

Study of Immigration in L.A. County Challenges Government View of Costs

Urban Institute Factors In Contributions of Long-Term Residents

By Barbara Vobejda
Washington Post Staff Writer

Immigrants do not pose nearly the burden on government services that has been described in several studies and cited frequently in proposals to stem illegal immigration, according to an Urban Institute report released this week.

Authors of the new study, based on the population of Los Angeles County, argue that immigrants make significant financial contributions where they live.

"It's wrong to give the impression that immigrants are being paid for by the natives," said Jeffrey Passel, a coauthor of the report. "The natives also are costing the county money."

The debate over the relative costs and benefits created by the nation's mammoth wave of immigration has become particularly volatile in California recently as political races heat up and candidates look for ways to cut costs by controlling illegal immigration.

Gov. Pete Wilson (R) last month proposed a constitutional amendment to deny citizenship to children born to illegal immigrants in this country. State Treasurer Kathleen Brown (D), a likely gubernatorial candidate, has proposed sending illegal immigrants convicted of crimes back to Mexico to serve sentences. And other political leaders in the state have called for beefed-up border patrols.

Such proposals are bolstered by an often-cited study released last year by Los Angeles County that found the net cost to the county of providing services to recent immigrants was \$947 million in 1991-92, or 31 percent of total net county costs. Estimated revenue generated by the immigrant groups studied was \$4.3 billion, or about 9 percent of county revenues, the study showed.

But the Urban Institute study said that the Los Angeles County study underestimated revenue from recent immigrants. And the county study looked only at recent legal immigrants, those legalized through amnesty, undocumented immi-

grants and the citizen children of undocumented persons.

The institute's study, written by demographer Rebecca Clark along with Passel, found that long-term and recent immigrants together contributed \$10.6 billion of the

"It's wrong to give the impression that immigrants are being paid for by the natives."

—Jeffrey Passel,
coauthor of new report

\$38.3 billion collected from county residents in five types of taxes.

Clark and Passel argued that the costs and financial contributions of long-term immigrants should be considered with those of recent immigrants, to give a full picture of the impact of immigration. Immigrants who entered this country before 1980, for example, make up 15 percent of the county population but contribute more than their

share, or 18 percent, of revenue from the five taxes considered in the study.

Ignoring the long-term immigrants, said Passel, is "as if these areas are saying we'll take these people after they've been in the county 10 years."

While most of the political proposals have focused on illegal immigration, the Urban Institute study does not differentiate between legal and illegal persons.

Manuel Moreno-Evans, who directed the Los Angeles County report, said the Urban Institute's methodology produced different numbers, but that the two studies did not conflict in their overall findings.

Earlier this year, the Carrying Capacity Network, a nonprofit group that looks at environmental, population and resource issues, reported that immigrants cost U.S. taxpayers \$45 billion more a year than they contribute in taxes.

Monique Miller, executive director of the organization, said while the Urban Institute study may have arrived at different estimates than other studies, "it's still an incredibly large number" in net costs posed by immigrants.

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Immigrants: A Cost or a Benefit?

A Growing Burden

By Donald L. Huddle

In 1992, two major studies reported that immigrants used up a lot more public money — for education, medical care, welfare and other social benefits — than they paid in taxes that year.

In a Los Angeles County government report, the gap for 2.3 million immigrants, both legal and illegal, was \$808 million in county costs. A study of San Diego by the Auditor General of California found that the net cost of state and county services for 200,000 illegals was \$145.9 million.

Both studies emphasized that while the county governments were bearing a large share of these costs, the Federal Government collected the lion's share of immigrants' tax revenues and returned little to the counties. State governments may be in a similar position. Last month, Gov. Pete Wilson of California said that illegal immigrants and their U.S.-born children (who are citizens) were

costing the state \$2.9 billion a year for only four services: welfare, education, health care and — if it can be called a service — incarceration.

A study I conducted for the Carrying Capacity Network, a nonprofit educational organization, was the first comprehensive assessment of the costs of immigration at the Federal, state and county levels. Do immigrants as a group contribute enough in Federal taxes to cancel out the burden they pose at the county and state levels? Or does government spending on immigrants outweigh their tax revenues? The answers have obvious implications for immigration policy.

Our nationwide study assessed the net costs to taxpayers of immigrants who have arrived since 1970 and projected spending on those expected to arrive from 1993 to 2002. It examined 23 categories of Federal, state and local assistance, including county health and welfare services.

In three previous field studies, I found that for every 100 unskilled immigrants who were working, 25 or more unskilled native-born Americans were displaced or unable to get jobs.

The Carrying Capacity Network study calculated the costs of public assistance for 2.1 million American workers displaced by immigrants, using the 25 percent displacement rate.

According to 1990 Census data, the poverty rate of immigrants is 42.8 percent higher than that of the native-born. On average, immigrant households receive 44.2 percent more public assistance dollars than do native households.

Public assistance costs in 1992 at the county, state and national levels were \$42.5 billion for the 19.3 million legal and illegal immigrants who

have settled in the U.S. since 1970. These are net costs, after deducting the \$20.2 billion in taxes paid by immigrants and including the \$11.9 billion for public assistance for the 2.1 million displaced U.S.-born workers. The biggest expense was for primary and secondary public education, followed by Medicaid.

And these costs are projected to rise, assuming that laws and their enforcement don't change. Our estimate is that 11.1 million immigrants, legal and illegal, will enter the country in the next decade. The bill for supporting all immigrants and the American workers they displace for those 10 years will total \$951.7 billion. We estimated that the immigrants will pay \$283.2 billion in taxes.

Thus there will be a net cost to U.S. taxpayers of \$668.5 billion over the decade. Legal immigrants will account for almost three-quarters of the total cost; illegal aliens will account for \$186.4 billion.

The costs over the next decade may increase if, as some project, the number of immigrants rises above the 11.1 million our study estimates. And the number may rise even more because spending is being increased for programs such as the earned-income tax credit and other services that act as magnets for potential immigrants.

The Clinton Administration's anticipated plan for universal health coverage would significantly raise medical costs for immigrants, a larger percentage of whom tend to be uninsured. Indeed, access to public health care alone might be enough to attract new immigrants, particularly those with difficult medical conditions.

How can the U.S. reduce this growing burden? It should not single out

A \$42.5 billion bill in 1992.

legal immigrants for cuts in entitlements because that would be discriminatory. But it should tighten financial responsibility requirements for families and other sponsors of immigrants.

A better way of cutting the costs would be to reduce immigration and select entrants more carefully.

Current law incorporates a preference for family reunification and for political asylum seekers and refugees. Aliens who received amnesty under the 1986 immigration act are becoming eligible to bring in their families. World events could encourage an even greater number of refugees, most of whom will be low-skilled and dependent.

If the policies were changed, however, to accept only skilled or professional legal immigrants — 38 percent of the current flow — we would avoid a projected cost of \$171.8 billion, while netting a modest revenue gain of \$13.7 billion by 2002.

Curbing illegal immigration could save \$186 billion by 2002. Stricter control of the border, enforcement of sanctions against employers who hire illegals and better programs to screen immigrant welfare applications could help stem the flow.

Donald L. Huddle is professor emeritus of economics at Rice University.

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Health Systems in Bind on Care for Illegal Immigrants

■ **Finances:** Federal law requires treatment but funds for state and county are scarce. Reform plan skirts the issue.

By IRENE WIELAWSKI
TIMES STAFF WRITER

An illegal immigrant from Mexico collapses in the Alhambra bakery where he works for minimum wage and no health benefits. Rushed to the nearest county hospital, he undergoes an emergency appendectomy. Cost to taxpayers: \$1,990.

An impoverished Salvadoran, also in the United States illegally, receives gall bladder surgery and antibiotic treatment. Cost to taxpayers: \$9,318.

And in Los Angeles County's crowded public hospitals, two out of three births are to illegal immigrants. Annual cost to taxpayers: \$60 million.

For years, compassionate federal and state laws have required hospitals in California to treat virtually anyone who is poor and seriously ill, allowing hundreds of thousands of illegal immigrants to obtain free care.

A seemingly bottomless well of government health care dollars

■ FIRST OF TWO PARTS

paid the bills. But the well has a bottom. Soaring medical costs have priced 37 million Americans out of health insurance. And shrinking public health budgets are forcing officials to do more with less, focusing unprecedented attention on the costs of treating illegal

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immigrants.

Nowhere is that scrutiny greater than in California, where more than half the nation's 2.4 million illegal immigrants reside. Projections by the state Health and Welfare Agency show that their health care will cost Medi-Cal about \$880 million this fiscal year, nearly triple what the insurance program for the poor paid out four years ago.

And nowhere is the search for a solution more pressing than in Los Angeles County, where officials say illegal immigrants account for one-quarter of the patients in the overburdened public hospital and clinic system.

"We can't treat the whole world," complained a doctor at Los Angeles County-USC Medical Center, where budget deficits have forced staff and pay cuts.

Reliable statistics on the costs of illegal-immigrant health care are hard to come by, as are solutions untainted by politics or even racism. Even tougher to ascertain are the potential costs of denying health care benefits to illegal immigrants, a money-saving measure proposed by Gov. Pete Wilson earlier this month. Public health officials warn that neglecting those health needs escalates the spread and cost of communicable disease in California, as demonstrated by the resurgence of tuberculosis.

There is little evidence that resident illegal immigrants use the public health care system cavalierly. Studies show that illegal immigrants, fearful of deportation, often are reluctant to use public health facilities until their conditions are life-threatening. Such delayed care, experts say, further escalates costs because it is usually least expensive to treat an illness early.

These costs are borne by taxpayers through government-sponsored health programs for the poor. This situation is unlikely to change because President Clinton's national health reform plan is expected to exclude illegal immigrants from coverage.

Elusive Data

Many of these programs are funded with a combination of federal, state and county tax dollars. Comprehensive data on health care costs for illegal immigrants does not exist because most hospitals and clinics have no means of determining how many of their patients are undocumented.

But California health officials were able to roughly gauge the impact on the state's largest health program—Medi-Cal—because of special codes used by hospitals to claim reimbursement for certain kinds of illegal immigrant care.

Since 1986, federal law has required states to use such programs to provide emergency and obstetrical treatment to illegal immigrants.

California's study—undertaken in hopes of obtaining more federal aid—concluded in January that illegal immigrant health costs accounted for the fastest-growing part of the Medi-Cal budget, rising from \$299.4 million in fiscal 1989-1990 to a projected \$880 million this fiscal year. Officials expect no reversal of this trend, in light of state projections that the number of illegal immigrants will increase by at least 100,000 a year.

"This situation is breaking California," said Jennifer Nelson of the state Health and Welfare Agency, which compiled the data used by Gov. Wilson earlier this year to plead for more federal aid.

Los Angeles and other hard-hit counties launched their own studies, hoping to get more money from the state.

More than half of the state's illegal immigrants live in Los Angeles County. Demographers estimate that the county has 700,000 illegal immigrants—a population that grows by 66,000 annually. Most of their care is provided by the county's six public hospitals and 45 health centers, the most extensive network of publicly financed health facilities in California.

A county study, based on fiscal 1990-91 data, found in November that illegal immigrants used \$159.5 million, or nearly a third of the county's expenses for care of the indigent, though they make up only 7.6% of the county's population. Experts say this reflects the dependence of illegal immigrants on county emergency rooms to meet most of their health needs, rather than their overuse of services.

Those county expenditures were over and above the \$273.7 million that Medi-Cal reimbursed public and private hospitals in Los Angeles County that year for obstetrical and emergency treatment of illegal immigrants.

The county study also included the contributions of undocumented residents—information requested by Supervisor Gloria Molina, who

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feared that they were being made scapegoats for the county's financial troubles. Illegal immigrants generated \$904 million in taxes, fees and other revenues, researchers found. But 97% of the money went to the state and federal governments, leaving very little in the county to offset the cost of county-financed services.

Though considered the most comprehensive in the state, Los Angeles County's study remains controversial. The Urban Institute, a respected Washington think tank, faulted the 118-page report for inadequate documentation but called it "a significant step" forward in assessing the impact of illegal immigration.

San Diego County undertook a similar study last year but looked primarily at costs. Its report, prepared by the state auditor general's office, attributed about \$42 million in health care costs to illegal immigrants in fiscal 1990-91. Of this, \$30.8 million was billed to the state Medi-Cal program.

Orange County has no county hospitals, but private facilities provide an estimated \$31 million a year for hospital care and an undetermined amount for outpatient treatment for illegal immigrants, according to Donald Hicks, a planning executive at UC Irvine Medical Center, which treats most of the county's poor.

Orange County supervisors and the county grand jury conducted studies of the impact of illegal immigration on all public services earlier this year, but failed to identify specific health care costs.

However, state records show that Medi-Cal costs for illegal immigrant residents of Orange County more than doubled between fiscal 1990 and 1992, from \$29.5 million to \$59.8 million.

The increased burden on county and state programs has coincided with a slumping California economy.

Three years of state budget shortfalls have drained Medi-Cal coffers and reduced state contributions to local health programs for the poor. Health officials say they lack the resources to adequately care for poor and uninsured Californians, let alone illegal immigrants.

"It really is a crisis," said Mary Pitman, outgoing president of the California Assn. of Public Hospitals. "We have just seen an enormous increase in demand, but no increase in funding."

Public and private hospitals in California cannot turn away these patients. They are enmeshed in federal and state laws that obligate hospital emergency rooms to treat all seriously ill patients, regardless of immigration status, country of origin or ability to pay.

The Alhambra bakery worker, for example, was entitled to a taxpayer-financed appendectomy under the 1986 federal law requiring states to pay for emergency and obstetrical care.

Federal law also compels hospitals to treat all seriously ill patients who enter through emergency rooms, regardless of their ability to pay. In counties with public hospitals, such as Los Angeles, those facilities absorb most of the case-load. In counties with no public hospitals, such as Orange, private hospitals get the patients.

Besides emergency treatment, California state law mandates prenatal care for illegal immigrants. California law also makes county-run hospitals and clinics health care providers of last resort—barring them from turning anyone away.

As health resources become scarce, waiting times at Los Angeles County's public hospital emergency rooms have grown so long that some seriously ill people leave without being seen, studies show.

Now, with the county health department facing a potential budget shortfall of \$100 million, 24 health centers may be closed, forcing even more people to queue up for emergency care.

"We can't refuse emergency care [to undocumented foreigners]—and we have no place to send these patients," said Los Angeles County's health director, Robert Gates. "But it means cutting services to everyone, including the legal indigents."

Hospital executives said such a move would be disastrous to all patients in Los Angeles County, not just the poor. Private hospitals and clinics, they said, simply could not absorb the displaced patients.

"Nearly two-thirds of Los Angeles County hospitals operated last year in the red. The other one-third have very little [profit] margin," said David Langness, spokesman for the Hospital Council of Southern California. "If this dumping occurs, we believe that at least 20 [private] hospitals and 10 more emergency rooms and trauma centers will close."

Advocates for illegal immigrants said the immigrants' health—already precarious—will certainly deteriorate if care becomes less

available.

"I am terrified that . . . we are going to go back to having farm worker women delivering babies in the field," said Lucy Quacinella, a lawyer with the National Immigrant Law Center.

Yet the advocates also acknowledge that illegal immigrants are adding to the strain on California's health care system.

Dr. Aliza Lifshitz, president of the California Hispanic Medical Assn., representing 1,400 physicians, believes California is paying the price of poor federal control of U.S. borders. "Once [illegal immigrants] are already here, we can't just say, 'To hell with you, we won't take care of you,'" she said. "The enforcement really has to come from officials at the border to make sure we don't get more in."

Who are these patients? Los Angeles County records, obtained under the California Public Records Act, dryly list them by immigration status, treatment and cost.

Among these faceless entries are one illegal immigrant who received \$4,065 in hospital treatment for diabetes and hypertension and another who got \$3,200 in obstetrical care.

But there are faces. They can be found in barrios where 15 people call a garage home, in free clinics that cater to the poor, in hospital emergency rooms and at an El Monte community center where local activists are trying to organize preventive care services for illegal immigrants.

Like the Alhambra bakery worker, most of those interviewed by The Times have jobs. Many have children in public schools. All were afraid to allow their full names to be used, for fear of discovery by immigration authorities.

The same fear, they said, keeps them from using health services until symptoms become severe.

THE PRESIDENT HAS SEEN 9/1

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Has Wilson Outfoxed Himself on Immigration?

■ **Campaign:** He may have moved so far to the right on the issue that he has given his Democratic opponents a lot of room to maneuver in.

By Sherry Bebitch Jeffe

Could it be that Pete Wilson's hard-line stance on immigration will prove to be too clever by half? The press and pundits have declared illegal immigration the hot-button issue of the November, 1994, elections—particularly in California. It's probably safer to say that illegal immigration will remain a loud issue. But will it sway voters?

Wilson's abysmal job-approval ratings moved up around the time he called for an end to government services for illegal immigrants and a denial of U.S. citizenship to their U.S.-born children. The ratings of Sens. Dianne Feinstein and Barbara Boxer also went up following their uncharacteristically tough advice on how to curb the flow of illegal immigrants across the Mexican border.

But linking a rise in polls to strong rhetoric on immigration is simplistic. Getting something accomplished—like passing a budget on time, with little visible bloodshed—helped Wilson's ratings. And avoiding controversial actions boosted the standing of both senators.

Nonetheless, illegal immigration is widely perceived to be a cutting issue. And, in politics, perception has a way of

Sherry Bebitch Jeffe, a contributing editor to Opinion, is a senior associate of the Center for Politics and Policy at the Claremont Graduate School.

becoming reality. That's where Wilson may have tripped himself up. And that's where Democrats may have gotten a break.

Wilson's hard-line rhetoric on illegal immigrants may give Republican conservatives something to rally around, as they rallied around reapportionment three years ago. GOP unity allowed Wilson an easy romp through the gubernatorial primary. That short-lived truce contributed to Wilson's narrow victory over Feinstein in the November election.

Co-opting the right on immigration might again pre-empt a serious primary challenge to Wilson. And, once more, he could hoard his money and resources for what is shaping up as a hard-fought general election campaign. But can Wilson rely on that strategy to help him in the general election?

His anti-immigration proposals have placed a potential grenade at Democrats' feet. From Bill Clinton on down, Democrats face a delicate balancing act. How can they come down hard on illegal immigration without alienating the party's minority constituencies?

But the governor may have moved so far to the right on immigration that he has given his possible Democratic opponents—and almost any other Democratic candidate who needs to stake out a position on the issue—a lot of room in which to maneuver. Pulling Democrats to the right means moving them toward the political center. And that's where general elections are won in California.

Consider the early maneuvering of state Treasurer Kathleen Brown, a likely candidate for the Democratic nomination for governor. Brown beat Wilson onto national television when she demanded that Clinton link the North America Free Trade Agreement to a side agreement to ship undocumented immigrants serving

time in U.S. jails back to their country of origin. Brown's proposal positions her as tough on crime and law enforcement, issues on which Democrats and women candidates, in particular, have been vulnerable.

That's a neat general-election strategy, calculated to appeal to moderate-to-conservative whites. It could also have interesting ramifications in the Democratic primary. The party's constituencies—labor, Latinos, liberals, moderates—are divided over what to do, if anything, about immigration. And the Democratic debate over the issue has got caught up in the intraparty NAFTA fight.

Calls, like Brown's, for side agreements put NAFTA at risk. But labor and environmentalists, two important Democratic primary constituencies, might not mind that. They remain skeptical of—if not opposed to—the free-trade agreement.

Brown's likely primary opponent, state Insurance Commissioner John Garamendi, has only recently weighed in on illegal immigration, joining other Democrats in support of stepped-up enforcement of current laws against hiring illegal immig-

rants. But Brown and Garamendi are on opposite sides of NAFTA, which may result in a divisive primary, with costly consequences in the general election.

How the immigration issue moves "the Latino vote" is also a subject of much discussion. Latino voters have been more up for grabs than blacks in recent California elections. A Republican who can attract 40% of the Latino electorate, as did Richard Riordan, can do serious damage to a Democratic candidate. Has Wilson forfeited that opportunity with his immigration views?

The Latino community is not an electoral monolith. Latino politicians have been split, or silent, on illegal immigration, reflecting their diverse constituencies. Both parties face challenges.

Polls show that Latinos share with other Californians concerns over illegal immigration. But, despite Wilson's denial of racist motivations, Latinos don't like the xenophobic intimations of the governor's proposals. That could hurt Wilson in the general election.

Loathe to upset his agricultural and business supporters who have relied on

undocumented workers for cheap labor, Wilson has been lax in enforcing existing immigration laws. That has not only given Democrats the opportunity to neutralize him on the issues of jobs and crime, it allows them to tweak voter cynicism concerning Wilson's social mandates.

Is there a place in the election campaign for a reasoned discussion of the impact of federal immigration policy on California?

At a recent hearing of the House Republican Research Committee's Task Force on Illegal Immigration, Pasadena Mayor Rick Cole put the debate into perspective: "The issue of immigration is a profound one, and deserves attention and goodwill," he said.

But, he added, "the demonization of immigrants is inhumane and wrong, particularly if it's for partisan gain. People need to stand up for thinking this through with the good sense and compassion that has marked the best of America."

In the end, the rhetoric of the 1994 election and the direction California takes to solve its problems will be a test not only of our leaders, but of ourselves. □

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Los Angeles Times

SUNDAY, SEPTEMBER 5, 1993

To Carol Rocco 9/7
From Mack McPartly

MACK → this is from the President *Bob*
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'Anti' sentiment swells in haven of California



By Bob Riha Jr., Gamma-Liaison
THEY TOOK OVER: Terry Angel, a contractor, says immigrants' cheap labor is forcing Americans out of work. He says illegal aliens work at this Cypress, Calif., building site.

By Haya El Nasser
USA TODAY

LOS ANGELES — When a migrant worker rushes up to Terry Angel's pickup truck at a stoplight and asks for work, Angel feels sadness, but little compassion.

"I look at him and all I can see are the faces of my employees that I had to lay off," says Angel, a contractor who blames cheap immigrant labor for his financial woes. "Just three years ago, American citizens were doing all the work... But they took over."

They are the estimated 1.3 million undocumented immigrants living in California, flooding the state at a phenomenal rate of 100,000 a year.

Nowhere is the anti-immigrant sentiment more vocal than in California, home to 6.5 million immigrants, more than half of the nation's undocumented aliens and more than 40% of refugees. Immigrants are at the center of debates on crime, overcrowding, unemployment, cuts in services and a slew of economic problems.

Recent violence — including attacks on activists and the ransacking of refugee rights offices in San Francisco — indicates a growing backlash.

"It's pandering to... fear," says immigrants' activist Richard Martinez of the Southwest Voter Registration Education Project. "It's xenophobia, misinformation."

Still, immigrants are testing the patience of the most tolerant of Californians.

"Everybody's just had it," says Angel, 47, on the verge of losing his home.

Across the street from Danielle Elliott's home, 30 immigrants live in a windowless tool shed. A few blocks away, forgers churn out "green cards," which permit aliens to live and work in the USA. "One day we woke up and there was no room to park," says Elliott, of the Federation for American Immigration Reform (FAIR).

They line up daily for free health care in the financially strapped hospital where nurses like Maureen Habel ask wrenching questions: "If we only have so many resources, is it not ethical that we provide the care to citizens first?"

Many activists call this an attack on all immigrants.

"They're using them to whip up a current of public opinion

65% want immigration cut back

By Maria Puente
USA TODAY

Anti-immigration sentiment in the USA is strongest among whites, Southerners and those with lower incomes, less education and conservative views, according to a USA TODAY/CNN/Gallup Poll.

Those groups are more likely to back cutting or halting immigration, see immigrants as a drain on taxpayers, and to believe immigrants increase crime and threaten American culture.

"They bring different values and that's why we have more crime and drug problems," says Mary Goldsmith, 37, a homemaker in Brandenburg, Ky., one of those surveyed.

Nationwide, the poll found 65% of 1,002 adults favor a reduction in immigration — the highest such finding since World War II.

► 66% of whites favor reducing immigration, as do 56% of non-whites.

► 42% of those making less than \$20,000 a year want to stop immigration, compared with 18% of those making more than \$50,000.

► In the South, 74% favor a reduction; in the West, by comparison, 59%.

► Only 42% of immigrants want to reduce immigration. But hostility increases with succeeding generations: 54% of first-generation immigrants, and 61% of second-generation, favor a reduction.

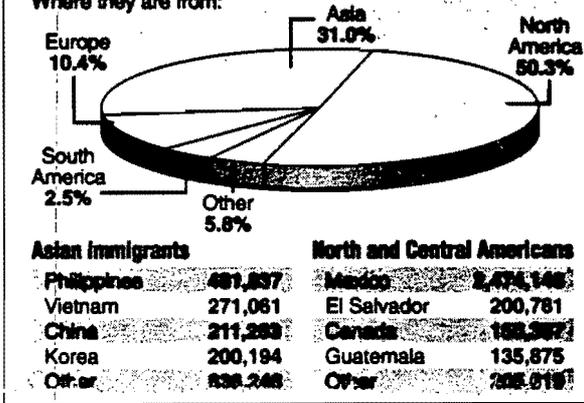
The poll was conducted July 9-11. Error margin: 3 percentage points.

against immigrants," says Nativio Lopez, with Hermandad Mexicana Nacional in Orange County. Already, he says, employers ask for proof of residency when someone looks or sounds foreign.

The cries for a stop to the flow is starting to come from Californians of all races, walks of life and ideologies; they call

California and immigrants

California has about 6.5 million foreign-born residents. Where they are from:



Source: Census Bureau By Marcy E. Mullins, USA TODAY

for everything from a moratorium on immigration to military patrols of the border.

Grass-roots organizations are sprouting up across the state and pressuring politicians to enact tougher laws.

"This is not a liberal issue, and it's not a conservative issue," says Elliott. "It has to do with quality of life."

Mounting frustration is fueled by an unprecedented population boom in California — an average 2.2% a year since 1980, faster than China and India. By 2002, the state will be the first with a minority-majority. If trends continue, Latinos will be the majority by 2040.

Recent vivid images of boatloads of Chinese refugees landing ashore have added to the frenzy — all at a time when the state, drowning in red ink, is slashing services.

Elected officials and local governments are jumping on the bandwagon:

► Gov. Pete Wilson is asking \$1.5 billion from the federal

government to cover state and local costs of welfare services to new or illegal immigrants.

► Sen. Dianne Feinstein, D-Calif., proposes a \$1 border fee to fund crackdowns on drug and alien smuggling.

► Immigrants' rights groups have identified more than 20 bills introduced in Sacramento as "anti-immigrant."

► In less than one year, three counties issued reports detailing the strain immigrants are putting on their budgets — reports widely criticized by both demographers and immigrant groups.

Los Angeles County says it spent \$308 million last year to provide public services to an estimated 700,000 illegal residents; \$368 million to teach their children.

San Diego County says providing services to its 200,000 illegal residents costs the state and county \$206 million. Tax revenues: \$60.5 million.

An Orange County grand jury released by far the most

controversial report, calling for an immediate three-year moratorium on immigration.

"We're just going broke," says Tom Dalton, a former grand juror who worked on the report. "Everybody who comes into your home, you treat royally, but I think we're just doing too much of that." Most of the anger and frustration targets federal policies, with groups like FAIR launching massive lobbying efforts.

Yvonne Lee, of the Chinese-American Citizens Alliance, says "people are using every opportunity to promote a xenophobic atmosphere."

Replies Louisa Parker, with FAIR: "Xenophobia is the irrational fear of foreigners. There is a very rational fear of the impact of immigration — legal and illegal."

Immigrants counter that they also create jobs — an estimated two per person.

And they pick up low-paying jobs that nobody else wants.

Says Ed Vasquez, of the Latin Business Association: "Rarely do you see Latinos begging for money. ... I see people making an effort to make an honest living."

People like street vendor Guillermo Lopez. He came here from Mexico 10 years ago and doesn't see how he's taken jobs away from citizens — "only if a gringo wants to work as a maid or wash dishes."

Lopez is a permanent resident now but often feels treated like an illegal.

"The police will usually hassle more," he says. "But I feel good. I'm happy. It's a country that's progressive."

Says Angel: "If they don't stop, everyone in the U.S. is going to work for minimum and poverty wages. ... It has to be stopped."

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Studies Are Deceptive

By Rebecca L. Clark
and Jeffrey S. Passel

WASHINGTON
The economy is dragging, and Americans are looking for scapegoats. Increasingly, they seem to find them in immigrants. But do immigrants cost more than they put into the economy, as has been reported in two recent studies? And is this the right question to ask?

According to the 1990 Census, there are 19.7 million immigrants living in the U.S., or 1 in 12 Americans. Of these, 11 million entered the country before 1980; 2.6 million were granted amnesty under the 1986 immigration law. The Immigration and Naturalization Service recently estimated that there were 2.6 million illegal immigrants in 1990, and the number increased to 3.2 million in 1992.

Estimating the economic cost or benefit of legal and illegal immigrants — nationally or for local areas — is

Expenses are overestimated.

difficult. The necessary numbers are largely unavailable, so researchers must fill in gaps with assumptions.

Our intent is not to advocate higher or lower levels of immigration, but to provide guidance in assessing the assumptions — and thus plausibility — of the numbers used in the debate.

Most studies measure the costs of immigrants better than the benefits, because social service expenses can be estimated from government data, whereas estimates of taxes paid require statistics on income and place of birth from a representative sample.

The net cost of immigrants can be estimated from the following:

- **Taxes paid.** In our recent study of the impact of immigrants in Los Angeles County, we used Census survey data to estimate five Federal, state and local taxes paid by immigrants. We found that adult immigrants who arrived after 1980 paid a total of \$3,066 per person. This was almost twice as much as was estimated by a Los Angeles County government report.

The comparable figure for all immigrants, recent or not, is \$4,264 a person, compared with \$6,902 for natives. Long-term immigrants pay more than their proportionate share. They make up 15 percent of the Los Angeles County population and contribute 18 percent of the five taxes.

- **Jobs created and taxes paid by immigrant-owned or supported businesses.** This major contribution to public coffers has not been quantified or included in any cost-benefit studies of immigrants.

- **Cost of services.** Despite a widespread belief that immigrants are

Rebecca L. Clark and Jeffrey S. Passel are demographers at the Urban Institute.

attracted to the U.S. by its social services, there are several reasons to expect immigrants' use of welfare to be relatively low.

Undocumented immigrants are barred from most public assistance programs. Recent legal immigrants are effectively prohibited from receiving most public assistance for three to five years after arrival. And a person with a history of receiving welfare finds it more difficult to bring relatives into the country.

The cost of services provided to recent legal immigrants in Los Angeles has been overestimated. For some

social service programs, the Los Angeles County report mistakenly computed the costs for recent legal immigrants by using the costs for all legal immigrants. As a result, the report overestimated the costs of recent immigrants by one-third.

- **Displacement.** Many studies find that the loss of jobs to immigrants is minimal to nonexistent. Yet, a recent well-publicized report by one research group, the Carrying Capacity Network, says that for every 100 unskilled immigrant workers, 25 natives become permanently unemployed. But these figures were based on a very small sample of 378 unemployed Houston residents who were asked whether they would take an "illegal alien type unskilled" job "at \$7 or less per hour." This approach rests on three unsupported assumptions: that such a job exists, that an illegal alien has it and that the respondent would actually accept it.

In the end, the cost debate must address two questions: What is the cost of immigration to local governments? And what are the costs of keeping illegal immigrants out?

Most taxes that immigrants and natives pay go to the Federal and state governments. But most of the costs of caring for, educating and sheltering people accrue at the local level.

The Los Angeles government report is probably correct in concluding that immigrants get more in services from the county than they contribute in county taxes. But this is also the case for natives. The study is incomplete because it fails to include all sources of revenue and omits indirect economic benefits from immigrants' consumer spending and businesses.

In order to keep illegal immigrants out, we spend three-quarters of a

THE PRESIDENT HAS SEEN

917193 db

billion dollars a year, and would have to spend many times that amount to succeed in keeping them from crossing our borders.

Recent popular calls to reduce illegal immigration have focused on further limiting illegals' access to education and social programs and erecting barriers to entry. The proposals have not focused on jobs — the true incentive attracting immigrants. If the flow is to be significantly reduced, the U.S. Government may have to adopt stricter employer sanctions and tighter regulation of business hiring — actions that would not have widespread support. □

AUG 30 REC'D

Document No. **033433**

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8-23 ACTION/CONCURRENCE/COMMENT DUE BY: _____

SUBJECT: 94 Budget Amendment for Immigration Initiative

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PASTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
McLARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RASCO	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NEEL	<input type="checkbox"/>	<input type="checkbox"/>	RUBIN	<input type="checkbox"/>	<input type="checkbox"/>
PANETTA	<input type="checkbox"/>	<input type="checkbox"/>	SEGAL	<input type="checkbox"/>	<input type="checkbox"/>
BAGGETT	<input type="checkbox"/>	<input type="checkbox"/>	SEIDMAN	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input type="checkbox"/>	<input type="checkbox"/>	STEPHANOPOULOS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GEARAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TYSON	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VARNEY	<input type="checkbox"/>	<input type="checkbox"/>
GIBBONS	<input type="checkbox"/>	<input type="checkbox"/>	WATKINS	<input type="checkbox"/>	<input type="checkbox"/>
HALE	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>
HERMAN	<input type="checkbox"/>	<input type="checkbox"/>	<u>Clerk</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
LAKE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McGINTY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MONTOYA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
NUSSBAUM	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

RESPONSE:

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
Ext. 2702

THE WHITE HOUSE
WASHINGTON

August 23, 1993

MR. PRESIDENT:

Attached are FY 94 budget amendments to provide \$172.5 million in funding for the immigration initiative you announced July 27. About half the funding would come from user fees and other non-appropriated funds, about half from appropriated funds fully offset by other budget reductions.

OMB has reviewed these budget requests and recommends that you sign the enclosed letter to the Speaker. No one in the White House objects.

We recommend that you sign the letter.

Todd Stern

Copy
033433



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

THE DIRECTOR

The President

The White House

Submitted for your consideration are FY 1994 budget amendments for the Department of Justice to support the immigration initiative that you announced on July 27, 1993. At your direction, \$172.5 million in budgetary resources would be allocated to the implementation of a more effective immigration policy. Of this amount, \$87 million would be financed by user fees and other non-appropriated sources. The remaining \$85.5 million would be funded by increases to the FY 1994 appropriations requests of four Department of Justice programs that would be fully offset by budget authority reductions in other Justice programs.

The amended appropriations requests would provide the following:

- o \$76 million for the Immigration and Naturalization Service (INS). This amount would restore recent reductions in the strength of the Border Patrol, and enable the INS to hire up to 600 additional Border Patrol agents and equip them with modern technology. In addition, the INS would expand the investigation of currently imprisoned excludable aliens in order to determine their deportability status before their release, and would increase staff to expedite asylum review of excludable aliens. Further, INS would work to reduce the current backlog of 275,000 asylum cases.
- o \$1.9 million for the Executive Office for Immigration Review (EOIR) to enable the EOIR to work with INS to deport criminal aliens more expeditiously upon their release from correctional facilities.
- o \$1.6 million for the Office of Immigration Litigation in the Civil Division to handle legal challenges to legislative and regulatory changes in the asylum and exclusion systems.
- o \$6 million to provide for potential costs associated with third country repatriation of smuggled aliens and appropriations language to increase from \$2 million to \$5 million the amount available from existing funds for rewards for information concerning acts of terrorism.

- o Reductions totaling \$85.5 million to offset the preceding increases are requested for Support of United States Prisoners (\$37.5 million) and the Federal Prison System (\$48 million).

I have carefully reviewed these requests and am satisfied that they are necessary to support your immigration program initiative. Therefore, I join the Attorney General in recommending that this proposal be transmitted to the Congress.

Sincerely,

Leon E. Panetta
Director

Enclosure

THE WHITE HOUSE

WASHINGTON

The Speaker of the
House of Representatives

Sir:

I ask Congress to consider amendments to the FY 1994 appropriations request for the Department of Justice. This proposal would provide \$85.5 million to fund key aspects of the immigration initiative that I announced on July 27, 1993. This increase would be fully offset by budget authority reductions in other Department of Justice programs. The immigration program initiative is crucial to the nation's efforts to provide a fair and effective immigration policy.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

Enclosure

DEPARTMENT OF JUSTICE

1994 Budget Appendix Page	Heading	1994 Budget Request Pending	1994 Proposed Amendment	1994 Revised Request
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GENERAL ADMINISTRATION

A-753	Salaries and expenses	\$117,389,000	\$1,900,000	\$119,289,000
-------	-----------------------	---------------	-------------	---------------

This proposal would provide funds to hire seven immigration judges and interpreters in the Executive Office for Immigration Review to hear the deportation cases of those incarcerated criminal aliens who have been identified as being deportable. These aliens would then be deported immediately upon their release from the correctional facilities. This proposal would increase FY 1994 outlays by \$1.7 million.

LEGAL ACTIVITIES

A-756	Salaries and expenses, general legal activities	408,834,000	1,600,000	410,434,000
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This proposal would enable the Office of Immigration Litigation to handle legal challenges to legislative and regulatory changes in the asylum and exclusion systems that may arise in the Circuit Courts of Appeal. This proposal would increase FY 1994 outlays by \$1.4 million.

A-762	Support of United States prisoners	268,884,000	-37,500,000	231,384,000
-------	------------------------------------	-------------	-------------	-------------

This proposal would partially offset increases in other Department of Justice programs that are part of the President's immigration initiative. This reduction would lower the number of contract jail days that could be funded in FY 1994 by 655,000. Based on recent U.S. Marshals Service detainee population trends, this would still allow for a seven-percent growth in jail days over the FY 1993 level. This proposal would reduce FY 1994 outlays by \$22.5 million.

1994 Budget Appendix Page	Heading	1994 Budget Request Pending	1994 Proposed Amendment	1994 Revised Request
------------------------------------	---------	--------------------------------------	-------------------------------	----------------------------

IMMIGRATION AND NATURALIZATION SERVICE

A-771	Salaries and expenses	992,538,000*	76,000,000	1,068,538,000
-------	-----------------------	--------------	------------	---------------

(In the language under the above heading, delete "597" and substitute 897 and add, of which not to exceed \$76,000,000 shall remain available until September 30, 1995, immediately following "\$1,068,538,000,".)

This proposal would provide funds to enable the Immigration and Naturalization Service (INS) to increase staff to expedite asylum review of excludable aliens and to expand efforts to investigate currently imprisoned aliens in order to make the determination of their deportability before their release. In addition, these funds would address INS' backlog of 275,000 asylum cases, and would allow the INS Border Patrol to add up to 600 new Border Patrol agents, to acquire additional technology, and to restore personnel reduction. This proposal would increase FY 1994 outlays by \$60.4 million.

A-773	Immigration emergency fund	---	6,000,000	6,000,000
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(Add the following appropriations language under the above heading:)

For the Immigration emergency fund, \$6,000,000, to remain available until expended.

This proposal would provide funds to cover potential costs associated with third country repatriation of smuggled aliens. This proposal would not affect outlays.

*Excludes separate pending investment proposal.

1994 Budget Appendix Page	Heading	1994 Budget Request Pending	1994 Proposed Amendment	1994 Revised Request
------------------------------------	---------	--------------------------------------	-------------------------------	----------------------------

FEDERAL PRISON SYSTEM

A-775	Salaries and expenses	1,885,003,000*	-48,000,000	1,837,003,000
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This proposal would partially offset the increases in other Department of Justice programs that are part of the President's immigration initiative. This reduction would require the Bureau of Prisons to delay temporarily the activation of new prison space in certain facilities in which construction is scheduled to be completed in FY 1994. This proposal would reduce FY 1994 outlays by \$41 million.

DEPARTMENT OF JUSTICE

GENERAL PROVISIONS

A-782	SEC. 105	---	language	---
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(In the general provisions language in the above section, delete "\$2,000,000" and substitute \$5,000,000.)

This language change would increase the amount available for rewards for information regarding acts of terrorism from \$2 million to \$5 million. This proposal would not affect outlays.

*Excludes separate pending investment proposal.

PRESS RELEASE

The President today sent to the Congress FY 1994 budget amendments for the Department of Justice to support the immigration initiative that the President announced on July 27, 1993. At the President's direction, \$172.5 million in budgetary resources would be allocated to the implementation of a more effective immigration policy. Of this amount, \$87 million would be financed by user fees and other non-appropriated sources. The remaining \$85.5 million would be funded by increases to the FY 1994 appropriations requests of four Department of Justice programs that would be fully offset by budget authority reductions in other Justice programs.

The amended appropriations requests would provide the following:

- o \$76 million for the Immigration and Naturalization Service (INS). This amount would restore recent reductions in the strength of the Border Patrol, and enable the INS to hire up to 600 additional Border Patrol agents and equip them with modern technology. In addition, the INS would expand the investigation of currently imprisoned excludable aliens in order to determine their deportability status before their release, and would increase staff to expedite asylum review of excludable aliens. Further, INS would work to reduce the current backlog of 275,000 asylum cases.
- o \$1.9 million for the Executive Office for Immigration Review (EOIR) to enable the EOIR to work with INS to deport criminal aliens more expeditiously upon their release from correctional facilities.
- o \$1.6 million for the Office of Immigration Litigation in the Civil Division to handle legal challenges to legislative and regulatory changes in the asylum and exclusion systems.
- o \$6 million to provide for potential costs associated with third country repatriation of smuggled aliens and appropriations language to increase from \$2 million to \$5 million the amount available from existing funds for rewards for information concerning acts of terrorism.
- o Reductions totaling \$85.5 million to offset the preceding increases are requested for Support of United States Prisoners (\$37.5 million) and the Federal Prison System (\$48 million).

THE WHITE HOUSE
WASHINGTON

DATE: 09/02/93

SEP 3 1993

NOTE FOR: CAROL RASCO
DONSIA STRONG

The President has reviewed the attached, and it is forwarded to you
for your:

Information

Action

Donsia, Please respond to the
the President's question and
forward to me:

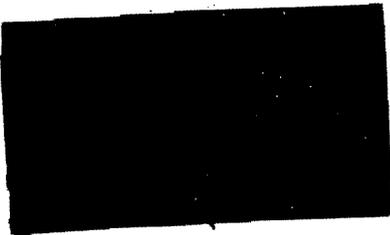
"I can't tell from
our reply whether
we can hire the 600,
fix the vehicles, equip
& train them for 45M

Can we?"

Thank you.

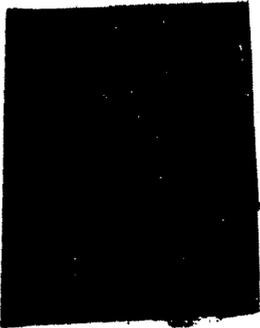
JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc: The Vice President



THE WHITE HOUSE
WASHINGTON

33 SEP 1 AIO: 38



Class of a VP

I can't tell from
how many whether
we can use the
fix the vehicles, equip
+ train them for 45m

Can we?



THE WHITE HOUSE

WASHINGTON

Dear Representative Hunter:

Thank you for your recent letters regarding funding for the Immigration and Naturalization Service's (INS) Border Patrol.

As you know, I announced on July 27, 1993 a plan to deal with the illegal immigration problems. This plan proposed an increase of \$172.5 million in FY 1994 to improve programs within INS and the Department of State to counter illegal immigration. These initiatives include expediting the process to exclude non-credible asylum seekers, barring those trying to enter the United States with fraudulent or no documents through airport inspections, enhanced technology to prevent the entry of ineligible aliens, and an increased Border Patrol presence. I believe that these measures, taken together, are critical to our efforts to control illegal immigration more effectively.

As indicated, among the major initiatives included in my plan is an increase of \$45 million for the Border Patrol in FY 1994, compared with my original 1994 budget request to Congress. This increase will provide up to 600 more Border Patrol agents, complemented by support personnel. I am aware that you support an additional \$60 million for the Border Patrol, compared with \$45 million in my plan. However, I believe that our goals are essentially the same. We want to direct resources to the Border Patrol appropriately and carefully, to make sure that the INS takes advantage of the full range of tools modern technology provides. For example, we want to supply Border Patrol agents with equipment such as sensors, radios, and low light level television to improve their ability to interdict and return illegal aliens seeking to cross the border. We are also interested in giving the Border Patrol fully operational vehicles to cover the vast land borders. Finally, we want the Border Patrol to recruit and train a high quality cadre of agents.

I have asked the Attorney General to review all possible options to ensure that we achieve the goal of making the Border Patrol more effective. We want to implement a prudent plan to maximize our resources.

In conclusion, I believe that a comprehensive plan like the one I outlined will deter the entry of illegal aliens. I remain committed to funding the Immigration and Naturalization Service, including the Border Patrol. I seek your support in this important undertaking.

With best wishes,

Sincerely,

R. Hunter

The Honorable Duncan Hunter
House of Representatives
Washington, D.C. 20515

*I was impressed
by your letter and will
review the dollar issues
we must do more ~*

DUNCAN HUNTER
52D DISTRICT, CALIFORNIA

CHAIRMAN
REPUBLICAN RESEARCH COMMITTEE

COMMITTEE ON ARMED SERVICES
RANKING REPUBLICAN

SUBCOMMITTEE ON
MILITARY INSTALLATIONS
AND FACILITIES

SUBCOMMITTEE ON
RESEARCH AND TECHNOLOGY



The 103d Congress
U.S. House of Representatives
Washington, DC 20515-0552

133 CANNON BUILDING
WASHINGTON, DC 20515-0552
(202) 225-5672
FAX: (202) 225-0235
93 AUG 23
108 SOUTH PIERCE STREET
EL CAJON, CA 92020
(619) 579-3001
101 AIRPORT ROAD, SUITE G
IMPERIAL, CA 92251
(619) 353-5420

1410 MAIN STREET, SUITE G
RAMONA, CA 92085
(619) 788-3830
A7: 59

August 13, 1993

President Bill Clinton
Senator Dianne Feinstein
Senator Robert Byrd

Mr. President, Senator Feinstein, Senator Byrd:

Appreciating your intention to bolster the effectiveness of the U.S., Border Patrol in its efforts to stem illegal immigration, please allow me to point out a critical problem.

On July 1, 1993, the House passed my amendment which provided 60 million additional dollars for 600 new Border Patrol agents and for operational expenses. Shortly thereafter the Senate added \$45.072 million to the President's mark.

The House and Senate started at different points, since the House had, in committee, already restored the \$5.920 million that was cut by the President (representing 93 agents). Thus, the Senate effectively added only \$39.152 million for additional agents over last year's level. (presumably 600 agents) The full \$60 million is desperately needed.

Beyond the funding requirement for additional agents, the following equipment and operational deficiencies exist.

1. Each week the Border Patrol releases more than 150 criminal aliens, due to a lack of incarceration space. These criminal aliens constitute the "coyote" or smuggler community which operates the smuggling base. Because the Border Patrol has no money for "beds" for these criminals they are released quickly and within hours are back in the U.S. with illegal aliens.

2. 52% of the Border Patrol vehicles are inoperable on any given day, due to a lack of repair money.

Page two
Ltr August 13, 1993

3. Communications upgrades are desperately needed, since Channels are clogged with dozens of communicants at the same time.

4. The border patrol helicopters are constantly grounded due to lack of repairs.

5. Leadership training is foregone regularly, due to lack of funds.

The following represents present needs of the San Diego Sector border patrol. This sector receives over 50% of the smuggling pressure in the U.S.

1. \$48.7 million needed to fully train, equip and field 600 additional border patrol agents. (beyond a restoration of the President's \$5.920 million cut)

2, 5 million dollars for detention space for criminal aliens in San Diego sector.

3. 2 million dollars for communications upgrades.

4, 1 million dollars for new 4x4 vehicles.

5. 1 million dollars for advanced leadership training.

6. 1 million dollars for Border Patrol vehicular repairs.

7. 1.3 million dollars for helicopter repairs.

The full 60 million dollars contained in the House bill will give our Border Patrol fully operational vehicles, communication equipment, adequate training, helicopter repairs, and 600 new agents.

Please review the attached documentation on these requirements which is supplied by the Border Patrol Union leadership.

"Short changing" this vital requirement will put criminal aliens on the street and assure the success of the smugglers.

Page three
Ltr August 13, 1993

Adequate funding will allow the border patrol to restore the integrity of the border.

Please accept the House funding level for this vital program.

Sincerely,

A handwritten signature in cursive script that reads "Duncan Hunter". The signature is written in dark ink and is positioned above the printed name.

Duncan Hunter
Member of Congress

DH/hst

cc Deputy Asst. Sec'ty of Defense, Brian Sheridan

Representative

DUNCAN HUNTER



52ND DISTRICT, CALIFORNIA

Chairman, Republican Research Committee
Member, House Committee on Armed Services

NEWS

365 S. Pierce Street
El Cajon, CA 92020
(619) 579-3001

133 Cannon Building
Washington, DC 20515
(202) 225-6672

1101 Airport Road, Suite G
Imperial, CA 92251
(619) 353-5420

FOR IMMEDIATE RELEASE

Contact: Patrick Buechner
(202) 225-5672

August 13, 1993

Border Patrol Releasing Criminal Aliens for Lack of Funding, Says Rep. Hunter

Asks House-Senate Conferees to Sustain \$60 Million "Hunter Amendment"

Congressman Duncan Hunter (R-El Cajon) announced today that more than 150 criminal aliens are being arrested and quickly released each week, due to a lack of operations funding.

"The Border Patrol is desperate for operations funding," said Hunter. "Because there is no additional money for incarceration of criminal aliens, the 'coyotes,' or professional smugglers, are being released immediately after capture."

According to Hunter these smugglers are back at their operations, moving illegal aliens across the border within hours.

Hunter, on July 1, won passage of an amendment to the Commerce, State, and Justice appropriations bill, adding \$60 million to the Immigration and Naturalization Service budget for 600 additional Border Patrol agents and operational expenses.

The Senate passed an increase of \$39.15 million. In several weeks, the House-Senate conference will meet to decide on a funding level between the \$39 million and \$60 million figures.

Hunter is pressing for the higher number, arguing that \$48 million are required to field 600 agents and that the additional \$12 million are desperately needed for incarceration costs, vehicle repairs, training costs, communications upgrades, and helicopter repairs.

"We put \$60 million in the House bill for a reason," said Hunter. "We wanted to allow at least \$12 million to pay for operations expenses."

Hunter cited the following deficiencies in Border Patrol funding:

- \$5 million for detention space for criminal aliens
- \$2 million for Border Patrol vehicular repairs
- \$3 million for communications upgrades
- \$1 million for new 4x4 vehicles
- \$1 million for advanced leadership training
- \$48.7 million for 600 Border Patrol agents, trained, equipped, and fielded

In letters to President Clinton, Senator Dianne Feinstein, and Senate Appropriations Chairman Robert Byrd, Hunter urged that the Senate recede to the House-passed \$60 million.

"The full \$60 million will give our Border Patrol fully operational vehicles, communication equipment, adequate training, and 600 new agents," Hunter wrote. "Short-changing this vital border requirement will put criminal aliens on the street and ensure the success of the smugglers."

DUNCAN HUNTER
52D DISTRICT, CALIFORNIA

CHAIRMAN
REPUBLICAN RESEARCH COMMITTEE

COMMITTEE ON ARMED SERVICES
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031031

133 CANNON BUILDING
WASHINGTON, DC 20515-0552

(202) 225-5872
FAX: (202) 225-0235

366 SOUTH PIERCE STREET
EL CAJON, CA 92020
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The 103d Congress
U.S. House of Representatives
Washington, DC 20515-0552

July 28, 1993

The President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

I watched with great interest yesterday as you shared your immigration plan with the American people. I am happy to see a consensus among our two parties on the importance of ending illegal immigration.

As the representative of most of the California-Mexico border, I have an acute concern over the law enforcement aspect of immigration reform. As you may be aware, I sponsored an amendment on July 1 to increase the FY94 Border Patrol appropriation by \$60 million. This bi-partisan effort passed the House by over 169 votes and signified a turning point in our border enforcement policy. As the Commerce, Justice, State Appropriations bill moved to the Senate, I received an assurance from Senator Dianne Feinstein that my initiative would be reflected in the Senate language.

I am concerned, however, that the language adopted by the Senate and embodied in your plan is inadequate to accomplish our objectives along the border. First, the \$39.152 million earmarked for 600 new agents assumes a 50% lapse in hiring. This means that agents are brought on force gradually and add up to only 300 agent work years by the end of FY94. The Immigration and Naturalization Service informed me that although some lapse is necessary, they can accommodate agents at a faster rate than you propose. By scheduling a 25% lapse at a cost of \$48.7 million, all 600 agents will be trained, equipped and out in the field within approximately three to four months. The INS maintains that a shorter lapse time means a more effective force for that year.

Second, your plan provides \$5.92 million for 93 agents slated to be cut in your FY94 budget. This restoration is already reflected in the House language and maintains the Border Patrol at current services --- it does not bolster their ranks. Third, the language of both the Senate bill and your proposal does not provide funds for the 90 support personnel necessary for a 600 agent increase. These personnel are vital backup for the Border Patrol and must be included.

Finally, no allocation is made in your proposal for operational funds to equip agents already in the field. The INS revealed that over 70% of their vehicles

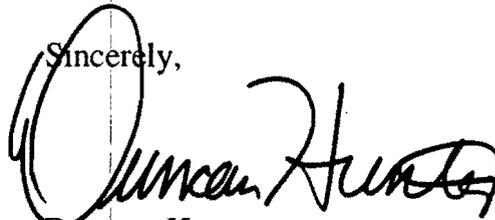
July 28, 1993
Page Two

exceed the General Services Administration's mileage replacement standards. The Border Patrol is so underfunded in this area that their vehicles are on a *20-year* replacement cycle. It is no wonder that only 48% of the vehicles in the Border Patrol's San Diego sector are operational on any given day.

Law enforcement should be a key component of any immigration reform plan. While I applaud your efforts at addressing this matter, the Border Patrol should receive the full funding they require to assimilate 600 new agents. As our first line of defense against drug smuggling and illegal immigration, they deserve the means to carry out their mission.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Duncan Hunter". The signature is written in a cursive style with a large, prominent initial "D".

Duncan Hunter
Member of Congress

THE WHITE HOUSE

WASHINGTON

August 2, 1993

MEMORANDUM FOR JIM MURR

FROM: HOWARD G. PASTER 
SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached is a copy of a letter that was sent to the President from Duncan Hunter (R-CA). I have also enclosed a copy of my acknowledgement letter to him as well.

The President has requested that he see and sign every letter going to Capitol Hill. We did not want to fully answer the questions addressed in Representative Hunter's letter without assistance from your office; therefore, I would appreciate your office drafting a response and returning it to LeeAnn Inadomi (WH-East Wing) within 48 hours. She will then print the letter in final form and have the President sign the letter.

Thank you very much for your assistance. If you have any questions, please feel free to call LeeAnn at 456-7500.

Attachments

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: AUGUST 04, 1993

NAME OF CORRESPONDENT: THE HONORABLE DUNCAN HUNTER

SUBJECT: SUPPORTS EFFORTS ON ENDING ILLEGAL
IMMIGRATION AND DRUG SMUGGLING

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
HOWARD PASTER REFERRAL NOTE:	ORG	93/08/02	HP	A 93/08/02
HOWARD PASTER REFERRAL NOTE:	RSA	93/08/04		
REFERRAL NOTE:				

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 1240
MAIL USER CODES: (A)R_CA (B) (C)

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*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                      *                      *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *      OF SIGNER    *
*D-DRAFT RESPONSE      *C-COMPLETED        *      CODE = A     *
*F-FURNISH FACT SHEET  *S-SUSPENDED        *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                      *      OUTGOING    *
*R-DIRECT REPLY W/COPY *                      *                      *
*S-FOR-SIGNATURE       *                      *                      *
*X-INTERIM REPLY       *                      *                      *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75,OE0B) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

SCANNED

THE WHITE HOUSE

WASHINGTON

June 29, 1993

MEMORANDUM FOR CAROL RASCO

FROM DONSIA STRONG

SUBJECT Immigration policy

I believe there is no need to push for general immigration reform. The immigration laws were reformed in 1986. It had been 34 years since the last major reform had been enacted.

However, there are at least three issues that must be addressed:

1. Immigration and Naturalization Service -- It is universally agreed that the Service is in awful shape and sorely in need of strong management. There is very little accountability. The Service often misses deadlines, fails to provide accountability for budget shortfalls year after year and generally provides poor service to the public. The Service struggles with its dual mandate; providing service to newly arrived immigrants and aliens and enforcing the immigration laws at the border and within the interior of the country. Those responsibilities are often at odds with each other.

It has been suggested that the autonomy of District Directors adds to the disorganization and lack of coherent policy.

Because the Service has been run so poorly Congress has been unwilling to fund the Service at levels it needs. Congress authorized the Service to charge for its services. It currently has two fee accounts, the User Fee Account which consists of the five dollar airport tax everyone pays when traveling internationally and the Adjudications Fee Account which consists of the fees aliens pay when applying for permanent residence, work authorization, etc. Recently, the Service has been unable to clearly show how the accounts are being used and how assets are being allocated.

2. Asylum Abuse -- Currently, the asylum process is being abused by aliens who claim asylum with no likelihood of succeeding on the merits. However, the lengthy process and procedures and lack of detention often acts as a magnet for newcomers. There are two separate and distinct asylum processes. The two processes are the INS "affirmative"

process, and the EOIR "defensive" process. Defensive applicants use asylum as a defense against deportation or exclusion from the country. Affirmative applicants apply of their volition, before any adverse immigration action is taken against them.

Each process has a backlog. Defensive: 125,000 cases -- Affirmative: 275,000 cases.

There are 150 asylum corp officers that adjudicate the affirmative asylum cases.

There are 86 EOIR immigration judges that handle defensive cases.

The summary exclusion legislation being developed by the Border Security Working Group will deal solely with asylum claims made at ports of entry. There are about 10,000 of these claims presented every year.

Therefore, INS and EOIR will still be faced with an overwhelming backlog of claims and presumably, with no increase in resources.

3. Illegal Immigration generally -- There is no quick or sure answer for how to end illegal immigration. No one knows exactly how many illegal immigrants are in the U.S.

One deterrent to illegal immigration is employer sanctions. However, everyone agrees that they have not been successful. During a recent congressional hearing, calls were made to either repeal or strengthen the sanctions. They are not working because fraudulent documents can be manufactured and used as identification. Some have called for a national work identification card. The Congressional Hispanic Caucus is adamantly opposed to this idea.

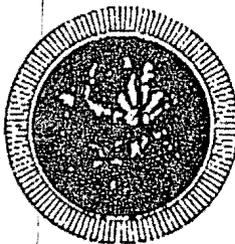
Aliens are not deterred from working or being here because there is no penalty other than being deported. A move in the right direction might be to disqualify illegal immigrants from ever receiving an immigrant visa; insofar as is constitutionally allowed, disqualify illegal immigrants from certain federal benefits; and deport criminal aliens as soon as their sentences are completed.

The reason most states are raising the issue of illegal immigration is because they are bearing most of the financial burden. Their argument is that because immigration is governed by federal law and states have very little ability to control aliens within their borders, the federal government should reimburse states for any outlays relating to aliens.

Illegal immigration also occurs when foreign visitors arrive on a wholly legal visa but overstay their allotted time. These are primarily visitors from Europe.

There is also abuse of the non-immigrant visa program. Foreign workers seeking to avoid the competitive requirements of the labor certification and attestation process merely petition for B-1 "business visitor" visas instead of the H-1 visas they should apply for. There are only about 65,000 H-1 visas available annually. Additionally, whenever there is a tightening of the requirements to qualify for one type of non-immigrant visa, there is a corresponding surge in applications of another type of visa.

I recommend that the Administration review all non-immigrant regulations and during the interim issue a directive to consuls abroad to carefully scrutinize all petitions. This also provides the added value of carefully scrutinizing all coming to the U.S. in light of recent terrorist activities.



THE GOVERNOR OF THE STATE OF FLORIDA

LAWTON CHILES

June 15, 1993

The Honorable Janet Reno
Attorney General of the United States
Department of Justice
10th Street and Constitution Avenue, N.W.
Washington, D.C. 20530

Dear Madame General:

In accordance with the terms of s.404, 66 Stat. 280, as amended (see notes, 8 U.S.C. s.1101), I hereby request that you utilize your authority as Attorney General to allocate funds under the Immigration Emergency Fund to reimburse and assist agencies in South Florida in responding to the needs of thousands of would-be refugees seeking asylum in our State. I believe all conditions under the law have been surpassed and our State and local agencies are beyond their capability to effectively serve the needs of this new population.

The State's inability to care for would-be refugees is intensified by the recent decision of June 8 by the Federal District Court of New York which impacts the federal policy of the Justice Department with regards to the Haitians being held at the U.S. Guantanamo Naval Base. This action will have significant and costly consequences for the State of Florida. As you are well aware, these particular asylum applicants are in need of critical, long-term health care and the provision of that care has never been discussed with the State which I assume will be the preliminary provider for these needy persons. My heart goes out to these applicants and I am on record as supporting the humanitarian principles that underlie the Judge's decision. However, the State cannot afford to shoulder the costs for their health care or other related costs and expect that the federal government will make permanent arrangements for their care.

Your immediate attention to this request would be most appreciated as the day-to-day demands made on our South Florida agencies by these Haitians and other entrants is straining their already overextended abilities caused by the destruction of Hurricane Andrew.

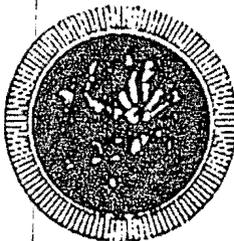
Thank you for your consideration and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Lawton Chiles".
LAWTON CHILES

Enclosure

cc: President Bill Clinton
Florida Congressional Delegation

*Dansia-fyi**Gearan
From Podesta*

THE GOVERNOR OF THE STATE OF FLORIDA

LAWTON CHILES

June 15, 1993

The Honorable Bill Clinton
President of the United States
The White House
Washington, D.C. 20301

Dear Mr. President:

Circumstances in the Caribbean and in the Central and Latin American regions of the world prompted me early in my Administration to revive negotiations with federal, local and Florida officials on the development of a mass immigration emergency plan. The lessons of history and our obvious geographical placement make Florida a natural conduit into the United States and the commencement of such a plan in 1982, after the Mariel boatlift, was of particular significance to Floridians.

In 1991, my interest in reviving negotiations was prompted by the situation in Cuba. Today, that concern is intensified by the political and economic chaos in Haiti. I believe there was cooperation among all levels of government over the past few years, and some progress was made towards an effective plan. I trust this will continue under your watch.

As you know, a mass immigration emergency plan has never been tested since its inception. This fact, coupled with a lack of statutory authority, has left many serious questions concerning how such a plan would be triggered, implemented and enforced. Several of the "gray areas" include the declaration process of such an emergency by the President, the activation of the plan and the statutorily based emergency fund (s.404, 66 Stat. 280, as amended), (see notes, 8 U.S.C. s.1101). The neglect of the previous Administration to promulgate the regulations governing the fund has only added to the confusion. The roles of the affected entities -- federal, state and local -- are also particularly ambiguous.

I cannot in good conscience allow this ambiguity to forestall my responsibility to protect the public safety of the people of Florida from a potential influx. As you are well aware, the health, social services and law enforcement structure of South Florida cannot endure or effectively respond to such an emergency. The unprecedented ravages of Hurricane Andrew have left that community struggling to provide for an expanded needy population. It is my belief that the combination of State and local agencies could not respond to the immediate and long-term demands of a new refugee influx.

The Honorable Bill Clinton
June 15, 1993
page two

In this vein, I assure you that the overextended providers of South Florida have surpassed the capability to respond to a mass refugee influx and request that the federal government acknowledge its responsibility to enforce U.S. immigration laws and absorb all related costs associated with caring for those seeking refuge in this country.

Specifically, under separate cover, I will be writing to the Attorney General to ask that the immigration emergency fund be activated to assist in South Florida, where the number of parolees, asylum applicants and circumstances meet the specifications of the law.

In my view, U.S. immigration and refugee issues should be part of a coordinated, related policy. For the last decade, the federal government has been seriously lacking in its attention to and the availability of assistance to meet the on-going demands of those who enter this country as legitimate refugees. To deny sufficient federal resources to those public and private agencies striving to provide day-to-day, as well as emergency resettlement and essential services to such entrants is a mockery to our tradition as a haven for refugees.

Even as our hearts reach out to the unfortunate HIV-infected residents of Guantanamo, we must acknowledge where responsibility lies for their well being. That party is not Florida and its citizens except to the extent that we share in an overall federal responsibility. Those refugees who settle in Florida cannot impose a burden on our State, nor can they act as a beacon to their fellow Haitians. It must be clear that they are a federal responsibility.

I sincerely appreciate the interest and cooperation your Administration has shown to our concerns in Florida. I stand ready to extend that cooperation to our refugee needs but continue to look to the Administration for thoughtful enforcement of U.S. immigration laws and the willing assumption of the federal financial responsibility.

With best regards, I am

Sincerely,



LAWTON CHILES

Enclosure

cc: Attorney General Janet Reno
Florida Congressional Delegation

Nansia-fu

THE PRESIDENT HAS SET

On My Mind

A. M. ROSENTHAL

Fear of Compassion

THE NEW YORK TIMES NATIONAL FRIDAY, JUNE 25, 1993

At last, the Government of the United States is pulling itself together — White House, Congress, Supreme Court — to show how determined and target-minded it can be when it comes to handling a social crisis.

Well, not all social crises — not things like controlling the gun epidemic that sickens American life, or helping the mentally ill to get the care to take them off the streets, or pushing the war against drugs to the victory in sight.

But when it came to some boatloads of people fleeing China and Haiti, the Government showed its stuff pretty quick.

First, the Chinese were hustled off to prisons distant from human rights lawyers. And now Haitians have been taught by the Administration and the Supreme Court that the Coast Guard can hijack them at sea and send them right back home; never mind what Mr. Clinton promised to the contrary when he was running toward the White House instead of living in it.

Some Americans are ashamed — among them liberals, radicals and conservatives. They are connected by the belief that the open-held arms of American history is one of those things that makes the country more than a very large piece of real estate.

But many more Americans — liberals, radicals, conservatives — react as if refugees must be fought from ship to cell. They seem afraid of the American sense of compassion and welcome that makes people all over the world bless the name of the land.

Among these Americans are descendants of immigrants who simply have become bigots themselves, clones of those who warned that this country would be ruined by Jewish peddlers, Italian gangsters and Irish layabouts. America provides many things, but no vaccine against hate.

But mostly coldness to immigrants comes from economic fears and confusion about the complications of immigration and asylum.

About 800,000 immigrants come to the U.S. annually. Sometime, lying in a hospital emergency room, look up at a Philippine nurse bringing relief. Decide whether the U.S. needs fewer immigrants or more.

About three million foreigners live illegally in the U.S., many of them Mexicans who saw no moral reason why they should not go from their poor country to seek work in a rich country across a historically receptive border. We can stop this by helping the neighbor become somewhat less

poor, or saying our house is your house. Otherwise — argue with America's lusty history, which made its borders too big to patrol.

In any case, immigration creates national wealth, not national burden. It does add government costs in some places — which Washington wrongly shoves off on cities and states.

About 90,000 to 100,000 other foreigners arrive every year to ask for asylum as refugees — people who fear death, imprisonment or torture if returned. Most prove their cases.

But suppose some do pretend to be "genuine" refugees, to find economic survival. Is that a reason for America to panic against the ideals of immigration and refuge, which helped create the country?

Groups like the New York Immigration Coalition and the Lawyers Committee for Human Rights explain the much-publicized backlog problem of 250,000 pending asylum cases.

Sweden has 800 officers handling asylum cases. Germany has 3,000. America has 150. Who created the backlog — desperate people seeking a safe life or the U.S. bureaucracy, the same bureaucracy that allowed Midwest terrorists to get through despite strong existing laws?

Haitians have no clout in the U.S. But the truth is they flee Haiti to

First for Chinese, now Haitians.

escape "endemic widespread human rights abuses," dictatorship and "the worst poverty in the hemisphere." Doris Meissner, the immigration specialist, wrote that in December.

Candidate Clinton said the Bush policy of hijacking Haitians on the high seas to send them back was so cruel that he would reverse it. But then President Clinton fought successfully in the Supreme Court to uphold the Bush order.

Dr. Meissner is now Mr. Clinton's nominee to head the Immigration Service. Perhaps she can convince the President that although the Court gave him the right to go back on his word it is not forcing him to do so.

In the end, faithfulness to compassion as national interest remains a matter of choice, for Presidents as for all Americans. □

George Obama

a lot of their problems
are management problems
worse than both conservatives
& liberals — we need to go
after that

29

Date: _____

Time: _____

THE WHITE HOUSE

FAX COVER SHEET

TO: Carol

Phone: () _____

FAX: () _____

FROM: Donna

Phone: (202) 456- _____

Revised

Pages following cover sheet = _____

NOTE: IT IS CRITICAL THAT THE PRESIDENT'S RESPONSE GO NO FURTHER THAN THE ANSWER SET FORTH BELOW.

**DOMESTIC POLICY COUNCIL
IMMIGRATION**

Q: DOES YOUR ADMINISTRATION PLAN TO DO ANYTHING ABOUT ILLEGAL IMMIGRATION?

A: IN MAY, I APPROVED A GOVERNMENT WIDE PLAN OF ACTION TO COMBAT ORGANIZED CRIME SYNDICATES WHICH TRAFFIC IN ALIEN SMUGGLING.

I'VE ASKED THE VICE PRESIDENT TO TAKE CHARGE OF A REVIEW OF AMERICA'S IMMIGRATION POLICY WITH THE LABOR, STATE AND JUSTICE DEPARTMENTS AND INS. THEY ARE LOOKING AT INITIATIVES IN FOUR AREAS: PREVENTION OF ILLEGAL IMMIGRATION, STREAMLINED PROCEDURES FOR REMOVAL OF NON-REFUGEE ILLEGAL ALIENS ALREADY HERE, SANCTIONS TO DETER ILLEGAL ENTRY AND THE DEPARTMENTAL ORGANIZATION OF IMMIGRATION AND BORDER ENFORCEMENT.

WE SIMPLY CAN NOT TOLERATE ILLEGAL IMMIGRATION. ILLEGAL IMMIGRATION VIOLATES THE FAIRNESS PRINCIPLE FOR THOSE WHO ARE WILLING TO ADHERE TO AMERICAN LAWS AND WAIT FOR LEGAL ENTRY.

Contact: Donsia Strong, DPC

THE WHITE HOUSE

WASHINGTON

August 20, 1993

AUG 20 REC'D

MEMORANDUM FOR CAROL RASCO

FROM DONSIA STRONG

SUBJECT Refugee Resettlement

I thought you might be interested in background on the refugee program discussed in Tony Lake's memo to the President and of which Lavinia Limon is the director.

The refugees covered by this program generally are those identified abroad as in fear of persecution on the grounds of race, religion, nationality, membership in a social group or political opinion. They are chosen by State and INS based on the numbers available for their home country or region. In total, this country will accept about 120,000 refugees for resettlement in FY 94.

After a refugee is chosen he/she will undergo a medical exam and other processing abroad. Once in the U.S. the refugee undergoes further medical exams and processing and is often enrolled in resettlement program. These programs are generally run by non-governmental organizations (NGOs).

The State Department provides the first month of adjustment assistance in the form of grants to NGOs. Financial responsibility for the refugees then belongs to HHS.

The domestic component of the refugee resettlement program is administered by the Office of Refugee Resettlement of the Administration for Children and Families (ORR) within HHS. HHS expects to spend \$420 million this year for language training, employment services, targeted assistance to impacted localities and federal grants to states for eight months of cash (RCA) and medical assistance (RMA) to needy refugees ineligible for AFDC or SSI. Refugees who meet the AFDC and SSI eligibility requirements participate in these programs, which receive partial federal reimbursement.

Once a refugee becomes ineligible for RCA or RMA (after eight months of benefits), they may turn to the state for assistance if the state has a general assistance program or job training or placement program. Thus, the program has the potential to shift some costs from the federal government to the states.

States have been significantly concerned about the fact that federal reimbursement for AFDC and SSI benefits paid to refugees has decreased over time. When the program began the federal government reimbursed 100% for AFDC and SSI for an unlimited time period. Later, the program was changed to provide for partial reimbursement according to the

matching formula.

That also was the case for RCA and RMA. Initially, the federal government paid 100% of RCA and RMA for an unlimited eligibility period. Later, that was changed to 36 months, 12 months and is currently eight months. States very vigorously fought a recent Bush administration move to cut RCA and RMA eligibility back to four months.

The time period for RCA and RMA continue to be cut back because RMA has grown out of control. As is the case with many poor populations, refugees use hospital emergency rooms as the first source of medical treatment. As those costs have soared, states have had higher and higher medical bills for this population. Because appropriations and refugees admitted are set independent of other issues any increase in medical costs can only be absorbed by decreasing the time refugees are eligible for benefits. (I have asked the Health Care Task Force to let me know how refugees will be treated under the proposed plan.)

Over the years, refugee resettlement funds have decreased without any concurrent decrease in the numbers of refugees being accepted. The Bush administration had proposed privatizing the refugee program in order to "buy" more services for their dollars. Currently, ORR makes payments to states who in turn contract with volunteer agencies to provide services that the states do not. The Bush proposal would have removed the state as the middleman for all but the hardest to serve populations.

Needless to say the states and their congressional delegations really fought this proposal and were successful in keeping the plan from materializing. The argument against the program was that if the states were removed as a party to refugee resettlement the program would be seen as essentially a private program. As fiscal constraints continued, there would be little political support in the future to fund a "private" program with federal dollars. The states would then wind up with primary responsibility for the social costs of refugees with no federal support -- much like what Gov. Wilson argues is the case in California.

ORR currently has a regulation pending which would remove the current reference to an eligibility time period and instead base eligibility duration on a formula. In addition, the proposed regulation would allow the ORR director to give the states 30 days notice whenever the eligibility duration changed during the year. States are speculating that ORR is continuing in its attempt to create the privatization plan because under the proposed regulation state administration would receive the lowest priority in determining which eligibility funds would be cut.

The House authorizing committee has instructed ORR, state refugee coordinators and volunteer organizations to come up with a program structure that works. The states urge that it is within this context that priorities should be discussed and, if needed, restructured. Rep. Jack Brooks is Chairman of the committee of jurisdiction and led the fight against the privatization plan which could have cost Texas millions. Our expedited exclusion legislation will be acted upon by his committee as will the crime bill.

OTHER IMMIGRATION ISSUES

1. The asylum regulatory reform is continuing. INS and DOJ have met internally and with NGOs. I along with others in the WH attended a meeting yesterday to provide input. INS will meet with the Hill next week. I have stressed that it is politically critical that they engage and continue a dialogue with the Hill. Otherwise we will be unable to contain their need to move forward with more extreme measures that will provide the executive branch with limited flexibility.
2. I spoke with Ann Morse of the Immigrant Policy Project about the workshop on September 20. She wants to invite different Administration officials to participate and wanted to provide a briefing. I suggested that members of the interagency working group would probably be the most appropriate and offered to inform her once we know who they are.
3. I have just set up a meeting for Monday morning with the Executive Director of the Congressionally mandated Commission on Immigration. The interagency working group will want to mirror some of the Commission's issues.

August 4, 1993

MEMORANDUM TO CAROL RASCO

FROM DONSIA STRONG

Subject Immigration

The Commission on Immigration Reform was established by the Immigration Act of 1990. It is composed of nine members who serve the duration of the Commission with the Chairman appointed by the President. The Commission was established to review a number of considerations relating to the impact of numerical limitations on immigration. Its members are paid for each day they actually work Commission business. The Commission terminates January 1, 1998.

The position of chairman remains open. At least to minority men are being considered for the position. Unfortunately, all of the current members are men. Therefore, concern has been expressed about the prospect of appointing yet another man. In addition, the President has stated that he will seek to expand the Commission to include Administration officials. However, there was no discussion of who would be included.

If Cabinet Secretaries are included the Chairperson obviously must be someone of distinction in order to ensure that the Commission is not swayed in any one direction. The following women have been suggested by Doris Meissner as people who could capably fulfill the mandate:

1. Hannah Gray -- Former Pres. Univ. of Chicago
2. Martha Collins -- Former Gov. of Kentucky
3. Kathy Whitmire -- Former Mayor of Houston

I only know of Kathy Whitmire. She was mayor during the time I lived in Texas. She has worked with Lee Brown who may have some thoughts.

FYI

1. Both Rep. John Conyers and Sen. Diane Feinstein have held hearings on the feasibility of instituting border crossing fees. In addition, the Vice President's NPR or Reinventing Government are discussing the idea. The idea was broached and very quickly dropped during policy discussions on the current initiatives. I don't know that anyone has raised these issues with the Trade Office because they have been raised in the immigration context. I think any move to institute fees before NAFTA negotiations are complete is a mistake. (I have raised the issue of whether the VP's office is looking at these fees with Jack Quinn.)

2. In order to gain the support or submission of the Teamsters on NAFTA, the Trade Office is attempting to ensure that foreign national drivers will be unable to enter the U.S. using the very loosely controlled B-1 visa as is current practice. A proposal to tighten the issuance of this visa was published in connection with the other Administration anti-illegal immigration initiatives. I told Trade officials I was unsure if the changes would cure the problem the Trade Office identified. They may need changes to other visas as well and are looking into including these changes in the NAFTA implementing legislation which potentially could draw DPC into the NAFTA scene.

Polit.
Commun.
V-P
Leg
AG

(17 inc OPC)

THE WHITE HOUSE
WASHINGTON

August 4, 1993

Energy Dept.?
Add NSC/NEC

Bring 2 reps from @

AUG 5 RECD

Dept. -> Pres. or
designee plus 1
observer to a

meeting
Once a mo. - bring
in spec. working groups
to present

MEMORANDUM FOR CAROL RASCO

FROM DONSIA STRONG, MARIANELA PERALTA

SUBJECT Immigration-Related Issues As They Pertain To Departments

During the series of immigration policy meetings with the Vice President, it was suggested that an interagency working group be established to address immigration issues on a long-term basis. It was initially suggested that DPC and NSC co-chair the group much in the way the two councils co-chair the Border Security Working Group. The suggestion also was made that all three policy councils co-chair the group because immigration has policy implications in which each could conceivably have an interest.

Because most issues affected by legal or illegal immigration affect departments that are members of DPC, DPC is the logical entity to chair the broad interagency group. There is a need to structure the group so that it does not become all consuming of participants' time as was the case in the instant situation.

An initial determination must be made to assess how broadly the Administration will review migration and immigration. Will we attempt to review international migration and refugee patterns to determine sending countries or will we limit the review scope to the domestic implications of immigration? I recommend that the scope be limited to a detailed look at the domestic implications of immigration.

Domestically there are a number of very specific issues the group could review and attempt to resolve as illustrated by the list of suggested participants and their current concerns and ongoing programs. Additionally, I am fleshing out a list of non-department specific immigration issues that I have identified.

Agriculture

Special Agricultural Worker Program - This program was set up by IRCA to allow for the legalization of farmworkers. This program was to be temporary unless there was a shortage of workers. There is no labor shortage, and so this program is scheduled to end this fiscal year.

Temporary Agricultural Worker Program – This program is a labor certification program and is also known as H-2A of IRCA. If an individual employer has a labor shortage he must show that efforts were made to hire U.S. workers. If approved, employers may bring foreign workers, on nonimmigrant status, to work for temporary periods of time after which the workers must return to their own countries.

Concern: A possible consequence of an effective immigration policy that substantially decreases illegal immigration would be a shortage of farm workers upon which agriculture is dependent. Loss of that work force is predicted to be disruptive of the agricultural processes.

Council of Economic Advisers

CEA's primary concerns are the effects immigration has on the economy's labor markets. It covers a broad range of issues including visas, immigration reform and border crossing fees.

Education

Emergency Immigrant Program – \$30 million are distributed through this program. The money is distributed to the states who then distribute it to the districts based on the districts' eligibility for the funds (ie., 5% of the student population or 500 students must be considered immigrants)

Concern: The Department of Education is trying to change the law to make this program more accountable to the federal government. Under current law, only states distribute the money and monitor its use. There are no restrictions as to how the funds may be used. The Department would also like to be able to monitor how the money is used.

Waiver Review Board – Department considers applications from foreign born who come to the U.S. on Exchange Visitor Visas and who would like to stay longer than two years without having to return home as required by law.

Concern: There is concern that this department gives highly qualified professionals from other countries very stringent screening whereas, thousands with little or no skills cross our borders without any type of screening.

Migrant Child Education Program – This grant program provides state education agencies with money to supplement the educational activities of children of migrant/seasonal workers. A large number of these children are immigrants, legal or illegal. The program's budget is about \$300 million. The largest portions of the money go to California, Texas and Florida.

Concern: This program is mandated to address the concerns of children of migratory workers in the U.S. Two concerns with respect to immigrant children are 1. assurance that credits earned through the program are not lost when

children return to Mexico; 2. attempts to encourage teachers from Mexico to come to the U.S. are resisted by Mexico for fear of a "brain drain" to the U.S.

Energy *Weatherization*

Health and Human Services

Administration for Children and Families, Office of Refugee Resettlement - Assists people who have been granted refugee and political asylee status. The program also serves Cuban and Haitian "entrants". Provides cash and medical assistance for up to 8 months for those not eligible for AFDC or SSI. In addition the program provides employment assistance through language training and acculturation programs.

Concern: The refugee numbers are set in the abstract. No attempt is made to determine how much money will be needed to assist the refugees. States are often left holding the bag.

Refugee Health - Provides medical assistance and mental health treatment to those described above. States determine what services are most necessary.

Concern: This portion of the program usually "drains" the states of money every year because there is no way of controlling emergency room medical costs.

State Legalization Impact Assistance Grants (SLIAG) - SLIAG provides financial assistance to states to offset the impact of the 86' legalization of immigrants under IRCA. Four billion dollars were allocated to the program in 1986. \$812 million remains to be appropriated but there is talk of using the money for Headstart. It is used for cash and medical assistance and for adult education for those legalized but not eligible for public assistance.

Housing and Urban Development

Public and Indian Housing - The program assists those with low incomes through the Section 8 Certificate/Voucher program.

Justice *Homeless*

Immigration and Naturalization Service - Handles inspections, adjudications, admissions and enforcement of the immigration laws.

Office of Special Counsel - Charged with investigating claims of discrimination resulting from employers sanction.

Labor

Employment Standards Administration, Wage and Hour Division - Investigates employers to ensure compliance with the wage and hour laws which are often disregarded by those who continue to hire illegal aliens.

Employment and Training Administration, Foreign Labor Certification Handles requests by employers to bring foreigners to the U.S. when positions are not filled by natives.

Immigration Policy and Research -

Office of the Assistant Secretary for Policy

National Science Foundation

Historically it has had an interest in the outstanding scholar programs and the accompanying visas.

Office of Management and Budget

External Relations involving the State Department including visa matters and other consular affairs

Justice Issues involving the Justice Department including border patrol, customs and Treasury

State Department

Bureau of Consular Affairs - Handles immigrant and nonimmigrant visas and U.S. passports.

Bureau of Refugee Affairs - Handles refugee admissions, relief, Aid and crisis planning and response. The Refugee Admissions Program is allocated \$200 million per year. Each year, it brings to the U.S. approximately 130,000 refugees for permanent resettlement. The program pays for the refugees' transportation, gives them a start-up grants, puts them in contact with voluntary agencies that provide language assistance and other adjustment support. The program works in conjunction with the Refugee Resettlement Program at Health and Human Services.

Bureau of Human Rights and Humanitarian Affairs - Prepares country condition advisories for asylum claimants.

Treasury

Bureau of Customs - Enforcement of the immigration laws at the ports of entry. Customs officers process all people entering the U.S. The department works closely with INS. Customs also provides border patrol with technical assistance.

Concern: Dual management at the southwest border has led to problems and cross designation of agents. INS has a buget one half the size of Customs'.

U.S. Coast Guard - Interdiction of illegal immigrants at the ports of entry.

U.S. Trade Representative

Trade in services issues and issues involving the implications of immigration reform on trade.

United States Information Agency - U.S.I.A

U.S.I.A. runs a series of programs that bring foreign nationals to the U.S. for cultural exchange. It has been criticized by GAO reports. There is an ongoing move to place the au pair program at DOL.

FACT SHEET: THE EXPEDITED EXCLUSION AND ALIEN SMUGGLING ENHANCED PENALTIES ACT OF 1993

**EXPEDITED EXCLUSION AND ALIEN SMUGGLING
ENHANCED PENALTIES ACT OF 1993**

The President today transmitted to the Congress proposed legislation entitled the "Expedited Exclusion and Alien Smuggling Enhanced Penalties Act of 1993." The Act attacks trafficking in human beings for profit and the abuse of our legal immigration and political asylum systems. It underscores the Administration's commitment to protect persons with legitimate asylum claims by expediting the exclusion and return of certain undocumented and fraudulently documented aliens who clearly are ineligible for admission to the United States, while ensuring that persons who may have legitimate asylum claims receive full and fair hearings. In addition, the Act would increase the ability of the Immigration and Naturalization Service (INS) to prosecute alien smugglers and enhance certain smuggling penalties.

Expedited Exclusion

- o This bill, which amends several sections of the Immigration and Naturalization Act, is designed to address the growing abuse of our asylum laws by individuals arriving at our ports of entry, such as airports, with fraudulent or no documentation. Under its provisions, if an individual arrives at a port of entry and claims asylum, his or her asylum claim will be promptly heard at or near the airport by a member of the INS asylum corps -- a specially trained group of officers with expertise in interviewing technique, asylum law and principles and information pertaining to international conditions.
- o Through the course of a detailed interview, the asylum officer will determine whether an individual has demonstrated "a credible fear of persecution" -- or whether there is a substantial likelihood that he or she would qualify for refugee status, or be in danger if returned to his or her country of origin. This new statutory standard will allow the INS to ensure that bona fide refugees, or those who are fleeing persecution are provided protection, while improving the process for removal of individuals making frivolous claims.

- o To ensure the accuracy of decisions, determinations by asylum corps officers will be reviewed by an appellate officer employed by the Department of Justice and independent from the INS. This officer will have the discretion to review all aspects of the asylum officer's decision. Judicial review of an expedited exclusion order would be limited to a writ of habeas corpus.

Enhanced Penalties and Law Enforcement Tools

- o Criminal penalties for alien smuggling generally would be increased from five to ten years. If a smuggler caused an alien serious bodily harm or jeopardized the alien's life, the penalty could increase to up to 20 years.
- o INS' authority to seize and obtain forfeiture of real and personal property used in the smuggling of aliens would be expanded. Currently, INS only is authorized to seize vehicles and other conveyances. Under the Act, INS could seize houses used to conceal smuggled aliens and cash and bank accounts representing money earned through alien smuggling. Any property which is derived from, or is traceable to, the proceeds of smuggling, transporting, or harboring aliens, could be forfeited.
- o INS would be authorized (with appropriate judicial authorization) to intercept wire, electronic, and oral communications of persons involved in alien smuggling. Currently, INS does not have this authority and must rely on other law enforcement agencies for assistance.
- o The Racketeer Influenced and Corrupt Organizations (RICO) statute would be amended so that the crime of alien smuggling alone would trigger RICO's penalty and forfeiture provisions. This use of RICO would enhance the Government's ability to curtail the use of fraudulent applications for visas and passports and other fraudulent identification documents.

FACT SHEET: INITIATIVES TO CURB ILLEGAL IMMIGRATION

The President announced today his intention to provide an additional \$172.5 million in resources in FY 94 to strengthen current enforcement programs to combat illegal immigration.

The Administration's initiatives address illegal immigration generally, and alien smuggling and counterterrorism specifically. They are designed for 1) preventing illegal entry into the United States; 2) removing and deporting illegal aliens and alien felons expeditiously; and 3) strengthening criminal penalties and investigatory authorities.

I. PREVENTING ILLEGAL ENTRY INTO THE UNITED STATES

A. Increasing Border Patrol Resources - Personnel and Technology

The Administration is requesting an additional \$45.1 million to increase the personnel and technology available to the Border Patrol for fulfilling its mission of protecting the land border. This increase will allow the INS to hire, train and equip up to 600 more agents. It will provide high technology equipment, such as sensors and low-light-level television, to improve agents' effectiveness. The Justice Department and INS will also review oversight of civil rights violations and strengthen training in this area will be strengthened.

B. Improving VISA Issuance Procedures

The Department of State is requesting an additional \$45 million for FY 94 (a total of \$107.5 million for both FY 94 and FY 95) to upgrade the quality and extent of its ability to issue fraud proof, machine-readable visas and passports. This will ensure that they are issued only to individuals who have legitimate reasons for entering the United States. The State Department will:

- o provide an upgraded worldwide telecommunications backbone to support CLASS (the Consular Lookout Support System) and allow Consular Officers to share critical information immediately with INS, FBI, and other government agencies;
- o install an interim, computerized Distributed Name Check system to cover the 106 posts not currently on-line with CLASS;
- o accelerate the worldwide implementation of the Machine Readable Visa (MRV) program from 9 to 3 years to ensure secure visa documents;
- o make U.S. passports more secure by digitizing passport photos and by installing an on-line computer system ensure that multiple passports are not issued to the same person;

- o accelerate a complete automated name check of all non-immigrant visa applicants over the next three instead of five years;
- o tighten internal consular control procedures to minimize human error in issuing travel documents.

C. Extending the Interagency Border Inspection System (IBIS)

Customs and State will conduct a pilot program to locate IBIS terminals overseas at selected posts. This expansion will allow the CLASS and IBIS systems to exchange data more effectively, improve the name check data available for visa issuance, and provide INS officials with accurate lists of issued visas. Customs will provide \$2 million for this expansion in FY 94.

D. Working with the Airlines to Improve Security

Working in cooperation with the international airline industry, INS and the State Department will expand several effective programs to improve the integrity of airport admissions. These programs will require an additional \$12.7 million in FY 94. (INS has already budgeted \$15 million for this program in FY 94)

o INS Pre-Inspection at Foreign Airports

INS and the State Department will expand pre-inspection of passengers traveling to the United States on a pilot basis. Currently in operation in several countries, pre-inspection allows INS officers at overseas airports to examine travel documents before passengers board U.S. bound aircraft. In a test recently completed in London, the INS intercepted 433 inadmissible aliens. Pre-inspection facilitates travel by pre-inspected passengers by allowing them to bypass INS on arrival in the United States.

o Carrier Consultant Program

As a complement to pre-inspection, INS will expand its program for training and assisting airline officials overseas to identify and reject travellers with fraudulent documents. Through this program, INS officers move randomly among high-risk international airports. The INS will make this ad hoc program permanent in FY 94, increasing the number of airports it visits and the extent of coverage in those airports.

E. Curbing Visa Abuse

The Departments of State and Labor, and the INS, will shortly publish a proposed rule change in the Federal Register

that will close the loophole standard for issuing B-1. B-1 visas allow foreign nationals to conduct business in the U.S. on behalf of a foreign entity. Such visas are being used to bypass the more stringent requirements for H-1 visas, which permit employment in the United States. According to the Department of Labor, such abuse is particularly wide-spread in the computer programming industry.

II. REMOVING AND DEPORTING ILLEGAL AND CRIMINAL ALIENS EXPEDITIOUSLY

A. Offering Expedited Exclusion Legislation

This proposed legislation, discussed in an attached fact sheet, will allow for the expeditious removal of individuals who arrive at our ports of entry with fraudulent or no documentation, while ensuring the protection of bona-fide refugees. \$31.2 is required to implement this program in FY 94.

B. Undertaking Regulatory Reform of the Affirmative Asylum Process

As a companion effort to the expedited exclusion legislation, the Department of Justice will undertake a comprehensive review of the regulations governing our political asylum procedures. The Administration will devote \$14.6 million in FY 94, which represents a doubling of current adjudicatory resources. By September 30, 1993, Justice and INS will develop a plan to:

- o reduce the backlog of 275,000 asylum claims filed by aliens who are already in the United States;
- o promulgate new regulations establishing a procedure for prompt and fair adjudications, which will allow INS to keep up with the demand.

The Administration will work closely with Congress and the non-governmental community on this initiative.

C. Expanding the Institutional Hearing Program (IHP)

INS will seek to deport up to 7,000 more criminal aliens by extending the Institutional Hearing Program which currently operates in federal prison to state institutions. Through the IHP program, INS starts the deportation hearing process for jailed alien felons while they are incarcerated so that they can be immediately deported upon release. This program will receive \$10.9 million in FY '94 for INS and the Executive Office of Immigration Review.

D. Expanding Advance Passenger Information System (APIS)

Customs and INS will seek to extend the use of the APIS to all U.S. and foreign airlines. Through this system, Customs and INS do a computerized name check which allows them to determine which passengers to inspect more closely upon arrival in U. S. airports, while facilitating the inspection process for cleared passengers. The program currently covers only 33% of arriving passengers.

III. INCREASING CRIMINAL PENALTIES AND INVESTIGATORY AUTHORITIES

A. Proposing Legislation Against Criminal Alien Smuggling

See attached fact sheet. The Administration is proposing legislation to increase criminal penalties for alien smuggling from five to ten years with greater terms for jeopardizing life. The RICO statute will be amended to include alien smuggling as a primary offense. The bill also expands INS's ability to exercise forfeiture authority and permits wire tapping with appropriate judicial authorization.

B. Offering Rewards for Information Leading to the Arrest and Conviction of Terrorists

The Administration proposes to amend the law to expand the purposes for which the Assets Forfeiture Fund's annual appropriation may be used to include the payment of awards for information related to acts of terrorism primary within the territorial jurisdiction of the United States. The Attorney General has the authority to pay awards for information regarding acts of international terrorism. This authority has been delegated to the Federal Bureau of Investigation (FBI). This will provide a permanent source of funding up to \$5 million for these rewards.

IV. FUNDING REQUIREMENTS

The President's immigration initiatives require a change in the FY 1994 budget. The total program represents a \$172.5 million increase from the President's April budget request to Congress.

Of this total amount, \$87.0 million would be financed through the following user fees and other sources:

INS User Fee Account: Language authorizing a \$1 increase in INS inspection fees from \$5 to \$6 is included in the Administration's legislation entitled the "Expedited Exclusion and Alien Smuggling Penalties Enhancement Act of 1993." This bill also removes the exemption of fees on cruise ship passengers. \$25.5 million of the total additional fees raised will be used to finance programs announced today.

INS Exams Fee Account: INS will propose regulations to increase INS application fees for various immigration benefits, such as naturalization and adjustment of immigration status. \$9.5 million of the total additional fees raised will be used to finance programs announced today.

Visa User Fee Surcharge: The State Department will seek modification of its pending reauthorization bill to place a surcharge on machine-readable visa applications to fund its visa automation program. The State Department expects to collect \$45 million in FY 1994.

Other Financing: The Customs Service will provide \$2 million to fund the Interagency Border Inspections System (IBIS) Pilot Program from its current FY 1994 budget.

The Administration is proposing an amendment to the law that authorizes purposes for which the Asset Forfeiture Fund could be used. This will provide a permanent source of funding, up to \$5 million, for FBI awards for reporting terrorism.

New Appropriations (Budget Authority) Needed

The Administration will seek appropriated funds to support the remaining \$85.5 million required to implement these initiatives.

OMB will continue to work with the involved agencies, the authorizing committees, and the appropriating committees to ensure full funding.

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Statement
by
Vice President Al Gore
at
Presidential Initiative Against Illegal Immigration
July 27, 1993

Thank you, Mr. President.

The centerpiece of these initiatives is a legislative proposal carefully drawn to protect the rights of legal immigrants, while allowing us to speed up the exclusion of illegal aliens at ports of entry.

Right now, thousands of aliens arrive each year at airports and other entry points without proper documentation. What happens if -- as they come off the airplane or off some smuggler's ship -- they request political asylum? They are entitled to a range of administrative procedures that enable them to remain in the United States for many months -- or even longer.

Some deserve asylum. Most don't. Many never even show up for hearings and become part of the illegal alien population.

The legislation we announce today will help bring this abuse to an end. It enables us to promptly exclude those undocumented aliens who do not have credible claims for political asylum.

At the same time, we provide protection for those who genuinely fear persecution if they are returned to their countries of origin. For the focus of our approach to immigration must not be on closing borders -- but on opening our hearts.

In addition to the expedited exclusion legislation, we are also proposing legislation aimed directly at the menace of alien smuggling by criminal syndicates. This measure will double prison sentences for convicted smugglers. It will make alien smuggling a predicate for the Racketeer Influenced and Corrupt Organizations Act -- RICO -- prosecutions. It will authorize use of wiretaps in alien smuggling investigations. It will expand our authority to seize the assets of smugglers.

These provision will apply equally to organized, criminal boat smugglers as well as the large-scale organized gangs of "coyotes" who bring thousands of illegal aliens across our southeast border every week.

Now, how do we prevent the illegal entry of undocumented aliens who have no reason to be in the United States?

We will substantially increase funding for a range of administrative measures. It's time to make use of the full range of tools modern technology provides. For example, we will accelerate the automation of U.S. embassies and Consulates as quickly as possible so they can better share information on people who should not receive visas -- terrorists, drug smugglers, and felons. We will also expand cooperative programs with foreign governments and airline companies to make sure that improperly documented passengers are kept off airplanes before they leave for the United States.

Finally, as a first step in slowing the flood of illegal immigrants who circumvent our understaffed and underequipped Border Patrol, we will significantly increase personnel -- a kind of more-cops-on-the-beat approach to ~~imm~~igration. We will also give border agents the best possible equipment and technology. We're providing \$66 million for training and equipment and up to 600 additional border patrol guards. That will improve their ability to interdict and return illegal aliens seeking to cross the border.

We will also increase and improve Border Patrol training and review procedures to make sure that people they apprehend are treated in accordance with the law.

Now I'm going to step back and let the Attorney General talk a little about the enforcement provisions in this piece of legislation.