED: _____

STAFF COMMENTS:

Both Preliminary



QUEEN/MOORE RECOMMENDATION:

- APPROVE
- REVIEW & COMMENT
- DISCUSS

I believe that we can and should release the report. It is solid, factual and doesn't purport to be anything more than a "preliminary" report.

CANNON ACTION:

DATE: _____

Material Has Been:

- Signed and forwarded
- Changed and signed
- Returned per conversation
- Noted

Let's start ASAP
10/14
Just

SEP 29 11 07 AM '76



JIM CANNON

Comment:

092904

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

INFORMATION/DECISION

September 27, 1976

MEMORANDUM FOR: Jim Cannon
Jim Cavanaugh
Jim Lynn

FROM: Dick Parsons

SUBJECT: Preliminary Report of the Domestic
Council Committee on Illegal Aliens



The Domestic Council Committee on Illegal Aliens has completed and is prepared to submit to the President a preliminary report. Though preliminary, the report is nevertheless quite substantive and shows that we have been doing a lot of thinking about this problem.

The question arises as to whether the report should be made public after submission to the President. I believe it should, but would like your guidance.

As I see it, if we make the report public we can (a) further stimulate thought and discussion about this important issue; (b) get useful feedback on our preliminary thinking; and (c) demonstrate to the public that the Administration is not only aware of the problem but that, pursuant to the President's direction, is moving on it.

On the other hand, some of the substantive positions takes in the report might be offensive to the Latin American community (e.g., the report comes down fairly hard on the law enforcement side). Moreover, the report raises more questions than it answers, which could lead to criticism.

I am seeking your guidance now (rather than after formal submission of the report), so that we can release the report shortly after its submission to the President.

To enable you to get a feel for the report, I have attached copies of the Executive Summary (Tab A) and of the final chapter, Summary of Conclusions (Tab B).

cc: Art Quern (w/attachments)

Preliminary Report

Domestic Council Committee on Illegal Aliens

Executive Summary



Introduction

Apprehensions of illegal aliens each year are almost double the number of people who enter legally. Illegal aliens, traditionally from Mexico and concentrated in the Southwest, are from many nations and are found in many areas of the country. The Domestic Council committee was established to undertake a comprehensive review of the issue and its implications. This preliminary report provides an overview of the policy questions, assesses current programs and knowledge and presents recommendations for further action.

Chapter I - U.S. Immigration Law and Policy

For the first 150 years of our history immigration was unrestricted. In the late 1800's certain classes, such as convicts, or national groups, such as Chinese, were excluded. In 1921 numerical limits were introduced based on the concept of national origin quotas. A major recodification in 1952 established three basic premises for immigration: family reunification, protection of jobs for the domestic labor force, and control of alien visitors. However the national origin

quota was maintained until 1965 when amendments replaced it with numerical hemispheric ceilings and introduced a fourth premise, that of asylum for refugees.

Immigration from the Eastern Hemisphere is held at 120,000 per year with a 20,000 per country limit. Admission is granted through a preference system which grants 74% of the places to relatives of U.S. citizens and permanent aliens. The Western Hemisphere ceiling of 170,000 was added at the last moment by Congress and operates on a first-come, first-serve basis with no preference system or per country limits. Labor certification by the Department of Labor is required for all non-relative classes from both hemispheres. The 1965 law is the statute which governs immigration today and has, since 1965, had two major effects: (1) Immigration has increased by more than 100% over the 1924-1965 period; and (2) there has been a shift away from European groups toward Asian and Latin American groups.

The worker importation provisions of the law apply to both immigrants and temporary workers but they play a minimal role in the present policy scheme. Canada and Australia, the two nations most similar to the U.S. in immigration matters, weigh employment impact considerations heavily in their criteria for granting immigrant status.

Chapter II - Illegal Immigration: The Global Picture

The principal source of immigration to the United States currently is Mexico, Jamaica, the Dominican Republic, Haiti, Korea, the Philippines, Thailand, and China. Demand for immigration is intense in these countries and several have waiting lists of 2 years or more. These countries are also among the major illegal alien source countries. The source countries have similar characteristics in three respects: rapid economic expansion, high population growth rates, and links with the U.S. This pattern will apply to increasing numbers of countries in the future and creates strong push forces on individuals to migrate. These push forces combine with the pull of available jobs and low risk of detection in the United States to produce illegal migration.

The phenomenon of migration occurs in streams according to certain principles among which the difficulty of intervening obstacles and development of counterstreams are prominent. The process is not responsive to legal limits but rather its own self-sustaining momentum. Policy will have to address the fundamental principles of push-pull and migration to be successful.

Illegal immigration is from many countries but Mexico is a major source for reasons of both history and geography.



The governments of the U.S. and Mexico have established bilateral discussions on the issue. However, the illegal migration issue has not been of concern to policymakers in the governance of our relations with other source nations. Actions discouraging illegal entry may compete with other foreign policy goals, e.g. tourism. However, illegal immigration merits a far higher and more generalized level of attention in our conduct of foreign affairs.

Chapter III - Law Enforcement

There is a long history of U.S.-Mexico border enforcement in immigration matters. Thus the majority of our enforcement effort is directed at this aspect of illegal immigration. Illegal entrants from other nations are a relatively recent development that requires significantly different techniques.

The Immigration and Naturalization Service (INS) has primary responsibility for immigration enforcement. It is aided by the Department of State which issues visas overseas. Prevention of illegal entry is the agency priority and is done through inspection of individuals at ports of entry and policing our land and borders between ports. INS also carries on investigative activities within our borders

against illegals who escape detection at entry. Recent court decisions have limited INS' latitude in the interior making prevention more important.

Several agencies have enforcement roles which are related to illegal immigration. They are the Social Security Administration, Internal Revenue Service, U.S. Customs Service, and the Wage and Hour division of the Department of Labor. The Committee has evaluated current and proposed additional means of interagency cooperation among them and INS and the Department of State. Experience has shown that cooperation on enforcement matters is difficult when the agency is service oriented such as the Social Security Administration. However, much can be done to increase the effectiveness of enforcement with the tools presently available both among and within the agencies concerned.

In addition to improved interagency efforts, certain disincentives to illegal migration are needed which require legislation. The disincentives are designed to lessen the economic pull which draws illegals to the U.S., discourage the use of the law to gain time and establish equity for immigration benefits, increase enforcement authorities to aid in capturing smugglers and the like, and streamline the law of anachronistic provisions which detract from more important tasks.

Chapter IV - The Illegal Alien: A Soft Portrait

Judging the impact of illegal aliens on our society requires information which is extremely sketchy at best. Data deficiencies center on the difficulty of counting and describing a clandestine population, the unrepresentativeness of using only apprehended and Mexican illegals. Several studies were reviewed and a composite description of the illegal includes personal characteristics by nationality, origin within native country, age, sex, education, marital status, language ability, and motivation; characteristics of entry by entry without inspection, visa abuse and others; characteristics of residence by location, mobility, and wage remissions; and characteristics of work place. The major points of agreement are that the principal impact of illegals is in the labor market rather than on social services, that language ability is an important determinant in the type of employment, and significant percentages of earnings are returned to the illegals' native country.

Chapter V - Domestic Impact of Illegal Aliens: The Issues of Employment and Earnings

Because research on illegal aliens is in an embryonic state, an exposition of domestic impact remains tentative.

There are several hypotheses concerning the economic impact of illegals: (a) low skilled illegal alien workers compete with low skilled natives depressing their wages and tending to increase earnings of skilled workers and owners of capital; (b) illegal aliens create unemployment by taking vacant jobs; and (c) illegal aliens take more from the system in services than they contribute in taxes. The data currently available cannot provide answers. At best it indicates certain directions.

Useful information may be obtained from analyses on the foreign born and their impact in combination with what is known about illegals. Earnings of the foreign born rise with tenure in the U.S. and after 13 or more years are substantially the same as natives. This implies that if undetected, illegals would have the same profile as natives and therefore would not remain a cheap labor source. The analysis does not hold for Hispanics, an important illegal alien characteristic, nor does it incorporate the illegality factor as a barrier to upward mobility.

The termination of the bracero program showed that sudden removal of alien labor opened jobs which natives took at improved wages without driving employers out of business.

European countries have made extensive use of temporary foreign workers who have made positive contributions to economic growth but who have not returned as planned and create problems during times of economic slowdown.

Chapter VI - Illegal Immigration: Social Issues

Migrants moving into new areas resettle according to four stages. First, young, unmarried males predominate followed by married men. In the third stage, they marry or send for their families and settle permanently attracting supporting populations of employers, businesses, etc. in the final stage. Restrictions to keep migration temporary rarely work and the last stage is frequently marked by tension with the native population. Different parts of the U.S. may be experiencing different stages of settlement at this time.

Within the context of settlement, the welfare issue or use of income transfer programs by illegals has received much attention. These programs are examined and with the possible exception of food stamps, which restrict eligibility on the basis of citizenship, illegals are unlikely to qualify based on age, sex and other personal characteristics. Definitive judgment must await better information on the characteristics of illegals and the settlement stage(s) of various groups and areas.

Several other social issues raised by illegal immigration are population growth, INS enforcement, anti-alien sentiment and federal-state-local relations. Immigration is one of the major aspects of our population growth as a nation. If the net number of illegals is at least equal to our net immigration, the numerical impact is a central factor in growth.

INS enforcement causes community resentment and hostility in many areas, particularly in ethnic communities. The greatest degree of support is to be found with employer targeted enforcement; serious difficulties accompany residence based efforts. This potential for strife is also apparent in anti-illegal alien organizing in some large urban areas.

The federal government has not worked closely with other units of government on illegal alien issues although these are the levels at which immediate impacts are keenly felt. The existence of underground communities which actively avoid government presents significant problems which require cooperation and coordination to prevent.

Chapter VII - Dilemmas for the Future

Beyond the issues and topics discussed in the report, immigration matters lead to large philosophical and policy questions for the society which will only be answered over

time. Some of the general areas within which immigration is or should be an important component are government control over individuals in law enforcement matters, research methodologies and the limitations of information, long-range foreign policy priorities and imperatives, and the limits of and potential for growth.

The conclusions of the report and recommendations make up Chapter VIII.

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CHAPTER VIII
CONCLUSIONS AND MAJOR RECOMMENDATIONS

In drawing conclusions and formulating recommendations, it is important to reemphasize the preliminary nature of this report. The illegal immigration phenomenon is complex and an interagency examination of this issue is a very recent development. The charge to the Domestic Council Committee was to develop a comprehensive approach to the issue. In furtherance of that goal, this report attempts to provide a clear statement of the issue in its broad terms, assess current information, and chart the process and tasks through which the executive branch of government should proceed as a result.

One clear theme of this report is that a dramatic lack of reliable information makes thorough analysis of illegal immigration impossible at this time. Thus the conclusions which the Committee has drawn are tentative and subject to revision. Nevertheless the Committee believes that certain judgments can and should be made at this time in an effort to channel further inquiry in a productive fashion.

CONCLUSIONS

1. Illegal immigration is rooted in powerful social and economic forces endemic to both host and sending countries.

Historically Mexico has been and remains a major source of illegal entrants to the United States.

However illegal immigration today involves many nations and new migration streams. Sending countries are typically rapidly developing nations where rising expectations combined with population pressure have far surpassed the ability of economic growth, albeit substantial, to narrow significantly the income gap with the U.S. Thus pressure to emigrate is intense, and large numbers of people have already emigrated to the United States legally from source countries as a result of 1965 amendments to the Immigration and Nationality Act (INA). The act markedly changed legal immigration to permit large numbers of Latin and Asian origin groups and to diminish numbers of Europeans who migrate. Illegal immigration must be studied in the context of migration incentives and the law governing legal entry. United States employers seek foreign workers for many kinds of work. Thus economic opportunity and kinship and culture ties in the U.S. combine with migration pressures to create potent push-pull forces which the INA was not designed to check.

2. Illegal immigration is significant and growing.

Current estimates of the stock and flow of illegal aliens are educated guesses at best. Establishing these numbers in a credible fashion is important. Although

sound numbers are not available, the relevant point for current policy purposes is that the illegal immigration phenomenon is significant and growing. Our immigration policy, as promulgated under the INA, is ineffective. Our official commitment is to an exclusionary policy founded in history and domestic political considerations which allows approximately 400,000 foreign-born to take up permanent legal residence in this country per annum. The de facto situation is quite the opposite in that a combination of legal loopholes and incentives, enforcement inadequacies, and international push-pull forces have created virtually open immigration to the U.S. Analysis of this combination of factors leads inevitably to the conclusion that a trend has been established which is likely to grow if present circumstances persist.

3. The major impact of illegal aliens at this time seems to be in the labor market. This impact is likely to extend over time to other areas as the process of settlement proceeds.

Illegal aliens compete effectively with native workers, particularly with the minimally skilled and under-employed, although the degree to which they actually displace native workers is unclear. These immigrants raise the income of owners of capital and



land and of highly skilled workers and lower prices to consumers of goods and services they help produce. Thus certain legal residents gain and others, particularly those with few skills, lose from the presence of illegal aliens. However the unskilled labor which the illegal generally contributes in the early stages of migration later tends to be offset by the costs incurred in the latter stages of migration when new communities of families must be absorbed. This result occurs during settlement, the end-product of migration. Initially the migrant generally intends to emigrate only temporarily. However his aspirations, objectives and opportunities become attached to the host country so that he eventually remains, establishing or sending for family rather than returning.

4. The government should no longer ignore the community-related implications of large numbers of illegal aliens.

The ineffectiveness of the INA has helped to create communities concentrated in our largest urban centers whose existence depends on avoidance of law and authority. Breeding these conditions signals long-run negative social implications for ethnic Americans and for the ability of state and local units of government to function effectively. Aside from the question of economic impact, the ramifications of harboring large numbers of people in illegal

status are undesirable and contribute to a breakdown in the institutions and systems upon which we depend for fair government.

5. Effective enforcement of the Immigration and Nationality Act must stress prevention above all other considerations.

It is vastly more desirable from both a policy and a resources standpoint to prevent entry of the illegal or screen out potential illegals before arrival than to locate and apprehend the illegal once he is in the U.S. This strategy is currently accepted but it will require more adequate resources for both the State Department and the Immigration and Naturalization Service, improved management and tactics, legislation, and greater cooperation among federal agencies with related enforcement responsibilities to be effective.

6. Effective enforcement is not enough. The illegal alien issue is ultimately an issue of immigration policy and will not be satisfactorily met until a thorough rethinking of our immigration policy is undertaken.

Who may enter this country for what periods of time under which circumstances are the questions we must, as a nation, answer. These questions in turn raise questions about employment, population, and



other broad policy areas. The law must be revised to incorporate current and future realities not envisaged in the 1965 deliberations in which our present system was formulated. The executive branch must provide leadership and take an active role in the development of a better immigration policy. Serious study, widespread discussion, public education, interagency coordination, adequate resource allocation, policy analysis, planning, and cooperation with state and local levels of government are all needed.

The recommendations set forth below do not preclude the more specific recommendations contained at the end of individual chapters. Specific chapter recommendations will presumably be implemented as part of the overall follow-up to this preliminary report by the Committee in accordance with the major recommendations below. The Committee does not believe any single element among its recommendations can solve the illegal alien problem. It does believe that the cumulative effect of implementing the recommendations which follow will be to slow the flow of illegal aliens significantly and to take major strides toward the development of a more effective immigration policy.

MAJOR RECOMMENDATIONS

1. The issue of illegal immigration merits priority attention and requires Cabinet leadership. Actions to be taken cross many bureaucratic and agency lines and will require continued coordination and direction at the highest level.

2. The executive branch should aggressively pursue the enactment of legislation which relates directly to the illegal alien question and which the executive branch has supported in the past. Such legislative actions include:

- (a) penalties for employers who knowingly hire aliens not authorized to work;
- (b) application of the preference system and foreign state limitations to Western Hemisphere immigration in a manner similar to that regulating Eastern Hemisphere immigration;
- (c) thorough revision of the labor certification provisions of the current law so that immigrants admitted for employment fall within prescribed quotas and individual certifications are eliminated;
- (d) establishing a minimum age of 21 years for Western Hemisphere aliens to confer immigration benefits upon a parent as pertains to Eastern Hemisphere aliens;

- (e) advancement of the eligibility date for establishing a record of admission for lawful permanent residence from June 30, 1948 to July 1, 1968; and
- (f) increased penalties for persons who smuggle or facilitate illegal immigration.

3. The Committee should evaluate the current H-2 or temporary worker program authorized by the INA to determine if it is adequate, both from an administrative and statutory standpoint, to meet the legitimate needs of employers for temporary foreign workers. It should further assess the United States experience with the bracero program and the experiences of other nations with guest worker programs. An expanded, government to government foreign worker program should not be sought at this time. However, means of improving the government's responsiveness to employers under current law should be developed if necessary.

4. The agencies administering the INA -- INS and the Department of State -- should receive high priority in the allocation of resources directed at prevention of and screening for illegal entries, management and operational upgrading, and inter-Departmental coordination.

5. The Committee should carefully study and make recommendations on all aspects of the question of

adjustment of status for illegal aliens already in the country. The Committee recognizes that massive deportation is both inhumane and impractical and advocates reasonable but relaxed standards for illegals already here. However support for some form of adjustment of status relief is contingent upon passage of legislation described in recommendation #2 of this section.

6. The Department of State should undertake serious, high-priority exchanges with governments of the major illegal alien sending countries on the illegal migration issue, visa controls, and U.S. domestic pressures and activity surrounding the illegal alien. U.S. foreign aid and other efforts toward less developed nations should be encouraged, but with greater emphasis on factors that would reduce the pressures that encourage migration, e.g., population planning, rural economic development and labor intensive programs.

7. The Committee and the cognizant federal agencies should initiate and support a broad based research program to determine the nature and scope of the various immigration related problems. This must include research within government agencies as well as through contracting with outside individuals and institutions, involvement of other levels of government and consultation with a wide variety of experts in many disciplines. Relevant economic,

sociological, demographic and labor market data are needed to adequately examine existing policies and update them.

8. The Committee should initiate a thorough re-examination of the basic precepts and operations of current immigration policy with the goal of developing proposals and systems which are based on information developed through careful study and research and widespread discussion among affected interest groups and the general public.

