

# WITHDRAWAL SHEET

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DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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1. Memo

From V.P. to POTUS re: Gov. Wilson's immigration proposals, 3p

8/11/93

P5

**P1** National security classified information [(a)(1) of the PRA].

**P2** Relating to appointment to Federal office [(a)(2) of the PRA].

**P3** Release would violate a Federal statute [(a)(3) of the PRA].

**P4** Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].

**P5** Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].

**P6** Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

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### RESTRICTIONS

**B1** National security classified information [(b)(1) of the FOIA].

**B2** Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].

**B3** Release would violate a Federal statute [(b)(3) of the FOIA].

**B4** Release would disclose trade secrets or confidential commercial financial information [(b)(4) of the FOIA].

**B6** Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].

**B7** Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].

**B8** Release would disclose information concerning the regulation of financial institutions [(b)(9) of the FOIA].

**B9** Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

① Immigration file  
② xc to Wonsa  
9/15/93  
rm

SEP 10 REC'D

THE WHITE HOUSE  
WASHINGTON

DATE: 09/09/93

THE VICE PRESIDENT  
CAROL RASCO  
GEORGE STEPHANOPOULOS  
DAVID GERGEN  
TO: BRUCE LINDSEY

FROM: JOHN D. PODESTA  
Assistant to the President and  
Staff Secretary

The attached has been forwarded  
to the President.



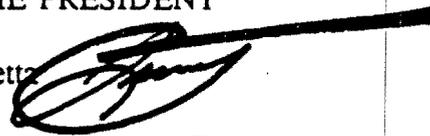
THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

P 7: 53

September 9, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon E. Panetta   
SUBJECT: Border Patrol Staffing and Funding

This is in response to your question, relayed through John Podesta, regarding Border Patrol staffing and funding.

As I understand it, you preferred "option 3" as outlined in the attached memorandum. However, you also asked what additional resources, above the \$45 million you have requested as part of the FY 1994 Department of Justice Budget Amendment, would be required to hire the full 600 Border Patrol agents.

Department of Justice (DOJ) Decision Process

Attorney General Reno plans to meet with DOJ staff next Wednesday to discuss the various options for using the \$45 million requested for the Border Patrol in FY 1994. DOJ staff is continuing to discuss alternative options. It has developed a variation of option 3 which would increase new support staff even further (in order to return Border Patrol agents from support/clerical to patrol duties). The resources to hire additional support staff would be taken from the amount currently allocated for sensors and other technological improvements in option 3. In any case, the Attorney General has indicated to DOJ staff that she wants to preserve the prerogative to choose the mix of programs.

Providing for 600 Border Patrol Agents

Nominally, option 3 provides for 443 agents and 167 support staff. However, because 100 support staff would be hired to allow 100 agents to return to patrol duty, functionally this option would strengthen the patrol force by 543 agents.

Depending on whether you look at it nominally or functionally, the additional cost would be as follows:

	<u>NOMINAL</u> Increase to Reach 600 Agents	<u>FUNCTIONAL</u> Increase to Reach 600 Agents
Current Option	443	543
Added Agents Required	+157	+57
-----		
Total Agents	600	600
 FY 1994 Cost Associated with Increase*	 +\$11 million	 +\$4 million

\*Includes training, uniforms, vehicles, firearms, etc.

#### Potential Offsets for \$4-11 Million

If you should choose to add the \$4 million to \$11 million referenced above, discretionary offsets would need to be found. The National Performance Review's recommended cuts provide two opportunities:

- \$8 million from INS. Proposal to strengthen the Regional INS structure could eliminate about 100 headquarters positions in FY 1994.
- \$6 million from US Marshals Service. Proposal to professionalize the Marshals could eliminate about 100 Presidentially appointed Marshals' positions in FY 1994 by having the career Marshals perform their functions.

However, the appropriations committees are more likely to find \$4 million to \$11 million in offsets for the Border Patrol by cutting from State Department or Agency for International Development programs. These programs are in the same appropriations bill as Justice. Generally speaking, the committees prefer funding domestic programs.

You should also know that the pressure on DOJ to meet their FY95 planning ceiling will be severe. As OMB views the Department's predicament, the above NPR savings should be on their list of must-do cuts. Using the cuts now for Border Patrol will marginally increase the pain elsewhere.

Attachment (previous memorandum)



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

September 8, 1993

MEMORANDUM FOR CAROL RASCO  
DONSIA STRONG

FROM: Christopher F. Edley, Jr., Associate Director  
Ken Schwartz, Deputy Associate Director

SUBJECT: The President's Question on Border Patrol Increases

The President is correct -- the response to Duncan Hunter "fuzzed" the issue of how many Border Patrol agents would be hired because no one in the Administration (Department of Justice (DOJ), Office of Management and Budget and Domestic Policy Council staff) has been particularly enthusiastic about the utility of hiring more agents. Rather, it has been our assumption that the Administration would get a bigger "bang for the buck" if improved technologies were employed on the border (see attachment for more information.)

DOJ has not made final decisions on how it would use the \$45 million. DOJ is evaluating three primary options, as follows:

Increase Compared with 1994 President's Budget  
(Budget Authority in millions)

	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>
Restore Border Agents that were cut pursuant to Presidential 100,000 FTE cut.....	+5.9 (+93 Positions)	+5.9 (+93 Positions)	+5.9 (+93 Positions)
Additional Border Agents.....	+31.9 (+450 Positions)	+31.9 (+450 Positions)	+24.8 (+350 Positions)
Additional Border Support Staff.....	---	+2.4 (+67 Positions)	+2.4 (+67 Positions)
Additional Support Staff to Free Agents From Support Duties.....	---	---	+3.6 (+100 Positions)
Sensors and Other Technological Improvements.....	+7.3	+4.9	+8.4
Total.....	+45.0 (+543 Agents)	+45.0 (+543 Agents; +67 Support)	+45.0 (+443 Agents; +167 Support)

At this point in time, DOJ/INS seems to prefer Option 3. While that option contains the fewest additional agents of the three options under consideration, DOJ staff indicate that:

- 100 of the support staff increase will be used to release 100 Border Patrol agents from clerical duties; hence, functionally it should be perceived as an increase in "agents-on-the-border" of 543, not 443; and
- This option gives INS the largest increase of the three options in terms of new sensors and other equipment. INS believes that this is its highest Border Patrol priority.

Further, INS/DOJ are currently working on a strategy to utilize the additional resources in order to control the border. The Attorney General plans to review this strategy personally.

Finally, it should be recognized that the FY 1995 budget picture is not pretty. While DOJ's 1995 planning ceiling has fared well in comparison with those of other agencies, DOJ will still be extremely hard pressed to fund all announced Presidential priority activities (e.g., 100,000 cops, "Brady Bill" criminal records upgrades, and National Performance Review suggested consolidation of the Federal Bureau of Investigation and the Drug Enforcement Administration, which costs money in the first year).

September 8, 1993

NOTE TO DONISIA STRONG

From: Ken Schwartz and Lin Liu

Subject: Border Patrol Technology

INS seems to prefer the option which enables the Border Patrol to purchase \$8.4 million worth of "improved technology" while hiring 443 agents and 167 support personnel.

The Vice President led group which crafted the July 27th Immigration Initiatives announced by the President favored an investment in technology to give the Border Patrol agents the necessary tools to effectively do their jobs and to maximize their resources. The following are some ways technology is useful in carrying out Border Patrol responsibilities:

- o The Border Patrol place sensors in selected "known" areas of illegal traffic. Sensor "hits" are monitored in communications headquarters and dispatchers provide these information to Border Patrol agents who then move into the target areas to apprehend the illegal crossers. The sensors and the dispatch service are effective because they enable the agents to use the personnel more strategically and to patrol larger areas.
- o Infrared devices, like sensors, assist the agents in targeting resources to areas which illegal movement is occurring. For example, the Border Patrol owns several infrared devices called the "Scope." The Scope provides video coverage of an expansive area and detects heat movements. When the agent who is manipulating the Scope sees movement on the video screen, he directs the ground agents to the areas which the illegal aliens are.
- o Secured communication radios enable ground agents to report new information and solicit assistance. Border Patrol agents do not generally work in teams and radios provide the only means to keep in touch. Secured devices are important because alien smugglers also employ technology to track BP movements through radio communications.

Technology enhances the Border Patrol's ability to cover vast land areas more strategically. In many ways, items like the secured radios are not luxury goods but are basic tools for agents. More agents, complemented by technology, therefore make the Border Patrol more effective.

THE WHITE HOUSE  
WASHINGTON

September 8, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN PODESTA *JP*

SUBJECT: Immigration

This responds to your note on a letter to Congressman Duncan Hunter.

As you can see from the attached, DOJ/INS are considering spending the additional \$45 million that was requested for the INS on a combination of border patrol agents, clerical support and new technology. None of the options under consideration fund an increase of 600 agents. The money was requested for new technology and "up to" 600 new agents.

There is strong resistance to funding only new agents at the expense of new, upgraded equipment and technology.

Fully funding the 600 new agents, therefore, is likely to mean finding additional money for the equipment and additional offsets.

Do you want OMB/DOJ/INS to pursue those additional resources?

cc: The Vice President  
Mack McLarty  
Carol Rasco  
David Gergen  
George Stephanopoulos

*I'll like to know how much it would cost*

**EXPEDITE**



*Ask Wonsia if I need to do anything - doesn't appear so.*

*File: Immigration*

**DEPARTMENT OF JUSTICE COMMAND CENTER  
FACSIMILE TRANSMISSION COVER SHEET  
JCC FAX NUMBER - COMM: 514-4699**

<b>TRANSMITTED TO:</b>	<i>Carol Rasco</i>
	(NAME)
	<i>White House</i>
	(ORGANIZATION)
	<i>456-2878</i>
	(FAX NUMBER)
	<i>456-2216</i>
	(TELEPHONE NUMBER)
<b>TRANSMITTED FROM:</b>	<i>Dept. of Justice / Tony Vasario</i>
	(ORGANIZATION/NAME)
	<i>202-514-2360</i>
	(TELEPHONE NUMBER)
<b>PAGES BEING SENT:</b> <u>4</u> (DO NOT COUNT COVER SHEET AS A PAGE)	
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*1192*

**EXPEDITE**

**SPECIAL INSTRUCTIONS:**

Certain organizations receiving their appendix from the 1983 Mass Immigration Emergency Plan have provided comments on their statement of responsibilities contained in the "Operations Plan Summaries" section of the November 4, 1993 draft "Operation Distant Shore." Such agencies should ensure that the statement of responsibilities in this section of the November 4, 1993 ODS plan includes updated versions of all pertinent information contained in the 1983 appendix, including names, titles and phone numbers of points of contact plus a complete list of resources if appropriate. If you have any questions please contact Tony Vasaio or Alan Ferber on 202-514-2360.



U.S. Department of Justice

Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

NOV 18 1993

Ms. Carol Rasco  
Assistant to the President  
for Domestic Policy  
The White House  
Washington, D.C. 20500

Dear Ms. Rasco:

Thank you for your agency's participation in the November 9, 1993, inter-agency meeting regarding the mass immigration emergency plan, "Operation Distant Shore."

As discussed at the meeting, we are entering the final stage of the planning process which includes compiling a detailed list of those agency resources which can be relied upon in the case of an emergency.

We ask that each agency on the enclosed list update, by November 29, 1993, its appendix to the 1983 immigration emergency plan, a copy of which is enclosed. For those agencies not included in the 1983 plan, or for whom a 1983 appendix was not prepared, please submit a list of the resources your agency can make available to fulfill its responsibilities under the plan.

Please submit the revised agency appendix or list of resources to D. Jerry Rubino, Director, Security and Emergency Planning Staff, Justice Management Division, by November 29, 1993. Mr. Rubino and his staff are available to assist you in the preparation of this material. Mr. Rubino's address is

as follows: U.S. Department of Justice, Security and Emergency Planning Staff, Room 6525, 10th Street and Constitution Avenue, N.W., Washington, D.C. 20530. The telephone number is (202) 514-2360 and the fax number is (202) 514-1728.

I appreciate your cooperation in this important project.

Sincerely,



Webster L. Hubbell  
Associate Attorney General

Enclosure(s)

cc: Donsia Strong  
Senior Policy Analyst  
Office of Domestic Policy  
The White House  
Washington, D.C. 20500

LIST OF DEPARTMENTS AND AGENCIES  
RESPONSIBLE FOR UPDATING APPENDIX  
TO 1983 MASS IMMIGRATION EMERGENCY PLAN

DEPARTMENT OF JUSTICE

- Federal Bureau of Investigation
- Bureau of Prisons
- U.S. Marshals Service
- Office of Legal Counsel
- Office of Legislative Affairs
- Executive Office for U.S. Attorneys
- Immigration and Naturalization Service
- Office of Public Affairs

DEPARTMENT OF TRANSPORTATION

- Federal Aviation Administration
- U.S. Coast Guard

HEALTH AND HUMAN SERVICES

- Public Health Service
- Administration for Children and Families

CENTRAL INTELLIGENCE AGENCY

OFFICE OF MANAGEMENT AND BUDGET

DEPARTMENT OF STATE

GENERAL SERVICES ADMINISTRATION

DEPARTMENT OF DEFENSE

DEPARTMENT OF TREASURY

U.S. CUSTOMS

**JOINT COMMUNIQUE**

The Attorney General of the Republic, Dr. Jorge Carpizo, extended an invitation, which I accepted, to pay a working visit to Mexico City. I was received by President Carlos Salinas de Gortari, to whom I conveyed a greeting and message from President William Clinton.

Attorney General Carpizo and I discussed the repercussions the adoption of the North America Free Trade Agreement will have on the pursuit of justice and law enforcement in general, concurring that without a doubt its approval will translate into closer and more intense cooperation.

We believe that the strengthening of mutual respect and shared responsibility which will come about with the Treaty, will increase the ability of the United States and Mexico to fight drug trafficking and other crimes, such as organized crime, money laundering, arms trafficking, intellectual property piracy and environmental crimes.

In order to achieve this, after discussing the characteristics and trends of the drug phenomena, we reiterated our decision to

maintain, with due respect for the sovereignty of the two countries, the necessary spirit of cooperation, bilateral as well as regional and worldwide, to join forces in specific areas in the fight against the abuse, production and illegal traffic of narcotics.

Within the framework of the new policies being formulated by the government of the United States regarding this matter and in accordance with the new structures being established by the Mexican State for this purpose, we discussed future measures to initiate actions which will give priority to the dismantling of criminal organizations similar to the methods used in Sinaloa and Chiapas last week, where approximately 9 tons of cocaine were seized. We will also work together to forfeit the assets and financial resources of the traffickers, as has occurred during the past several months with the forfeiture of more than 120 properties from the Arellano-Felix organization.

I conveyed to Attorney General Carpizo my special recognition of the progress made in this field as represented by the recent creation of the National Anti-Drug Institute, which I visited.

We exchanged ideas about how, bearing in mind the precepts of International Law and the Domestic Law of each country,

we can promote and prompt among our colleagues of the western hemisphere the possibility of establishing systems of criminal justice which will clearly and efficiently contribute to combatting impunity and corruption. We reiterate our pledge to protect the human rights of all the citizens of our countries. Concerning the negotiations related to the Extradition Treaty currently being held between Mexico and the United States in order to explicitly establish the prohibition of transborder abductions, we noted with satisfaction the constructive atmosphere and the significant progress made with regard to this matter.

Attorney General Carpizo informed me of the decision of the Mexican government to create a unit which will guarantee and speed up the action taken by the courts in proceedings dealing with crimes committed abroad by Mexican nationals located in Mexico. I assured Dr. Carpizo that the Department of Justice is in the process of identifying, on a Federal as well as state and local level, the cases which may be referred to this new unit; in addition to appointing a Judicial Attache to the Embassy of the United States in Mexico in order to promote legal cooperation.

Finally, even though we did not address specific immigration topics, since, in Mexico this falls within the purview of other government agencies, we expressed our willingness to intensify communication between Federal, state and local authorities in their pursuit of justice so as to prevent and solve border problems. To this end, we agreed to instruct our officials along the border to stimulate cooperation and to act accordingly.

Mexico, D.F.

October 11, 1993

President Salinas asked us to explore the legality and feasibility of a new pilot program for the return to Mexico, in appropriate cases, of Mexican citizens currently incarcerated in prisons in the United States who are able to participate in programs for rehabilitation and reintegration into their Mexican community. We look forward to working together on this project in the next few weeks.

October 12, 1993

MEMORANDUM FOR THE PRESIDENT

FROM        DONSIA STRONG  
              Domestic Policy Council Staff

SUBJECT     Immigration Issues

**I.        Your Response to Governor Wilson's Proposals**

In an interview with the Los Angeles Times, you stated that you did not believe that we should change the Constitution to deny citizenship to children born here to parents who are in the country illegally. You disagreed with the Governor's suggestion to shut off emergency medical treatment noting that it is in the public interest to treat people who have communicable diseases.

You spoke about the Administration's ongoing examination of the feasibility of creating a tamper-proof national identity card aimed, in part, at preventing illegal immigrants from taking advantage of government benefit programs.

You asserted that, in the long run, NAFTA will reduce immigration pressure both by improving the standard of living in Mexico and by evening up development within Mexico so that people would not feel compelled to migrate north to the maquiladora zone near the U.S. border.

You argued that the only way to avoid having the immigration debate damage the social fabric of the country would be for the government to begin demonstrating to citizens that it is taking action to enforce the immigration laws.

**II.       Administration Initiatives to Combat Illegal Immigration**

On June 18, you announced a Plan of Action to combat the smuggling of aliens into the United States by organized crime syndicates. The Plan responds to a problem which has existed for almost two years. The Plan:

- Strengthens law enforcement efforts;
- Combats smuggling operations at source countries;
- Directs Coast Guard to interdict and redirect smuggling ships in transit; and
- Directs DOJ to expedite processing of entry claims and return economic migrants smuggled into the United States.

With this Plan, the United States signaled its abhorrence of the trafficking in human beings for profit and its determination to combat this illegal activity. At the same time, we affirmed our commitment to safeguarding the protection of bone fide refugees. **Since this announcement we have successfully interdicted one ship off the coast of Guatemala and no ship has entered U.S. waters.**

On July 27, you announced a series of initiatives to combat illegal immigration generally, and alien smuggling and counter terrorism specifically. The centerpiece of the initiatives is a legislative proposal allows for the expeditious removal of those who arrive at our ports of entry with fraudulent or no documentation while protecting the rights of those legally seeking asylum. The legislation also doubles prison sentences for those convicted of smuggling aliens and makes smuggling a predicate for RICO prosecutions. We expect Congress to act on the legislation by the end of the month. In addition, the INS will complete its regulatory review and make its recommendation to further streamline the asylum process.

The proposal also includes \$172.5 million in resources to --

- Hire, train and equip up to 600 border patrol agents to improve their ability to interdict and return illegal aliens seeking to cross the border;
- Increase funding to accelerate full automation of U.S. embassies and consulates to better provide information on people who should not receive visas; and
- Work in cooperation with the international airline industry to prevent illegal immigration abroad -- prior to an alien's arrival in the U.S.

\* On September 19, the Border Patrol began Operation Blockade. In doing so, it deployed 400 - 450 agents along the 20 mile stretch between El Paso, TX and Ciudad Juarez, Mexico and all but stopped human traffic crossings which had been over 10,000 people per day.

At a cost of \$350,000 in overtime and per diem, the blockade reduced illegal traffic, increased border patrol arrests from 600 per day to 140 per day, and increased fraudulent document interdiction by 500%. In contrast, South El Paso businesses, especially discount, food and clothing stores, experienced a substantial decrease in revenues. The costs to personnel in terms of exhaustion and moral were significant. The agents worked 6 day weeks on 8 to 10 hour shifts.

DOJ is reviewing the blockade to determine the feasibility of its use on the San Diego border. Initial thoughts are that a blockade on the southwest border would require substantially more agents with much greater attending costs due to the differences in terrain. In addition, the aliens are thought to be more volatile and would engage in greater instances of rock throwing.

To: Attorney General  
From: Mike Williams  
Via: Phyllis Coven  
Re: Operation Blockade in El Paso

#### BACKGROUND

Operation Blockade was a high visibility deployment of approximately four hundred (400) Border Patrol agents on the international border between El Paso, Texas and Juarez, Chihuahua, Mexico over an area of approximately twenty miles. The objective was to effectively control the border by the presence of agents on the border to discourage the entry of undocumented people.

A great deal of groundwork was required for this experimental project. It started off with the idea that INS wanted to improve the border patrol's image in El Paso which had deteriorated dramatically since the Bowie High School incident in which undocumented juveniles were being arrested on school grounds.

Preparation for Operation Blockade involved three months of intensive liaison efforts by Chief Silvestre Reyes with state, local, federal and Government of Mexico officials, as well as extensive liaison with community and special interest groups. El Paso Sector developed operational plans which included preparation of a budget module which was approved by Mike Williams and Chris Sale at headquarters. INS headquarters authorized \$350,000 for per diem and overtime on this experiment.

Reyes convinced Chief Williams of the positive benefits of showing the community that the border patrol could actually deter illegal entry and reduce crimes committed by illegal aliens. Upon his arrival in El Paso, Chief Reyes was made aware of complaints he had heard from the Mayor, Chief of Police, and others concerning crime in the El Paso community.

#### HOW WAS IT IMPLEMENTED

To implement the program, INS had to bring in additional manpower to the downtown area where the largest percentage of arrests was being made in the sector. Agents were rediverted from less productive enforcement operations (i.e., at Fort Hancock, Truth or Consequences -- small border posts; employer Sanctions and airport duties), in addition senior staff officers were assigned field responsibilities. Prior to Operation Blockade, agents actually on the line per day in the immediate El Paso area, averaged between 100 to 130; during Operation Blockade, approximately 240 officers per day worked the line in the immediate

downtown El Paso area. The remaining officers worked the outskirts of the metropolitan area. To do this, approximately \$350,000 in overtime and per diem expense were required.

WHAT WE LEARNED AND HOW IT MIGHT APPLY TO SAN DIEGO

Operation Blockade demonstrated in El Paso, from September 19 through October 2, along approximately 20 miles of the Southern border, that:

- o Illegal traffic can be reduced and public support garnered for increased INS enforcement in a large city with a sizable Hispanic population.
- o Border Patrol arrests in El Paso and Ysleta Stations dropped from approximately 600 arrests per day to approximately 140 per day.
- o Anticipating that undocumented individuals precluded from crossing the line would attempt entry at the three nearby ports of entry, INS and Customs increased their vigilance and cover at the ports to interdict fraudulent documents and smuggled aliens. Fraudulent document interdictions increased by 520% at ports of entry -- from 15 to 90 per week.
- o Smuggling and narcotics cases increased at the ports of entry by approximately 500 per cent. This is a bit misleading because it is gauged from the previous week's seizures which were only 3. During the first week of the operation 15 drug cases were made. (Let's talk with Jim Puleo -- is this the extent of their normal week's productivity?)
- o Some South El Paso businesses reported a drop in revenue, typically discount stores, food and clothing stores. This may have been part of an initial reaction by legal Mexican migrants who were hesitant to cross.
- o On the Mexican side of the border, there were several initial demonstrations by people who had been unable to cross illegally and both international bridges were blockaded by Mexican nationals and members of the communist party for a short time. The strong cooperation between Mexican officials and port personnel, El Paso city police, and the Border Patrol, averted violence and after a short period of time bridges were cleared.

There have been several other very small demonstrations in Juarez, Mexico.

- o This success has come at significant cost to personnel in

**"CONTROLLING THE SOUTHWEST BORDER"**  
**A Report for the Attorney General**

Prepared by the  
Immigration and Naturalization Service  
September, 1993

September 21, 1993

## **CONTROLLING THE SOUTHWEST BORDER**

### **I. PURPOSE OF REPORT**

On August 26, the Immigration and Naturalization Service (INS) formed an INS Southwest Border Task Force to respond to questions raised during the Attorney General's visit to the Southwest border -- specifically (1) how are we using our resources, and is it the most efficient way, and (2) what does it mean to "control the border" and what would it take to do it? We have reviewed our current use of resources, how we measure our work and effectiveness, what improvements we can make, and what strategy we should pursue in order to address these issues.

### **II. REVIEW OF CURRENT USE OF RESOURCES**

We conducted a survey of the nine Border Patrol sectors on the Southwest border to evaluate off-duty ratios and examined the number of agents performing non-agent duties. We found that the off-duty ratios we are experiencing are appropriate for a 24 hour, 7 day a week operation. However, we found that nearly all of the nine sectors have agents performing non-agent duties such as transporting aliens, vehicle maintenance, inventory, fence repair, construction, and clerical work. We have identified 192 agent positions that can be returned "to the line" (64 in San Diego) by hiring 171 support positions and contracting for transportation services. The resources required to implement these efficiencies are outlined in the "Requirements" section of this report. The redirection of agents back "to the line" will have an immediate effect on enforcement efforts of the entire Southwest border.

Furthermore, implementation of an automated system to process aliens will also increase agent workhours on the line. It is recommended that INS continue implementation of a system that automates data collection and retrieval, and generates forms.

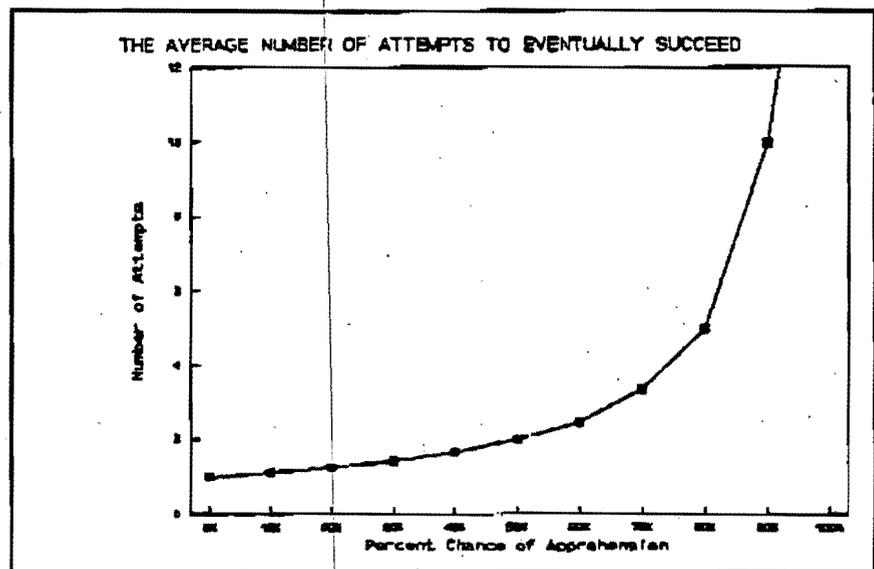
### **III. DEFINING "CONTROL"**

Controlling the border is defined as stopping the flow of illegal entries into the United States. The apprehension of illegal aliens and the deterrence of repeated attempts are the two principal means available to the INS. Without positive, long term changes in the root causes that prompt illegal migration such as improvements in the Mexican economy, NAFTA, effective employer sanctions enforcement, or closing the loopholes that allow illegal aliens to gain equities in the United States, the "pull" factors will remain strong. Controlling the border will continue to be a difficult task.

To improve border control of any given border area, the risk of apprehension must be high enough to be an effective deterrent; otherwise, border enforcement resources will continue to be overwhelmed by aliens willing to attempt illegal entry until successful.

INS has developed a border enforcement model that recognizes the exponential effect increased apprehensions have on both the average number of attempts needed to enter successfully and on deterring recidivism (see Figure 1). The model factors in the "revolving door" effect whereby an alien continues to attempt entry until successful. It simulates the enforcement dynamics at work on the border and demonstrates the effect additional apprehension resources have on border control. As the chance of apprehension increases, the model increases the number of aliens deterred from additional entry attempts.

**Figure 1.** This graph shows the exponential effect that increases in the apprehension rate have on the average number of attempts required to eventually evade apprehension and gain illegal entry. At a 50 percent apprehension rate it only takes an average of two attempts to be successful, and at a 65 percent apprehension rate, only 2.9 attempts.



Because the deterrent effect of apprehensions does not become effective in stopping the flow until apprehensions approach 100 percent, the strategy needed is to maximize the apprehension rate. Although a 100 percent apprehension rate is unrealistic, we believe we can frustrate aliens by increasing the risk of apprehension to the point that aliens will consider it futile to continue to attempt illegal entry.

#### IV. MEASURING "CONTROL"

Currently, border enforcement or "control of the border" is not systematically evaluated in a meaningful way at the national level. Although each sector evaluates the effectiveness of its operations, these efforts are often not suitable for quantitative analysis. Currently, the sole measure of effectiveness collected nationally is the number of

apprehensions or "people we catch". In some sectors we also attempt to measure "people we miss". Clearly, there are weaknesses in both these counts. The number of apprehensions alone is not a definitive measure of effectiveness in so far as they may be attributable to migration patterns or increases in productivity rather than "control". Furthermore, "people we miss" is, by its very nature, a speculative count.<sup>1</sup>

The San Diego Sector estimates that it currently apprehends one out of every two illegal entry attempts.<sup>2</sup> At this rate it takes an average of 2 attempts to be successful, and nearly all of those attempting illegal entry are expected to try until they are eventually successful. Because of the "revolving door" effect, increases in enforcement resources that do not substantially increase the chance of apprehension will have virtually no impact on the number who are eventually successful.

Of those that we apprehend in San Diego, 99 percent are Mexican nationals, mostly from the interior of Mexico. Most apprehensions involve a Mexican male under the 25 years of age, and approximately 20 percent are women and children. Typically, they are poor and are coming to the United States to seek employment. They have already incurred transportation costs, and frequently have paid smugglers fees. Those that are not Mexican are primarily from Central America; however, over 50 countries around the world are represented. Los Angeles is the primary destination for those that cross the Southwest border illegally, and crossing at San Diego allows the easiest and most direct access to the LA Metropolitan area.

## V. IMPROVING "CONTROL"

Due to limitations of our current measures of effectiveness we cannot identify a precise level of resources that would be required to "control" the border. Despite these weaknesses, based on our years of experience and knowledge of the border dynamics, we've developed a strategy we believe will work to stop the flow of illegal traffic. Historically, increases in border patrol resources have been "sprinkled" to all Southwest border locations

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<sup>1</sup> As scant as this data is, we can say with confidence that it is the best that exists. For example, in September 1991 the Sandia National Laboratories was tasked by the Office of National Drug Control Policy to conduct a comprehensive survey of the border and to recommend measures to improve control. This group wrote exhaustive volumes describing the border, but did not venture to quantify the number of aliens who successfully cross or "those we miss".

<sup>2</sup> We have few ways of measuring our effectiveness in controlling the border. We count to the best of our ability the number of people we think we miss. In San Diego, we do this in two ways. We have video cameras located in various spots on which we sometimes see people that we can't reach. We also more systematically do a "freeway count". What this means is that we count at six different locations, every hour, the number of people on the San Diego freeway who are walking in the median strip. The freeway, because of the hazard it presents, is in essence a "free zone" for those illegal aliens who successfully cross the border. We no longer stop traffic to apprehend these aliens. Nor does the California Highway Patrol.

for both operational and political reasons. However, the magnitude of the increase in any given sector has not provided what is necessary to increase the "cost" to aliens to the point that they are deterred from repeated entry attempts. Aliens still believe that after several attempts they will be successful. Without substantially reducing the recidivism rate, the number of aliens attempting to cross will remain high, and enforcement rates will not increase in proportion to marginal increases in resources. These facts compel us to explore and implement a new strategic approach to border enforcement.

It is recommended that a strategy which utilizes a "military targeting" approach, which concentrates a decisive level of resources to the area of greatest threat, be pursued. Specifically the strategy would:

- saturate San Diego with enforcement resources
- allow concentrated deployment at the heaviest crossing points
- gain control of the most active area of illegal entry
- sustain control with force multiplying technologies
- invest in mobile resources to respond to shifts in traffic

This targeting approach is potentially controversial. It may give the appearance of only addressing California's illegal immigration problems. Unless we can demonstrate we are prepared to deal with the shift in illegal traffic, other border states may fear negative effects from such a shift.

## VI. THE STRATEGIC PLAN

Target San Diego: To create a deterrent and reduce the recidivism rate, INS supports the use of a "military target approach". The majority of illegal entries occur in San Diego. Thus, having control of San Diego is more productive than having control of any other border sector, and is more effective than only incremental changes in border enforcement across all sectors. It is also a realistic target in terms of what resources are needed to be applied to implement border control.

The following actions are initially required to gain control in the San Diego area:

- **Increase agents on the line by hiring an additional 450 positions.** When combined with the 64 agents that will be gained by implementing efficiencies, the San Diego sector will gain a total of 514 additional agents on the line. Due to the enforcement environment (urban area, volume of traffic, inability to respond to sensor alerts) increasing the number of agents is critical to the strategy to greatly increase the risk of apprehension. Furthermore, adding more agents will give the flexibility to focus on principal crossing points, currently not possible due to the need to maintain a minimum presence at all crossing points.

- **Add a second layer of fence to block easy entry onto highways and nearby commercial and residential areas.**
- **Add lighting east of the San Ysidro Port of Entry to expose aliens attempting night entries, inhibit border violence, and increase officer safety.**
- **Add eight mobile infrared scopes to monitor and track illegal entries. These will provide the tactical benefit of notifying agents of particular entries, as well as the strategic ability to recognize shifts in traffic within the San Diego area in response to increased enforcement.**
- **Establish a centralized booking location to streamline alien processing and incorporate Automated Fingerprint Identification System (AFIS) technology to obtain positive identification of apprehended aliens.**
- **Add temporary holding facilities to ensure detention of all aliens willing to Voluntarily Return (VR) to Mexico until such time that transportation to the border is available.**
- **Contract with a bus service to continuously transport aliens from the point of apprehension to the holding facilities, and from there to the Mexican border. This will free up agent resources currently being used to perform these transportation functions.**

When control of the border in San Diego is achieved, additional technology -- force multipliers -- will be deployed to sustain the control. The level of resources required to maintain border control will be less than that required to gain control initially. It is expected that as apprehensions decline in San Diego, the illegal traffic will shift to other entry points. Thus, a portion of resources initially targeted to San Diego will be considered "mobile". Mobility agreements will be established for new hires, and mobile holding facilities will be erected that can be moved to other areas.

Improve ability to measure effectiveness: Using only the number of apprehensions, the Border Patrol has been incapable of quantifying the enforcement effects of such changes as fencing, lighting, sensor technology, LLLTV, variation in staffing levels, etc. Also, without the ability to accurately identify apprehended individuals on an ongoing basis, the Border Patrol has been unable to link changes in enforcement strategies to changes in recidivism.

Two methods have been identified that will allow the Border Patrol to determine their effectiveness. The first is a systematic count of all available indicators of illegal crossings not resulting in an apprehension (e.g. tracks found, sensor counts, LLLTV and camera counts, etc.). This measure will give the Border Patrol an estimate of the percent of all illegal entry attempts they are apprehending. Though not exact, such a measure will be more

consistent over time and between locations than current methods, and will allow for quantitative analysis. The second is the positive identification (i.e. fingerprinting) of those apprehended. Such positive identification is the only means by which to develop a statistically viable estimate of the apprehension and recidivism rates. In addition, it will allow for targeted detention and prosecution of recidivists.

## VII. REQUIREMENTS:

The recommendations presented above have the following requirements:

1. Implement Efficiencies: To redirect 192 agents (64 in San Diego) back "to the line" along the entire southwest border that are currently performing non-agent duties, 171 additional support personnel will need to be hired and contract transportation services will need to be employed. New resources (identified in the table below) are required to achieve these efficiencies.
2. Target San Diego: To increase apprehensions in San Diego to a degree that it deters repeated entry attempts 450 additional agents are required as well as technological enhancements, facility enhancements, support personnel, sufficient holding facilities, and an augmentation of current physical barriers. The 450 new agent resources combined with the redirection of 64 agents back "to the line", will add 514 agent resources to border enforcement in the San Diego sector.

### New Resource Requirements:

<u>RESOURCES</u>	<u>POS.</u>	<u>\$(000)</u>
New Border Patrol Agents	450	24,444
Support Positions		
● Redirect agents in SW sectors	171	6,140
● To support new agents	90	2,979
Contract for Transportation	--	104
Technology Enhancements	--	8,586
Mobile Holding/Processing Facilities	--	1,632
Fencing/Lighting Enhancements	--	600
<b>TOTAL NEW RESOURCES:</b>	<b>711</b>	<b>45,134</b>

The resource requirements reflect funding necessary to fully equip, train and support agents and to provide fully equipped vehicles. In total, the resources provide for 642 additional agents along the southwest border, of which 514 agents are initially targeted to San Diego.

## VIII. SUMMARY

The Task Force recommends a strategy to gain control of the Southwest border that increases the chance of being apprehended to the point that the risk of apprehension becomes a deterrent. This strategy can be accomplished through a combination of staffing efficiencies and targeting new resources for agents, support staff, and technology. The new resources will initially be targeted to the San Diego sector where the largest number and highest concentration of illegal entries occur.

The effect of the increased resources will not be realized until all staffing, training, and implementation of technology is complete. The initial "build up" of resources will occur by the end of FY 1994. By the end of FY 1995, the strategy will be fully implemented, and by FY 1996 the full effects should be evident through an increase in apprehensions and fewer successful entries. At this point, a portion of the illegal traffic is expected to shift to other entry points with a corresponding decline in the total entry attempts in the San Diego. A portion of the resources initially designated for San Diego will be mobile and will be available to respond to these shifts in traffic to other areas.

- Attention

- Transport to interior of Mexico

- Technology to enhance identification of repeat offenders

**TEXAS & SOUTHWEST**

**Border operation stems tide of illegal vi**

By Maggie Rivas

Border Bureau of The Dallas Morning News

EL PASO — This has been a week of empty downtown sidewalks and emptier stores, remnants of the U.S. Border Patrol's solid wall of policing the U.S.-Mexico border.

Since Sunday, 24 hours a day, the mint-green Border Patrol vans have been conspicuous along 20 miles of the border, from Sunland Park, N.M., to Ysleta, Texas.

"Operation Blockade" said Sector Chief Silvestre Reyes, is to put an end to the numbing arrests of hundreds of undocumented visitors.

Chief Reyes, with \$300,000 in overtime to his agents, has brought an end, at least for now, to the streams of men, women and children pouring across the border daily, he said.

At the end of a week, crime appears to be down, applications for legal Border Crossing cards are up and sales at downtown El Paso stores have stumbled.

In Juarez, there have been pro-

tests by those who are frustrated at being denied a chance to work. They are the day laborers, accustomed to crossing over to work as domestics, construction workers, or to sell tortillas or limes.

"It isn't easy, is it?" asked Isabel Medrano de Montes, a 55-year-old Juarez homemaker who had just crossed to visit her brother in El Paso. "Is this going to be like the Berlin Wall?"

"Over there, there is work," Ms. Medrano continued. "All those people could work. But sometimes, the Mexican government stands in your way of progressing. If you're selling on the street, they can come make you stop, or fine you."

At the Diocesan Migrant and Refugee Services office, executive director Jose G. Moreno wonders whether El Paso is not simply a proving ground.

"He (Chief Reyes) had to go to Washington to get approval. Does he think El Paso is a guinea pig? Are they going to do it here before

"He (Border Patrol Chief Silvestre Reyes) had to go to Washington to get approval. Does he think El Paso is a guinea pig? Are they going to do it here before extending it to other cities?"

— Jose Moreno,  
Diocesan Migrant and Refugee Services

extending it to other cities?" Mr. Moreno asked rhetorically.

"If I didn't know that (President) Clinton is so much in favor of the North American Free Trade Agreement, I would think that he (Chief Reyes) is trying to sabotage it," Mr. Moreno said.

Operation Blockade has been especially ticklish for the Mexican government. A spokesman for the Mexican Consulate acknowledged that Chief Reyes' project is clearly within the law.

But said spokesman Manuel Hernandez, "We will not tolerate abuses or violations of the human rights of our people."

Mr. Hernandez declined to sug-

gest any message that is being conveyed or whether the blockade will be extended to other border cities.

"It is outside of our position to speculate," he said.

At one location near the border, two border agents waved back to motorists who drove by with their headlights on. In the days since Operation Blockade began, the agents said, response has been heartening.

"The chief is getting calls asking if people can bring us cokes and donuts," said senior agent Brian Rowley. "That's never happened before."

Agent Rowley and his partner, Tom Matthews, agreed that policing the "line" up close in this way has

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Tired Of The Same Old Bull? Let The Bird Sell I

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ate how stopping illegal immigration affects crime rates.

"You can't possibly expect to have it both ways," he said, noting merchants who want the blockade lifted have complained about shoplifters in the past.

The operation may also shed some light on the effects illegal immigration has on the economy.

Henry King, assistant director of the Bureau of Business and Economic Research at the University of Texas-El Paso, said Mexican consumers account for about \$5 billion a year in sales and trade in El Paso.

The figure includes about \$1 billion in retail sales to Mexican buyers. The amount of spending by undocumented immigrants is sometimes estimated at 3 percent of the total spent by all Mexicans, Mr. King said.

"That's such a small portion of the economy of El Paso that we're probably not going to be able to measure it day to day," he said.

*The Associated Press contributed to this report.*

Jim.

Early Bird Classifieds - 745-8123  
Two lines run 10 days for just \$21.  
Each additional line \$10.50.

**The Dallas Morning News**

MACK McLARTY

September 2, 1993

To: Tony Lake  
Carol Rasco

See the attached re Immigration Task Force.

cc: David Gergen

THE WHITE HOUSE  
WASHINGTON

03 AUG 30 P2:08

August 30, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: HOWARD PASTER *HP*  
SUBJECT: REPRESENTATIVE HOWARD BERMAN

I thought you would find interesting a conversation I had late last week with Howard Berman.

He said he had 250 angry and upset constituents at a town meeting, and I asked with great trepidation if it had to do with reconciliation, i.e. taxes. Actually, he reported, except for a couple of mild questions about retroactivity there were no questions about reconciliation and no concern about fuel taxes. The sources of the anger he said were crime and illegal immigration. On the former he said anything that puts more cops on the street is to be welcome. On the latter, he acknowledged the unique problems in Southern California, but also speculated the issue had currency elsewhere.

From a legislative perspective, this is a reminder that we have to expend resources on the crime and immigration bills in the coming weeks and months even while focusing on the big three of health, NAFTA, and reinventing government.

*Howard -*

*I fully agree w Howard*

*Some themes I have*

*regarding community re-structure*

*we need a coordinated agenda 1-*

*to deal w issues that require Howard Paster*

# Immigration Costs Dominate House Hearing in Los Angeles

## In Fiscal Crisis, California Targets Illegal Aliens

By Roberto Suro  
Special to The Washington Post

LOS ANGELES, Aug. 31—In California this summer, hardly a day passes without some politician offering up a plan to crack down on illegal immigration as a way of solving the state's economic and budgetary problems.

Today, State Treasurer Kathleen Brown (D), likely to be a leading candidate for governor next year, joined the pack.

Brown says that California could save \$500 million a year if it did not have to incarcerate about 14,000 illegal aliens who have committed crimes here. Her plan is to arrest and try them here, but then send those who are convicted back to Mexico to serve their sentences. Testifying at a congressional hearing here today she said approval of the North American Free Trade Agreement (NAFTA) should be linked to Mexico's approval of this idea.

California was supposed to receive some reimbursement for the cost of incarcerating criminal aliens under federal legislation enacted in 1986, but Congress has never appropriated any money. Rep. Gary A. Condit (D-Calif), chairman of the House Government Operations subcommittee on information, justice, transportation and agriculture said he called today's hearing "so we can build a case to seek federal aid" for the incarceration costs.

Brown, and many other Democrats, are catching up with Republican Gov. Pete Wilson, who has hammered the immigration issue for months. In an open letter to President Clinton three weeks ago, Wilson called for a constitutional amendment denying U.S. citizenship to children born in the United States to illegal immigrants. He also called on Congress to find some way around a 1982 Supreme Court decision guaranteeing a public education to all children regardless of their immigration status.

The proposal seemed to boost Wilson's popularity out of a deep trough. Brown, who has raised \$3.5 million for a possible run against him, said today that she opposed Wilson's proposal for a constitutional amendment because it could not be enacted in time to solve California's problems.

California's two U.S. senators, Dianne Feinstein and Barbara Boxer, both Democrats, have each come up with their own plans. Feinstein, who also faces an election next year, has proposed hiring 1,000 new officers for the Border Patrol, to be paid for with a new \$1 tax on all cars passing from Mexico into the United States. Boxer's plan involves using the National Guard to back up the Border Patrol.

The immigration issue has heated up in California as the state has suffered a brutish combination of economic woes. While the recession rolled across the country in 1991 and 1992 California saw some of its most vibrant business sectors, aerospace and defense contracting, knocked down by Pentagon spending cuts that are unlikely to be reversed.

To the insult of state and local budget crises over the past three years has been added the injury of drought, earthquakes and riots.

Amid all this, Southern California still is digesting the largest and most concentrated influx of immigrants to any region since immigration swelled New York's huddled masses at the turn of the century. In the 1990 census, nearly 10 percent of the population of Los Angeles County was made up of foreign-born persons who had entered the country since 1985, a time when a booming economy provided jobs for immigrant workers.

Now, with job losses still mounting and no engine of recovery in sight, politicians who will face the voters next fall are offering a crackdown on immigration as a large part of the solution to the state's problems.

"The anti-immigrant backlash is having a tremendous resonance," said Steve Erie, a political scientist at the University of California at San Diego. "It may be the only card Wilson has to play, given the condition of the economy, but you cannot underestimate how much mileage he can get out of it. Now the Democrats are catching on."

At today's hearing Kim Belshe, a state official testifying for the Wilson administration, recited the politically potent math that can be pulled out of the anti-immigration backlash. If California did not have to spend \$500 million a year incarcerating illegal immigrants, she said, "We could put a computer on the desk of every fifth-grader in the state." Overall, she said, state spending on illegal immigrants totals \$2.9 billion, almost exactly the size of the state's budget deficit this year.

But a General Accounting Office report released at the hearing showed just how hard it is to make such calculations. Credible estimates of the number of undocumented aliens in the United States still range from 1.7 million to 5.5 million, the GAO said, offering its own estimate of 3.4 million as a maximum.

Since the GAO's report, estimates of illegal immigration without knowing how many illegal immigrants there are, Condit said of the report, "this calls into question the data that we use and the assumptions that we make regarding immigration."

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MACK McLARTY

THE PRESIDENT HAS SEEN <sup>9/1</sup>

August 31, 1993

33 AUG 31 P6:47

To The President:

The attached is in keeping with Alan Nelson's August 23rd article from The New York Times which you sent me.

M. J.

We need another meeting on this pretty soon -

R.

We need another meeting on this

B  
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# A Governor's Brave Stand on Illegal Aliens

By Alan C. Nelson

SACRAMENTO, Calif. Gov. Pete Wilson of California recently made reasonable recommendations for Federal action to help stem the flow of illegal immigration to the U.S. His critics tried to derail the discussion by de-

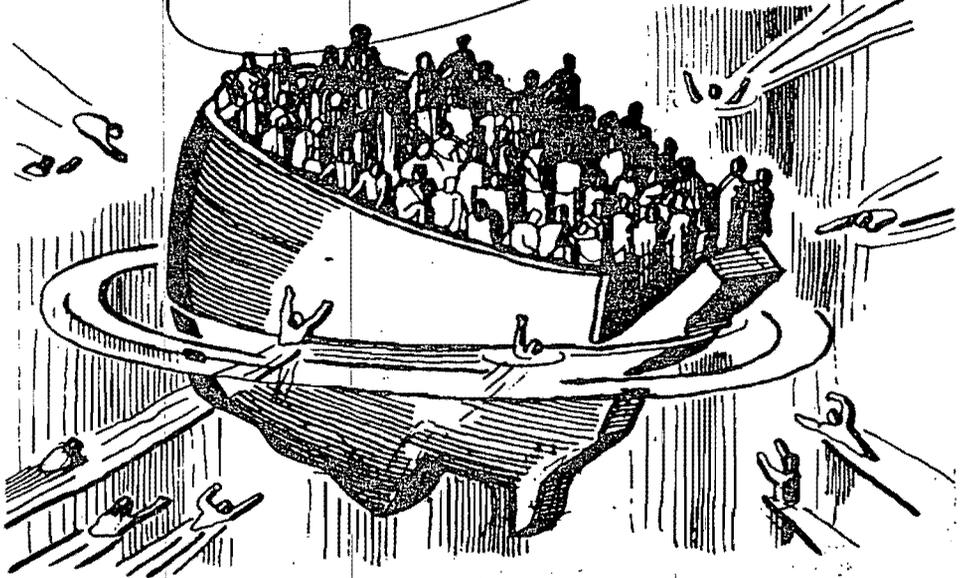
Pete Wilson's proposals are realistic.

nouncing his plans as nativist and insensitive. But his proposals, and the many other ideas for reducing the heavy social service burden on state budgets, deserve to be openly debated. Millions of people are in the U.S. in violation of the law. We must treat them humanely, but that does not mean we should allow them to stay.

Despite the critics' outcry, there is popular demand that illegal immigration be stopped. Polls show that 80 to 90 percent of Americans — black, Hispanic, white and Asian — favor tighter policies. Politicians are taking heed: liberals and conservatives admit that the burden of the illegals is too heavy, in education, health and welfare benefits, and can no longer be tolerated.

To succeed, reforms have to be bipartisan, as Congress's passage of

Alan C. Nelson, Commissioner of the Immigration and Naturalization Service from 1982 to 1989, is a consultant to the Federation for American Immigration Reform.



David Suter

the Immigration Reform and Control Act in 1986 proved and bills now being passed by the California Legislature establish. Changes must be comprehensive, taking place in all areas: foreign and trade policy, border control, employment, welfare and health services, education, housing and crime.

Consider Governor Wilson's specific proposals:

1. The approval of the North American Free Trade Agreement to specific cooperation by Mexico to stop illegal immigration. For example, the U.S. should require a jointly shared border crossing fee and use the money to improve immigration inspections and enforcement and to return

illegal migrants to their homes in Mexico, not just over the border.

The Bush Administration buried its head in the sand on the issue of linking immigration reform to Nafta. The Clinton Administration has made side agreements to the pact on environmental and labor issues, but not yet on immigration.

2. Seek Congressional action or a constitutional amendment to change the rule under which children born in the U.S. to illegal aliens are automatically given citizenship.

What other country has such loose citizenship rules? Two-thirds of the births in Los Angeles County Hospital are to illegal aliens. The mother applies for welfare, knowing the child is

eligible, and lives off the grant. Twenty-three percent of the Los Angeles County welfare load consists of children of illegal migrants, the fastest-growing group of welfare dependents.

3. Stop Federal benefits to illegal aliens. It is against Federal law for illegal aliens to receive welfare, but the system is a sieve. There is too little cooperation and sharing of information between agencies to prevent abuses. A computer checking system, enacted with the immigration control act in 1986 to keep illegals from receiving benefits, works well. But it must be expanded to all benefit programs.

Governors can also act. State and local legislation, regulations and actions often undercut the Federal law and paradoxically assist illegal aliens in obtaining jobs and benefits.

The idea that illegal aliens would receive regular health care or insurance under a final Clinton health plan is ludicrous. That idea creates a magnet and must be dropped. Emergency care is different. No one, including Governor Wilson, would deny such care to anyone.

Some critics complain that Mr. Wilson did not emphasize stricter penalties on employers as a way to control illegal immigration. He should do this, but that does not mean his other ideas are not worthwhile, too.

Let the public's voice be heard. It wants the rhetoric translated into specific and responsible actions. □

## A Scandal Without a Crime

By Philip K. Howard

The juicy scandal involving top aides to Mayor David Dinkins has heated up the mayoral race. One prominent head has already rolled, that of the Budget Director, Philip Michael.

A close look at the scandal sheds light on considerable hypocrisy and no discernible fraud.

Mr. Michael and the First Deputy Mayor, Norman Steisel, have been excoriated, not for secret influence-peddling but because they openly backed a plan to privatize parking ticket collections. They supported a proposal by a division of Lockheed, which has a record of government scandals, that promised an extra \$100 million in annual collections.

A city investigative report accused the officials of "favoritism." The term seems to be used here as a pejorative synonym for "enthusiasm." There was no suggestion of payoffs or other illicit acts. Nor was there any suggestion of back-room dealings, although one former employee said he almost "wet his pants" when he arrived at a meeting to find Mr. Michael on the phone talking in a loud, reproducible voice. This seems a little overwrought.

The important fact is that Mr. Michael, far from lurking in the shadows and cleverly manipulating the

this deal. He wanted to take responsibility. It would be unusual for a sleazy politician to reach for responsibility.

According to the report, bias was established by the fact that Mr. Michael took "affirmative action" in promoting Lockheed's proposal. Other telltale indications were that Mr. Michael and Mr. Steisel devoted "unusual time and attention" and argued "forcibly in favor" of the plan. These allegations, if they can be called such, are completely innocuous. It seems that the two men believed the pro-

believing that taxpayers would appreciate \$100 million in extra revenue, actively intervened.

The scandal's unspoken premise is that government contracting should be as neutral as judicial process: everything should be formal, each party take its turn and nothing should be decided until the end. It is hard to imagine a more inappropriate model than a courtroom for these kinds of decisions. The already clogged gears would grind to a halt as inept or manipulative vendors argued that they had not been treated fairly or given equal access. The litigation would last forever.

If there is a villain, it is an absurdly complex, sanctimonious process that pretends to eliminate human judgment in areas where the public's best interest demands good judgment. We don't need greater adherence to process. Delay and phony moralism are the hallmarks of New York's tortured system. We need public officials who are willing to stand up and take responsibility. They might get something done. If not, we would know whom to blame. Fraud, which thrives in dense procedural thickets, withers in daylight.

It appears to me that the sin of Mr. Michael and Mr. Steisel was that they had a job to do and the nerve to stand up in meetings and argue forcibly for it. Of course, if it is discovered that they had economic or other personal interests in Lockheed, they should be held accountable. But if

## New York City's contract process is the real villain.

posal was in the public interest.

Another accusation is that Mr. Michael offered the city transportation agency better treatment in the budget if it approved a trial project by Lockheed. The investigation described this as "unethical." It sounds more like a standard city deal.

New York City's contracting process is a notorious quagmire. To quote a recent city report, it is "awash in a sea of paper, plagued by inordinate delays and clouded by unclear and inconsistent rules and pro-



THE PRESIDENT HAS SEEN 8/30

# Immigration Control: Doing It Right

*Needed—a counterfeit-proof ID card for all U.S. workers*

**T**he latest twist in California's immigration debate is a call for state sanctions against employers who hire illegal immigrants. Key Democrats are proposing that employers forfeit their farms, factories or other assets if they are found to repeatedly hire illegal immigrants. The plan is half-baked, but the underlying idea—to hold employers accountable—has merit.

The call—sounded last week by Assembly Democrats including Speaker Willie Brown and Richard Polanco of Los Angeles, chairman of the Latino Caucus—is an effort to match Gov. Pete Wilson's controversial recent proposals. Wilson would deny education and health care benefits to illegal immigrants and bar their children from U.S. citizenship. The Democratic response suffers from the same problem as Wilson's plan: Immigration is regulated by the federal government, thus there is little the state can do about it. Still, in focusing on jobs as the magnet that draws immigrants here, the Democrats are hitting a more realistic target than Wilson.

It's true that the suggestion that employers of illegal immigrants forfeit their assets is unrealistically Draconian. But the idea suggests something more workable: Stepped-up enforcement of existing laws prohibiting hiring of illegal immigrants and preventing exploitation in the workplace.

Here the Legislature can do something besides flap its lips. It can increase the budget of those state agencies, like the Industrial Welfare Commission, that inspect workplaces for violations of wage-and-hour laws and worker safety rules. (Not surprisingly, the unscrupulous employers who hire illegal immigrants tend to be the same ones who run their businesses like sweatshops.) U.S. sanctions against employers already

exist under the landmark Immigration Reform and Control Act (IRCA).

It is often forgotten of late that the 1986 act not only granted amnesty to illegal immigrants but also imposed penalties against employers who knowingly hired them. Also, IRCA did not give employers a simple or reliable method to verify a job applicant's eligibility. Workers could provide any number of documents, from Social Security cards to driver's licenses, to verify legal residency in this country. That opened the door to all kinds of counterfeit documents



Basis for a new nationwide worker identification system?

that illegal workers, or dishonest employers determined to hire them, could use to get around the law. The U.S. Immigration and Naturalization Service didn't help any when it failed to assign adequate manpower and resources to enforcing IRCA's

employment provisions.

The easiest way to make IRCA work more efficiently and fairly would be for all U.S. workers to have a tamper- and counterfeit-proof worker identity card, not unlike the computer-readable bank or credit cards many people already have. Of course, the idea of making every worker carry such a document raises the hackles of many civil libertarians, who say it smacks of Big Brother government. OK, so try this: Upgrade all Social Security cards.

Every worker—regardless of citizenship, age, race or national origin—is already required by law to have a Social Security card. Sure, the cost of reissuing cards in a computer-readable form is not cheap (\$2.5 billion nationwide by one estimate). But it is less expensive than creating a whole new ID system from scratch.

Congress and the Clinton Administration should enforce IRCA better before anyone in Washington, or Sacramento, tries to reinvent the immigration-reform wheel. Let's start with a tamper-proof card.

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This targets  
American  
counterfeit  
document  
P*

Caro Pasco

Lets meet asap to discuss options.

Rahm Emanuel

THE WHITE HOUSE

WASHINGTON

June 11, 1993

MEMORANDUM FOR RAHM EMANUEL

FROM: TOM EPSTEIN

SUBJECT: IMMIGRATION/REFUGEE ASYLUM STRATEGY

file

*This memo represents my best thinking at the present time, in the absence of any guidance from administration policymakers.*

GUIDING ASSUMPTIONS

1. The current situation is a mess. Too many immigrants and refugees are entering the country, and they are often treated inhumanely when they arrive. Something drastic must be done about it.
2. Incentives for illegal immigrants to enter the country must be reduced.
3. Existing laws must be better enforced, especially the employer sanction provision.
4. The asylum hearing and immigration naturalization processes must be made much more efficient, humane, and speedy.
5. States have a legal right to some reimbursement for the costs incurred implementing federal immigration statutes.

PENDING EVENTS

1. A meeting with the President to consider refugee/asylum policy is scheduled for today.
2. A new INS commissioner will be named very soon, and she is likely to be Doris Meissner, an experienced former INS acting commissioner. She is reputed to be non-partisan and non-controversial.
- ③ On Wednesday, June 16, the House Subcommittee on Immigration (Mazzoli, chair) will meet to evaluate the employer sanctions program. No concrete legislation is expected to emerge from the hearing.
- ④ Bills are being prepared by Senators Simpson and Kennedy to deal with refugee/asylum issues.

## POLITICAL EVALUATION

1. Immigration will be one of the top two or three issues in the California governor's race in 1994, and I suspect the issue will be significant in Texas, New York, and other key states, as well. Therefore, we must establish a productive record and reputation on this subject by mid-1994.

2. California Governor Wilson has attempted to blame the administration for a panoply of immigration-related ills, but his record as Senator makes him extremely vulnerable on the issue.

3. These issues are easily demagogued, and are being used by conservative Republicans as a racial wedge. Tough talk must be backed up by hard facts, not biased rhetoric. [A thorough review of the economic impact of immigration should be initiated immediately.]

④ The inefficiency of the government's immigration program is a serious problem. It cries out for a "reinventing government" solution.

5. Many advocates for Latino interests will accept much tougher restrictions on future immigration if Border Patrol abuses are stopped, the naturalization process is speeded up, and public services are not unfairly curtailed for those who are already here. The more liberal interests, however, will oppose almost any reform that enhances enforcement.

6. Large agribusiness interests (who supported George Bush and Pete Wilson heavily) despise employer sanctions. Other employers are also not keen on tougher enforcement. Civil liberties groups vehemently oppose legal residency identity cards.

## ACTIONS TO CONSIDER

1. When the INS chief is named, AG Reno should announce that the chief must report back to her within 90 days with recommendations for a complete reform of immigration policy and management processes. As part of that effort, an intra-administration task force should be established to provide input, including representation from the Customs Service, HHS, OMB, the Coast Guard, the State Department, etc. This could possibly be integrated into the Vice President's National Performance Review.

2. The INS chief and Reno (with others listed above) should make high-profile visits to immigration trouble spots and meet with public officials and local communities.

3. Consultations with key Congressmembers from both parties and other legislative players should begin immediately to solicit ideas and ascertain the realm of the possible.

4. When a legislative package is ready for introduction, it should be unveiled in California in a high-profile and comprehensive manner that recounts the history and context of the issues. It should have bipartisan support.

5. Balance is crucial. When making tough proposals that appeal to xenophobes, it is essential to provide some benefits to productive immigrants and their allies, as well as to expressly reject the more extreme proposals of the right wing.

6. This is a laundry list of policy options, many of which could prove to be counter-productive or politically impractical:

*Management Changes*

- a. Consolidation of responsibilities in one immigration agency, or at least a permanent coordinating body to ensure interagency cooperation.
- b. Separate administration of the Border Patrol and the naturalization functions.
- c. More bodies and better training for both the Border Patrol and the immigration bureaucracy.

*Tougher Enforcement*

- a. Enhanced monitoring of immigration patterns, better border protection technology, and more Border Patrol officers.
- b. A real commitment to employer sanctions, with frequent inspections and prosecutions. Development of a tamper-proof legal residency card or data base is essential to fairly enforcing these sanctions (options include the proposed Health Security Card or an on-line computer system to provide easily accessible, reliable information to employers).
- c. Strict penalties for immigration smugglers.
- d. Streamlined legal procedures for asylum hearings.
- e. Reduce legal immigration quotas. Limit family preference to immediate family members.
- f. Restrict grounds for asylum (eliminate Moral Majority-era one-child-in-China exemption).

*Budget Issues*

- a. Short-term costs are inevitable to eliminate backlog, expand investigations, reimburse states, and beef up border security.
- b. Savings should ultimately be achieved through management efficiencies, collection of civil penalties, and a reduction in illegal immigration.

Fyi,  
Rahm

SEP 9 1992

Mack  
Cam Rasco  
Tony Lake  
George Stephanopoulos

## Immigration Delicate Issue for Clinton

By JOHN M. BRODER  
TIMES STAFF WRITER

WASHINGTON — The emotional issue of immigration is boiling up into another vexing political dilemma for President Clinton, and—as on gays in the military—his compassion appears to be on a collision course with his constituency.

Few other national issues offer the same combustible mix of color, culture and constitutional rights. Clinton has kept it off the front burner so far, but immigration is an undercurrent of the Administration's major policy initiatives—from health care and welfare reform to passage of the North American

Please see POLICY, A4

# POLICY: Immigration Proves Vexing Problem

Continued from A1  
Free Trade Agreement.

And what makes the issue especially delicate for Clinton is the way it scrambles traditional political coalitions and presents an ever-shifting terrain upon which it is difficult to find firm footing.

The President's instincts on immigration appear to be more generous than current public sentiment, which is growing increasingly hostile to the flood of legal and illegal immigrants streaming into the country.

Clinton's approach to balancing these forces is just now emerging. He seems to be seeking to avoid alienating Latino voters and pro-immigration liberals while appearing to respond to the concerns of workers who feel threatened by competition from illegal immigrants and local officials who must contend with the costs of unchecked immigration.

To do this, he is employing a combination of tough rhetoric against illegal immigration and relatively mild and inexpensive concrete steps to stem it.

As Clinton feels his way through these shoals, White House aides who track the issue are urging a low-profile approach to avoid feeding rising nativist sentiments, especially in California. They said that Clinton will not propose any major immigration policy changes for at least six months as he studies both the substance and the politics of the thorny issue.

The advocates of a liberal immigration policy tend to be found on the far left and the far right of the political spectrum, an unusual alliance of civil libertarians and economic conservatives who believe that unfettered immigration confers broad moral and fiscal benefits on American society.

The pro-immigration forces also include customarily conservative agricultural and small-business interests who favor open borders as a source of cheap labor.

But at the nation's political center, where Clinton's electoral future lies, there is growing anxiety about the economic costs of providing health, welfare and education to millions of illegal immigrants.

In addition, the anti-immigrant alliance includes many African-Americans, settled legal immigrants and working-class whites at the lower end of the economic scale—all traditional members of the Democratic coalition—who view recent arrivals as competitors for scarce jobs.

This sentiment is particularly acute in the states most affected by illegal immigration—California, Texas, Florida, New York—which are crucial to Clinton's reelection calculus.

Accordingly, Clinton has struck a tough

tone in comments on illegal immigration while at the same time insisting that America must remain a beacon to the oppressed and a multicultural melting pot.

In a recent interview with The Times, he vowed a "much more aggressive posture" on enforcement of existing restrictions than that of previous administrations. "I'm going to try to develop the toughest possible position I can, reasonably," Clinton said.

White House political aides view immigration as a "wedge" issue that Clinton can use to burnish his "new Democrat" credentials. His law enforcement emphasis and tough talk—"we must not, and we will not, surrender our borders to those who wish to exploit our history of compassion and justice"—are designed to appeal to Ross Perot voters and conservatives in both parties, aides said.

The President has moved quickly to propose a very tough immigration control package and a very tough crime package with an expansion of the death penalty, said a senior White House political adviser. "If people want to be more extreme than that, they're going to look like extremists. The old hard-right attacks won't work on Clinton."

Clinton has studiously avoided a declaration of broad principles on immigration, preferring to focus on narrower questions of tightening asylum conditions and border enforcement. Aides said that Clinton does not want to put too much emphasis on the touchy element of immigration in the forthcoming debates on the trade agreement with Mexico and Canada.

The President has indicated, however, that he is likely to propose denying medical benefits to illegal residents by refusing to grant them the tamper-proof identification cards that all Americans will have on the new health care plan.

In this, Clinton is in agreement with Gov. Pete Wilson, who last month proposed a sweeping set of measures to deny public benefits—including welfare, health care and free education—to illegal immigrants and their children. Wilson advocated amending the U.S. Constitution to deny citizenship to the U.S.-born children of illegal immigrants.

Wilson also asserted that 2 million of California's 31 million residents are in the country illegally and cost the state \$2.3 billion a year.

Clinton was mildly critical of Wilson's approach, rejecting his call for refusing citizenship but expressing sympathy for Wilson and other officials who have to contend with the high cost of caring for immigrant populations.

Clinton clearly was aware that Wilson

was responding to deep public frustration over the cost of immigration and could not have failed to notice that Wilson's poll ratings took a 10-point leap after he announced his proposals.

State Treasurer Kathleen Brown and California's two liberal Democratic senators, Dianne Feinstein and Barbara Boxer, have joined Wilson in catering to the anti-immigrant mood in the state.

Brown proposed last week that illegal immigrants from Mexico convicted of crimes in California should be sent back home to serve their sentences as a means of saving the state prison system about \$500 million a year. Feinstein advocates imposing a \$1 border crossing fee for all cars to fund the hiring of 1,000 new Border Patrol officers. Boxer wants to call out the National Guard to reinforce the Border Patrol.

Conservative political analyst Kevin Phillips said that California's senior officials are not leading public opinion, but following it, hoping to reap political benefits.

"The political spectrum means nothing on this issue," said Phillips. "Any politician with ambitions has to take a position that recognizes the total public obsession with doing something."

Phillips added that Wilson, in his years as a U.S. senator, was considered a moderate on immigration. Now, like many other politicians, he's moving rightward to stay atop the wave of public opinion.

"Pete Wilson by nature is a lagging indicator," Phillips said. "He's not on the cutting edge of anything."

Rep. Xavier Becerra (D-Los Angeles), a son of Mexican immigrants, said that he is grateful. Clinton has not yet joined the bandwagon in a political appeal to the beleaguered middle class.

Becerra said he fears that neither Clinton nor Wilson is capable of rationally debating the issue in the current atmosphere.

"I wouldn't put it past this Administration, especially one that doesn't have a total understanding of the issue, to go overboard," said Becerra, a member of the immigration subcommittee of the House Judiciary Committee. "The politics of immigration lend themselves to people going overboard."

The freshman congressman said he is particularly concerned that local worries about the costs of providing welfare, education and health care for immigrants will spark a backlash and create a permanent class of U.S. residents with neither government rights nor protections.

Becerra, whose district north and east of downtown Los Angeles is 60% Latino and also includes sizable numbers of Asian-

Americans, said: "It's difficult to come up with a rational policy when people think whatever you come up with is more than 'those people' are entitled to."

At the White House, some aides are concerned that the debate is becoming increasingly tinged with racism and that it may be difficult to resist popular sentiment to, as one official put it, "just start cutting off programs and shutting the door."

Frank Sharry, executive director of the National Immigration, Refugee & Citizenship Forum, is critical of both Clinton and Wilson, who he believes are guilty of fanning anti-immigrant flames. His group advocates an open immigration policy as the best way to serve U.S. economic and moral interests.

Sharry said that Wilson is wrong to believe that if the nation simply ended what Wilson calls the "perversive incentives" to immigrants—free health care, education and welfare—that the inflow would halt.

Sharry believes that Clinton's current approach—tougher border enforcement—is also wrong and unworkable.

"People are convinced something has to be done about illegal immigration. It's just not palatable to argue that nothing should be done," Sharry said. "But to advocate enforcement and disenfranchisement and alienation is misleading and simplistic. It's not good policy or good government but cynical politics and bad policy. And Clinton and Wilson are both engaged in it, perhaps with different measures of sincerity."

At the other extreme are those who believe Clinton's plan to beef up border and airport security to keep out illegal aliens and potential terrorists does not go nearly far enough.

Dan Stein, executive director of the Federation for American Immigration Reform, said that the only answer is an immediate moratorium on all immigration, legal and illegal. New, much lower, limits on overall immigration should be adopted, as well as a viable system for enforcing them, he said.

Clinton's approach, said Stein, is akin to "trying to dam the Mississippi with toothpicks." He said that Clinton's efforts to distinguish between legal and illegal immigration and to push tougher standards for granting political asylum are "troublingly bureaucratic."

"In all likelihood, the Administration is going to try to get away with asylum reform proposals and hope the issue goes away," Stein said. "But it won't. It can't. It's a permanent feature of the political landscape."

*Immigration file*

THE WHITE HOUSE  
WASHINGTON

September 9, 1993

MEMORANDUM FOR THE PRESIDENT

FROM DONSIA STRONG  
Domestic Policy Council Staff

SUBJECT Immigration Issues

A. Governor Wilson has proposed that your Administration take three specific actions to combat illegal immigration:

1. **Amend the Constitution to deny citizenship to children born in the U.S. to illegal immigrant parents.**

This must be rejected.

◆ Every other constitutional amendment has expanded rights and broadened group protection.

◆ The U.S. has never carved out an exception to the citizenship clause of the Fourteenth Amendment for children of foreign nationals, even if the parents were in the U.S. illegally.

◆ Takes us back to perhaps -- the most embarrassing episode in American jurisprudence -- Dred Scott.

2. **Deny education and other social services to illegal immigrants.**

The only federal benefits illegal immigrants are eligible for are:

◆ **Stafford Disaster Relief Act.**

Provides for federal disaster assistance during or because of a Presidential declared disaster.

May take the form of (1) temporary housing assistance;

(2) individual family grants of up to \$11,000; or

(3) unemployment assistance for up to 26 weeks.

The Act prohibits discrimination based upon national origin.

◆Medicaid.

Federal financial participation available for State costs an "emergency medical condition."

Without providing emergency medical care the country may be faced with a population capable of spreading disease and without assistance for life-threatening illnesses because few alternatives to care exist.

Illegal immigrants migrate to work. Therefore, we must focus on more careful and active enforcement of employer sanctions and labor laws.

◆Education.

In the 1982 case of Plyler v. Doe, the Supreme Court prohibited states from refusing to educate illegal immigrant children.

States are not bearing the cost of educating immigrant children alone.

The Department of Education distributes \$30 million through its Emergency Immigrant Program. The money is distributed to the states who then distribute it to the districts based on the districts' eligibility for the funds (i.e. 5% of the student population or 500 students must be considered immigrants).

The unfortunate result of a policy denying education to children is membership in a permanent underclass. To deny children the opportunity to be educated is to punish an innocent child for the crimes or misdeeds of the parents.

3. **Institute a tamper-resistant identification card.**

In the short term, the immigration interagency working group is reviewing the feasibility of narrowing the number and type of documents which can be presented to prove employment eligibility. During recent congressional hearings, it was made clear that the employer sanctions program is not a deterrent to illegal immigration. Prospective employees are permitted to present a wide variety of documents to prove identity and work eligibility, increasing the opportunity for fraudulent document use. Illegal aliens come to the U.S. to work. Reducing the number of documents which may be accepted will reduce the opportunity for fraudulent document use and thereby reduce the potential for illegal alien employment and the major incentive for illegal immigration.

Some sort of secure identification card may have some merit in the employment context. Every worker, whether citizen or permanently residing under the color of law, must have a social security number. The identification card could merely be a more secure, tamper proof form of the social security card.

The Health Care Task Force is considering an identification card. Civil libertarians and Hispanic Americans will aggressively fight any move to institute a national identification card because it raises concerns about "Big Brother" and fears of abuse and discrimination. This idea is suggested often and is very controversial. The costs would be substantial.

Today, Gov. Wilson called on you to designate California as a pilot project for receiving the tamper-resistant identification card.

*Suggested response:* While we appreciate the governor's offer of California as a site for a pilot project, as I have stated previously, the Administration is engaged in a comprehensive examination of the identification card proposal. This is a very important policy issue which has been very hotly debated in Congress for many years.

(In 1982, Gov. Wilson stated, "the suggested method of controlling the illegal influx - a national identification card - is a lousy idea.")

#### **B. Presidential Initiatives to Combat Illegal Immigration**

On June 18, you announced a Plan of Action to combat the smuggling of aliens into the United States by organized crime syndicates. The Plan responds to a problem which has existed for almost two years. The Plan:

- Strengthens law enforcement efforts;
- Combats smuggling operations at source countries;
- Directs Coast Guard to interdict and redirect smuggling ships in transit; and
- Directs DOJ to expedite processing of entry claims and return economic migrants smuggled into the United States.

With this Plan, the United States signaled its abhorrence of the trafficking in human beings for profit and its determination to combat this illegal activity. At the same time, we affirmed our commitment to safeguarding the protection of bone fide refugees. **Since this announcement we have successfully interdicted one ship off the coast of Guatemala and no ship has entered U.S. waters.**

On July 27, you announced a series of initiatives to combat illegal immigration generally, and alien smuggling and counterterrorism specifically. The centerpiece of the initiatives is a legislative proposal allows for the expeditious removal of those who arrive at our ports of entry with fraudulent or no documentation while protecting the rights of those legally seeking asylum. The legislation also doubles prison sentences for those convicted of smuggling aliens and makes smuggling a predicate for RICO prosecutions. We expect Congress to act on the legislation by the end of the session. In addition, the INS will complete its regulatory review and make its recommendation to further streamline the asylum process by September 30.

The proposal also includes \$172.5 million in resources to --

- Hire, train and equip up to 600 border patrol agents to improve their ability to interdict and return illegal aliens seeking to cross the border;
- Increase funding to accelerate full automation of U.S. embassies and consulates to better provide information on people who should not receive visas; and
- Work in cooperation with the international airline industry to prevent illegal immigration abroad -- prior to an alien's arrival in the U.S.

**NOTE:** See attachment for the California congressional delegation's views on selected immigration issues.

California Congressional Delegation's Immigration Proposals and Views on the President's Immigration Bill, the "Expedited Exclusion and Alien Smuggling Enhanced Penalties Act of 1993"

California Senators

Barbara Boxer (D) and Dianne Feinstein (D) -- Both are concerned about controlling immigration and have stated that the President's legislation is a good first step towards that end.

Boxer has endorsed use of national guards on the border. Feinstein has proposed a six-point plan that would be funded by charging anyone crossing a border into the United States (including U.S. citizens, legal immigrants and visitors) a \$1 fee. Her plan would: (1) increase the number of Border Patrol agents, (2) increase penalties for alien smuggling, (3) authorize Federal trial judges to issue deportation orders against illegal aliens convicted of aggravated felonies, (4) deport illegal alien felons to serve their sentences in their country of origin, (5) overhaul the asylum process, and (6) prevent Medicaid abuse by nonresidents. (The initiatives you announced on July 27th include many of these points. Others are being considered as a part of the ongoing interagency asylum review. However, USTR advises it would not favor the imposition of a border crossing fee. Such a fee would add to border congestion, increasing environmental pollution -- which the Administration currently is addressing in NAFTA side agreements. In addition, a border fee would raise political concerns about possible retaliation by Mexico. Finally, USTR believes such a fee would affect cross-border shopping along the Canadian border.)

Congresspersons from the Southern California Delegation

Xavier Becerra (D) -- In an August 20th letter to the President, Becerra expressed the fear that the legislation would undermine due process protections. Among Becerra's specific concerns are that: (1) the standard of proof should conform to the U.N. High Commissioner for Refugees' standard (manifestly unfounded or clearly abusive), (2) there should be a right to consultation prior to and representation at the interview, and (3) habeas corpus review should be allowed on the substance of the claim.

Howard Berman (D) -- Could have concerns with the due process and access to counsel provisions of the bill, but so far hasn't expressed views.

Henry Waxman (D) -- As far as we know, he has not commented on the bill. However, he could follow Berman's lead.

Anthony Beilenson (D) -- As far as we know, he has not commented on the bill. However, we do not expect him to oppose the bill.

Duncan Hunter (R) -- Has not commented on the bill, but successfully proposed an amendment adding \$60 million to Border Patrol funding to the Commerce-Justice-State appropriations bill adopted by the House. The Senate version of the bill, which the Administration supports, includes \$45 million in Border Patrol funding. If we agree to an amount over \$45 million, we will need additional offsets.

Congresspersons from the Northern California Delegation

Nancy Pelosi (D) and Lynn Woolsey (D) -- Both have expressed concerns with the bill and believe that women should be treated as a specially protected class.

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 1  
LISTED IN THE WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

CC:

THE WHITE HOUSE  
WASHINGTON

TO: Tony Lake  
FROM: Carol H. Rasco *CHR*  
SUBJ: Immigration planning  
DATE: September 6, 1993

Donsia Strong of my staff who is our lead on immigration issues was out of town on Friday of last week so I did not have the opportunity to visit with her until this morning. After visiting both with Donsia and the President on the immigration assignment we discussed with Mack last week and having looked at Donsia's fall work schedule as well, I have asked Donsia to include me in all working group meetings even at the staff level. I realize this may pose some scheduling problems but I believe we can work around those. It is very important to the President that I become very well briefed on this matter. Clearly a number of domestic policy departments and agencies have not been adequately consulted nor included in previous administrations on this topic. We will try to remedy that problem this time. I will also be including Suzan Johnson Cook who is a new White House Fellow on the Domestic Policy Council staff.

I also continue to agree that it is essential to have an initial work plan of some type prepared by the end of this week.

Thank you.

cc: Mack McLarty  
Donsia Strong  
Suzan Johnson Cook

AUG 31 REC'D

THE WHITE HOUSE  
WASHINGTON

AUGUST 30, 1993

MEMORANDUM FOR: CAROL RASCO  
                  TONY LAKE

FROM:              MACK McLARTY

SUBJECT:           IMMIGRATION COORDINATION

8/31  
Sent EMail  
to Burton  
that I can  
attend -

After discussions with the Vice President and me, the President feels that both of you would be the right people to co-chair a working group to review immigration policies. This is a hot button issue, as you know, and an important matter to all of us. Thus, the President would appreciate your leadership in this effort, as would I.

I am sure you are aware that Vice President Gore and his staff have done considerable work on immigration policy. Therefore, I think we should have a quick meeting with Jack Quinn in order to pass the torch from the Vice President's office to the proper policy coordinators. Perhaps we could do that Wednesday morning right after our staff meeting. Let me know if that is convenient for you.

TFM/pm  
cc: Jack Quinn

cc

THE WHITE HOUSE  
WASHINGTON

TO: Tony Lake  
FROM: Carol H. Rasco  
SUBJ: Immigration  
DATE: September 9, 1993

When I sent the memo earlier this week about my participation in even staff level discussions on the immigration effort I did not mean to create chaos, nor did I mean to infer that you yourself would also have to sit in these meetings. I believe the most important thing is that we move on this process; if you and I need to discuss this matter in person in order to get a meeting set, please do not hesitate to call me or Rosalyn Miller who can reach me. We had been asked by Mack to report back by the end of this week as to an initial work plan.

Thank you.

cc: Mack McLarty