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Immigration bill works

WASHINGTON — If the high school course that once was known as civics still is being taught, a superlative textbook could be put together from the continuing struggle on Capitol Hill to enact an immigration bill.

At bottom is a constitutional provision: Congress has power "to establish a uniform rule of naturalization." Out of that power emerges the power to regulate immigration, a power that first was exercised — badly exercised — in the notorious Alien and Sedition Laws of 1798. It seems unbelievable today that Congress ever could have given a president the power to expel any alien he deemed "dangerous," but such was the law of that time.

That first immigration act lasted only a couple of years before it was wiped off the books. In 1875, Congress enacted a law barring the immigration of prostitutes and convicts. In 1882, exclusions were expanded for reasons involving disease, criminal records, moral turpitude and the prospect of subversion. That same year saw enactment of the Chinese Exclusion Act, a law that stayed on the books until 1943.

It wasn't until 1924 that Congress established fixed quotas based upon national origin. Those quotas remained generally in effect until the system was abolished in 1965. Meanwhile, in 1952, Congress enacted the basic Immigration and Naturalization Act that once again is the subject of intense debate on Capitol Hill.

Last week the Senate voted 76-18 for a comprehensive bill that would rewrite the basic law of 1952. The bill provides a model for the student on how our political system really works.

The Senate approved a quite similar bill last year, but it died for want of favorable action in the House. Nadine Cohodas, writing in Congressional Quarterly, put a whole textbook in a paragraph: "The legislation died from a combination of ailments — opposition from Hispanics, organized labor, the business community and civil rights groups; an unenthusiastic House leadership and lack of time."

A key provision of the 1982 proposal, slightly revised in the Senate's 1983 version, provided for



James J. Kilpatrick

sanctions against employers who "knowingly" employ aliens who are in the country illegally. To many of us, the provision makes sense. It is the lure of a job that draws thousands of Hispanics to take the risks of illegal entry. But to spokesmen for Hispanics, the provision is intolerable; they see it as a path toward discrimination, as Rep. Tony Coelho said, against anyone who has "dark hair, dark eyes and dark skin."

Business groups, led by the U.S. Chamber of Commerce, were unwilling to impose additional responsibilities and paperwork upon employers. Spokesmen for organized labor supported the provisions. They saw sanctions as a means to protect the jobs of American workers.

Last year's struggle in the House could teach the student of civics something about parliamentary procedure. At one point, opponents had upward of 300 amendments prepared for purposes of delay. Key provisions of the bill, dealing with amnesty for aliens who have established residence illegally, demanded sponsorship. It wasn't there.

The bill's chief sponsor in the House, Romano L. Mazzoli, D-Ky., contributed to the lessons at hand. The bill failed, he said, because of "the search for perfection." Labor wanted a bill that would perfectly protect workers, Hispanics wanted perfect language on sanctions and others wanted perfect provisions for amnesty. If the same forces contend in the same way, the bill may fail again, but in the 98th Congress the proponents have one thing working for them: They yet have time to marshal votes for a bill, imperfect though it may be, that is the best bill we likely are to get.

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Immigration: a Popular Answer Is No Answer

By MICHAEL S. TEITELBAUM

One of the most attractive proposals for restraining illegal immigration to the United States is, unhappily, an illusion.

The argument is that the United States should not adopt reform measures, such as "de-legalizing" the knowing employment of illegal aliens, aimed at making immigration controls reasonably effective. Instead, it is said, we should undertake to promote the economic development of the sending countries so that the availability of jobs at home would reduce the incentives for their people to emigrate.

Such arguments have recently been put forward by several members of Congress, as well as by advocacy groups such as the Mexican-American Legal Defense and Education Fund and the League of United Latin American Citizens.

The argument is attractive for at least three reasons. First, it seeks to deal with the problem "at its source," instead of dealing merely with the symptoms of a large illegal-alien population. Second, it avoids the hard political choices required to reform American immigration law. Third, it promotes the economic development of the sending countries, which can only serve humanitarian purposes by improving the lot of millions of poor people.

Alas, the argument is an illusion, and for two main reasons:

First, no matter how successful, economic development cannot be expected to be a major restraining factor on emigration pressures in this century. Development is a notoriously difficult, uncertain and slow process. Success or failure is assessed over the decades rather than years. Indeed, it seems that the earlier stages of such development may tend to stimulate rather than restrain migration, both internal and international.

Second, and ironically, substantial emigration is now an implicit component of the development strategies of many sending countries. They see this emigration as a means of limiting unemployment, maximizing foreign-currency earnings and providing an outlet for dissidence.

Of course, in the next century, pressures for emigration to the United States will

moderate only if the sending countries achieve substantial economic development. Moreover, such development must be of a type that produces large volumes of new jobs, instead of the capital-intensive projects often favored by developing country elites.

Labor-force projections prepared by the International Labor Organization illustrate the magnitude of the job challenge. The labor force of the developing world is projected to increase by 600 million to 700 million persons from 1980 to 2000. To put this into perspective, this 20-year increase is larger than the entire current labor force of the whole of the industrialized world—including the Soviet Union, Eastern Europe, Western Europe, North America, Japan and Oceania.

According to these same projections, Mexico and Central America will experience nearly 100% growth in their labor forces over the next 20 years. That would mean 25 million to 27 million added to the 1980 labor force of 27 million.

It is a sad commentary that there is now so little support for American assistance to developing countries, another symptom of the growing insularity and shortsightedness that are afflicting our country and others. Hence, the support for such policies now being expressed by opponents of immigration reform is to be welcomed, even if some see it simply as a strategy to deflect political support for domestic immigration reform.

Furthermore, the evidence is overwhelming that those concerned about U.S. immigration trends over the long term—that is, into the next century—must address themselves to the longstanding "push" factors in the sending countries, amply demonstrated by the labor-force projections that I have described.

But such arguments do not change the shorter-term realities. To urge reliance on a long-term, development-oriented approach to restrain illegal immigration in the 1980s and 1990s is to promote a policy mirage, however attractive that mirage may be.

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Guy Wright/ *Immigration battle*

This nation desperately needs an immigration policy, but not so desperately that it should settle for just anything.

The Senate has passed an immigration bill that is more than generous. The House is working on one that gives the store away.

Their differences center on three key points: How many immigrants are enough? What to do with illegal aliens? How to stop illegal employment?

The Senate bill sets a ceiling of 425,000 immigrants a year, about the number coming in legally now. The House bill sets no ceiling. Two attempts to impose one were voted down in committee.

Acknowledging that there is no way to deport all the illegal aliens in this country, the Senate would grant amnesty to those who arrived before Jan. 1, 1980, and offer citizenship in five years to those who have been here since 1977.

In the House bill, everyone who sneaked in prior to Jan. 1, 1982, would be allowed to stay and become a citizen in five years.

Both bills call for fining employers who "knowingly" hire illegal aliens, but with important differences. The Senate version requires employers to check the

citizenship or immigration status of all new hires. In the House version, employers aren't required to check until they have been caught hiring illegal aliens, and nothing happens to them until they are caught twice.

Many observers are convinced that a foolproof worker identity card is the key to stopping illegal employment. But that idea so angered civil rightists that even the Senate temporized. Its bill tells the president to come up with an ID system in three years.

That mandate was deleted from the House version on a motion by Congressman Don Edwards of San Jose, who substituted a request for a study.

Both chambers of Congress started their immigration labors with the Simpson-Mazzoli bill, which got bogged down last year. Its terms remained pretty much intact in the bill passed by the Senate last week.

But the House version, set for a floor vote next month, underwent major amendments by the Judiciary Committee that open the door wider and make deportation more difficult.

It is fair to say that most Americans are uncomfortable with the idea of granting amnesty and awarding citizenship to people who

sneaked into the country while others were waiting their turn.

Besides setting a bad precedent, the grant of amnesty will make millions of illegal aliens eligible for all the goodies of the welfare state. And once citizenship is bestowed on them, a host of their relatives will become eligible for priority entry.

FAIR, the Federation for American Immigration Reform, which tries to act as a people's lobby on this issue, questions the wisdom of blanket amnesty. It contends that a more selective provision can be made for illegal aliens who have become settled, contributing members of the community. At the least, it warns against amnesty until a workable procedure for verification and enforcement is in place.

On the other hand, Hispanic spokesmen aren't satisfied even with the lenient House version. During hearings an exasperated Rep. Romano Mazzoli, D-Ky., scolded two major Hispanic groups for wanting Congress to "do nothing at all" to stem illegal immigration.

John Huerta of MALDEF, the Mexican-American Legal Defense and Education Fund, said he would oppose any bill that penalized employers for hiring illegal aliens.

Border is under assault



**Georgie
Anne Geyer**

Sen. Alan Simpson, the eloquent Wyoming Republican who is emerging as one of the few Senate statesmen around, quotes some staggering new figures on illegal immigration.

In March of this year, he told me recently, the border patrol apprehended 108,000 illegal

aliens crossing the Mexican-American border. Since the number of apprehensions generally runs about one-fifth of the number actually crossing, it is likely that a half-million people crossed or tried to cross over illegally in one month!

To say that this is staggering is not hyperbole. For if one accepts the conservative figure of 5 million to 9 million illegals currently in the United States, that means that anywhere from one-tenth to one-eighteenth of that total is now coming or trying to come each month.

We must be clear about what is happening to us. Central America and Mexico are not leaking people anymore, they are hemorrhaging people. Approximately 35 percent of the aliens come from Central America and 50 percent from Mexico. In Central America, people are fleeing brutal civil wars; in Mexico, they are leaving because of economic collapse.

Passage of the Simpson bill to "patrol our borders rationally and humanely" is pending in the Senate, and a companion bill is up in the House.

This extraordinary problem involves something that has been virtually "unspeakable" before—the danger that the masses of illegals will be fertile ground for

subversion in the United States.

We live in a world where the Kremlin tries to kill the Roman Catholic pope; where there were at last week's count, 40 different wars in progress around the globe; where terrorism is put down in one form only to take on a new one.

Given this, why do we fear to speak of the fact that there will certainly be ideological contagion and an underground, clandestine, helpless and illegal American Hispanic community?

In fact, with the hemorrhaging of people from Central America, it would be impossible if there were not political immigrants bringing ideologies such as anarchism, nihilism and every form of Marxism, including "Christian Marxism."

Jose Colon, an anthropologist at Stanford University who has worked extensively along the Mexican border, confirmed this a couple of years ago.

He told me, "In Southern California, many migrants were very aware of the ideologies that play in Latin America. Most were coming just for work, but there were many political refugees. It is a very real possibility that they would carry new ideologies with them."

The problem is that we Americans are living in a kind of time warp. Few of us understand that the world has changed—and changed permanently—and that the great oceans that protected America before from these massive movements of peoples no longer act as barriers. America today is vulnerable politically, culturally and ideologically. Indeed, our innocence makes us even more so.

This is not to say that the United States should not act in a humane manner toward would-be immigrants. Indeed, that is exactly what the Simpson bill does.

But the fact is that we are facing the most dangerous threat to our national integrity since the Civil War.