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GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE
Washington, D.C. 20230

February 25, 1975

MEMORANDUM FOR: Cabinet Committee on Illegal Aliens

FROM: Karl E. Bakke
General Counsel

SUBJECT: Circulation of Commerce Department
Papers on Illegal Aliens

FEB 26 1975

In accordance with the request made by the Justice Department at the Committee's February 6 meeting, we are transmitting herewith two papers prepared by staff members of the Bureau of Economic Analysis and the Bureau of the Census within this Department. Also included is an exchange of letters between the Census Bureau and the Immigration and Naturalization Service dealing with the difficulties involved in enumerating the illegal alien population.

In brief, the Census Bureau informs us that there is no simple or inexpensive way in which to obtain data on a population that does not want its characteristics known. Some rather complex systems for interviewing foreign arrivals and departures or surveying the legal alien or known illegal alien population could possibly be devised, but the Census Bureau questions whether the results would be worth the high costs involved. On the other hand, they are extremely interested in the matter and would be glad to participate in processing and evaluating whatever data are obtained during the course of the Committee's efforts.

The Census Bureau also suggests orally that the question of how to deal with what is assumed to be a dramatically-increasing illegal alien population is closely related to questions concerning current immigration policy. An excellent recent background article on the latter subject can be found in the Winter 1975 issue of The Public Interest magazine, entitled "Immigration Policy--Who Gets in and Why?" by Elliott Abrams and Franklin S. Adams. I recommend the article as worth reading.

To save time, we are sending only one copy of the enclosures to each agency. Reproduction is authorized.

Attachments





U.S. DEPARTMENT OF COMMERCE
Social and Economic Statistics Administration
BUREAU OF ECONOMIC ANALYSIS
Washington, D.C. 20230

OFFICE OF THE DIRECTOR

February 14, 1975

MEMORANDUM

TO : MAYNARD COMIEZ

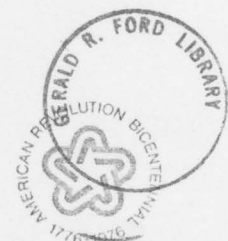
FROM : Jack Bame, Associate Director
for International Economics *[Signature]*

SUBJECT : Aliens and the balance of payments

The balance of payments accounts include a line, "Private remittances, and other transfers." This account measures net private unilateral transfers of goods, services, cash and other financial claims between U.S. residents and residents of governments of foreign countries. Receipts include transfers to U.S. private residents through post office money orders, German Government indemnification payments; Canadian Government pension payments, inheritance and migrants transfers, and various other inflows. Payments include personal remittances of U.S. private residents to foreign residents through banks, communication companies, and the Post Office; private parcel post shipments; cash and goods donated abroad by religious, charitable, educational, scientific, and similar nonprofit organizations; and inheritance and migrants transfers. Estimates are made on the basis of data received directly from U.S. banks, nonprofit organizations and other private agencies, from U.S. and foreign government agencies, and on the basis of other statistics obtained from various publications of foreign governments.

The balance of payments accounts differentiate between U.S. residents and residents of foreign countries. There is no breakdown as to aliens versus citizens (even the definitions of residents and non-residents are in some cases blurred) so that there are no estimates as to alien transfers out of the United States.

There are no figures available on the amounts of money "brought in" on an alien basis. There have been estimates made from time to time, by various sources, as to alien transfers to and from Mexico, but there are no reliable statistics to which we would refer.





UNITED STATES DEPARTMENT OF COMMERCE
Social and Economic Statistics Administration
BUREAU OF THE CENSUS
Washington, D.C. 20233

OFFICE OF THE DIRECTOR

FEB 19 1975

MEMORANDUM FOR Mr. James L. Pate
Assistant Secretary for Economic Affairs

Through: Edward D. Failor
Administrator
Social and Economic Statistics Administration

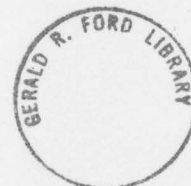
From: Vincent P. Barabba
Director
Bureau of the Census

Subject: Commerce Assignment for Domestic Council Committee on Illegal Aliens

This note is to provide you with the information requested by the Domestic Council Committee on Illegal Aliens in its memorandum of February 11 to you in pursuance of its efforts to determine the scope and impact of the problem of illegal aliens in the United States. Specifically, we are replying to two items in the memorandum: First, whether the Census Bureau could be of assistance in determining the number of illegal aliens present in the United States and the number employed; and, second, what the relationship of immigration to population growth is and whether immigration has become a major component of population growth.

We have not systematically investigated the extent of illegal alien immigration or the size of the illegal alien population. Satisfactory estimates of the number of illegal aliens present in the United States and the number currently employed are not now available. During the past few months, representatives of the Census Bureau, the Immigration and Naturalization Service, and the State Department have met to consider procedures for estimating the size of the net movement of illegal aliens into the United States and the number of aliens residing illegally in the United States, and a number of useful suggestions were made for research into these questions. At present, no reliable methods have been developed for making the estimates of these groups. The figures for the number of illegal aliens being cited by the media and various public officials, such as the 4 to 12 million in the Committee's memorandum, are highly speculative and may not bracket the true number. Other estimates are much lower and some are higher.

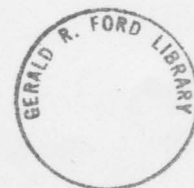
As you may know, the Law Enforcement Assistance Administration of the Department of Justice recently awarded a contract to two firms, Linton, Miels, and Coston, Inc., and TransCentury Corporation, to design a major



study to determine the size, characteristics, and impact of the illegal alien population present in the United States. As the attached correspondence indicates, we have informed the Immigration and Naturalization Service that we are vitally interested in the project and will provide advice and assistance in the study insofar as our resources permit.

The relative contribution of alien immigration to population growth has increased substantially since 1960 because alien immigration has shown a steady moderate increase, and the annual number of births has fallen sharply during the period. The attached table shows the components of population change for the United States for 5-year periods from 1930 to 1974. Natural increase, that is, the balance of births and deaths, continues to be a far more important contributor to our population growth than net immigration in spite of the decline in the number of births and a moderate rise in the number of deaths. Natural increase is likely to remain a greater contributor to population growth in the future, unless the laws controlling immigration are changed. Illegal immigration has not been included in the estimates shown in the table because of the lack of reliable information on the size of the illegal alien population or the number of aliens illegally entering the country each year.

Attachments



ESTIMATES OF THE COMPONENTS OF POPULATION CHANGE FOR THE UNITED STATES: 1930 TO 1974

(In thousands. Includes Armed Forces overseas beginning with 1940)

Period (calendar years)	Beginning population	Net change	Births	Deaths	Net civilian immigration ^{1/}			Other ^{2/}
					Total	Aliens	Citizens	
1970-1974.....	203,849	8,963	16,847	9,725	1,865	1,965	-100	-24
1965-1969.....	193,223	10,626	18,138	9,442	2,093	1,877	216	-161
1960-1964.....	179,386	13,837	21,049	8,783	1,729	1,607	122	-158
1955-1959.....	164,588	14,798	21,296	8,068	1,580	1,289	291	-6
1950-1954.....	151,135	13,453	19,514	7,501	1,424	961	463	+17
1945-1949.....	139,767	11,368	17,455	7,318	1,154	655	499	+78
1940-1944.....	132,054	7,713	14,360	7,339	570	138	432	+122
1935-1939.....	^{3/} 126,874	4,576	12,107	7,236	146	146	(NA)	-441
1930-1934.....	^{3/} 122,487	4,387	12,267	6,990	-6	-6	(NA)	-882

^{1/} Emigration of aliens and citizens is understated.

^{2/} Includes estimates of admissions into and discharges from the Armed Forces and the "error of closure" between censuses.

^{3/} Excludes Armed Forces overseas.

NA Not available.

Source: Bureau of the Census, Current Population Reports, Series P-25, No. 521 and annual reports of the Immigration and Naturalization Service, Department of Justice.



Mr. L. F. Chapman, Jr.
Commissioner
United States Department of Justice
Immigration and Naturalization Service
Washington, D. C. 20536

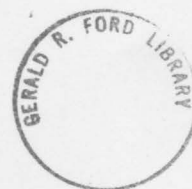
Dear Mr. Chapman:

I was pleased to receive your letter of January 2 calling our attention to plans to design and carry out a study to measure the size and characteristics of the illegal alien population in the United States. The Census Bureau has a considerable interest in this matter and is, therefore, vitally interested in the project.

If, as is alleged, there are several million illegal aliens in the United States, it is probable that many of them are not being reported in the decennial census and in our national sample surveys, and are not included in our current estimates and projections of U. S. population. The probable concentration of illegal aliens in some geographic areas may mean not only that we are understating the population of these areas but that the social and economic characteristics of these areas are not being correctly described. We also require reliable figures on immigration and emigration to carry out our task of measuring the size, characteristics, and changes in the American population. Our current estimates of population do not make any allowance for illegal immigration.

Moreover, the calculations that entered into our estimates of the coverage of the 1970 census took no direct account of illegal immigration since we had no way of quantifying this movement. This is not to say that our estimates of census coverage deviate from the truth by as much as the size of the illegal resident population or by the amount of illegal immigration in some previous period, because many illegal immigrants are probably enumerated and because we also appear to have understated the extent of emigration of foreign-born residents of the United States. Measurement of emigration is handicapped by the fact that your agency does not currently compile statistics on alien emigration.

We have not systematically investigated the extent of illegal alien immigration. The task impresses us as one of supreme difficulty, especially since the issue of violation of civil rights may arise in connection with the pursuance of some effective research designs. Areas of possible research could include analysis of the tabulations from the

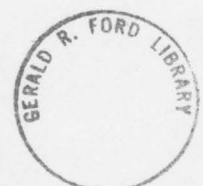


annual alien registration; analysis of intercensal changes in the foreign-born population as recorded in the census; analysis of data for Mexico from the census and vital statistics of Mexico; local studies of employer records with follow-up of the employers and employees to secure information on the citizenship status of their employees; and a sample match study of illegal aliens apprehended and deported in recent years and illegal aliens apprehended in subsequent years. The purpose of the latter study is to determine the extent to which the same persons appear more than once in the counts of illegal aliens apprehended.

We appreciate your offer to keep us informed of developments in this project and if there are ways in which we can contribute effectively, we should be glad to do so. For securing appropriate information or discussing developments in your study, you may contact Mr. Jacob S. Siegel (telephone 763-5784) and Mr. Robert Warren (telephone 763-5184) of our Population Division.

Sincerely,

VINCENT P. BARABBA
Director
Bureau of the Census



UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AND REFER TO THIS FILE NO.

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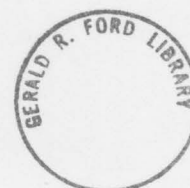
Dear Mr. Barabba:

At the Federal Agency Council on the 1980 Census held on December 4, 1974, I understand that the problem of enumerating the illegal alien population was mentioned. As I am sure you are aware, determining the size, characteristics, and impact of the illegal alien population is among the primary goals of the Immigration and Naturalization Service. This information is of primary concern not only because of pressure from the Congress, OMB and the general public, but also so that we can plan effective and efficient enforcement programs to deal with this major national problem.

Estimates of the illegal alien problem are now running as high as 15 million, although most projections are in the five to ten million range. These estimates are based on a rough estimate of the number of illegal aliens eluding enforcement efforts and the cumulative growth of illegal aliens that have remained in the United States over the years. Unfortunately, because of limited enforcement resources and personnel, the Immigration and Naturalization Service has been unable to deal effectively with the seemingly unending influx of illegal aliens crossing our borders. In short, any estimates to date which are made on the number of illegal aliens in the United States are not based on precise, meaningful data or sound scientific methodology.

Moreover, Mexican population statistics indicate that the problem of illegal entry from Mexico is going to get far worse and at a staggering rate. In 1970, Mexico had a population of about 50 million, over 46 percent of which was under age 15. At the current growth rate of 3.5 percent annual increase, one of the largest in the world, the Mexican population will double in about 20 years. By 1985, the population of Mexico is expected to reach 85 million, and by 1995 about 120 million, with increasingly greater demands for food and a very slowly increasing per capita income. In the future, the "push" to migrate to the United States through any means will be far greater even than it is today.

Because of their interest in the impact of illegal aliens on State and local law enforcement agencies, the Law Enforcement Assistance Administration of the Department of Justice has recently awarded a contract to two firms, Linton, Miels and Coston, Inc. and TransCentury Corp., to design a major study to determine the magnitude, characteristics, and impact of the illegal alien population. This design effort should

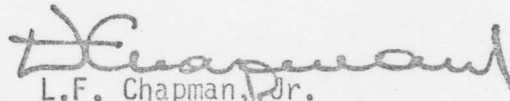


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take about four months to complete. We then hope to be funded in our FY 1976 Budget to undertake the major study, which we hope will be completed by mid-CY 1977.

I am very enthusiastic about the work being undertaken by the Linton, Miels and Coston and TransCentury team and am hopeful that the subsequent study will provide us with sound data on the illegal alien problem. If you or your staff has any ideas or other suggestions that would be helpful in either the design or the study, my staff would be pleased to discuss them with you. Mr. Edward W. Scott, Jr., Associate Deputy Commissioner for Planning and Evaluation, and Ms. Lisa Smith of his staff (Telephone: 376-8561) have principal responsibility within I&NS for this project. We will keep you informed of any information developed that would be of interest to you as the study progresses.

Sincerely,


L.F. Chapman, Jr.
Commissioner

Mr. Vincent P. Barabba, Director
Bureau of the Census
Suitland, Maryland 20233





DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

February 25, 1975

TO: Agency Representatives
Domestic Council Committee on Illegal Aliens

As we agreed in the initial meeting of this Committee, our comments on issues USDA was requested to discuss are attached.

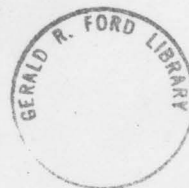
We have looked at parts of two issues:

- (1) The impact of illegals on the U.S. farm labor situation, and
- (2) Does current importation of labor meet our needs?

In both cases, we lack much of the necessary data and both are clouded by current economic events. We have tried to be as specific as we can.

J. DAWSON AHALT
Staff Economist

Attachment



1. What is the impact of illegals on the U.S. farm labor situation? Do they cause worse unemployment, or are they mainly doing work which our citizens would not do?

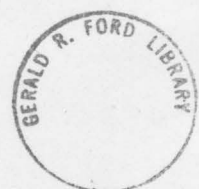
We do not know precisely the number of alien workers employed on U.S. farms, but Immigration and Naturalization Service deportation records indicate that from 100,000 to 200,000 illegal aliens may be doing farm-work in the Southwest border States and Florida. The U.S. total would be much higher. The competition with domestic workers has the expected range of impacts.

(a) Each employed alien is occupying a job that would otherwise be available to a U.S. worker. Although most aliens work in short-term low skill harvest activities, the evidence that illegal aliens and domestics compete directly for almost all U.S. farm jobs is compelling, especially now, when labor surpluses are found in most markets.

This point has been challenged on the grounds that there is work U.S. workers cannot or will not do. And, there are documented cases of U.S. workers not wishing to do some work at the rate offered. Others hold, however, that at some reasonably higher wage even those jobs would attract domestic workers. The best evidence we have indicates that in general the labor force does increase in response to increases in wage rates offered for farm jobs, and that laborers respond in about the same way in response to rate offers for individual jobs.

(b) To the extent that alien labor represents an increase in the total labor supply, they depress the wage rate paid all workers in a given labor market. Such a concept is well understood in economics, but lack of specific data make it difficult to document.

Simple comparisons of recent wage and supply relationships in short-term agricultural labor markets indicate that a 1 percent change in employment is associated with a 2.5 percent wage change in the opposite direction. This suggests that in a no-surplus situation, to replace illegal aliens with short-term domestic labor would be a reduction in the available supply and that each 1 percent reduction could increase daily wage rates from \$1.00-\$2.50. Conversely, similar increases in supply of labor would be expected to have the effect of decreasing wages in the same proportion.

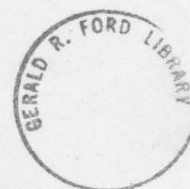


(c) For farm employers, illegals frequently make up an important source of labor and these employers depend on this labor. In some markets, illegals constitute a quarter to a half of the total supply. The availability of these workers is very important to these farmers, especially in the short-run. And, the wages at which illegals are available affect the competitive position of these farmers relative to other farmers facing different wage rates.

A sudden unexpected change in either the availability or wage rates for illegal workers could have very great impacts on farmers in these areas.

Gradual changes, especially if scheduled in advance, would be expected to have less serious impacts.

(d) Because illegal aliens tend to spend a large share of their earnings in their home country, foreign exchange loss of up to \$150 million per year may result from the employment of illegals. This is about 3 percent of total agricultural wages.



2. Does our current importation of labor meet our needs for agricultural services, trades, and unskilled labor in the economy?

At the present time, there is very great competition for short-term jobs in agriculture, especially in citrus areas. Newspaper reports tell of several applicants for each job and declining wage rates.

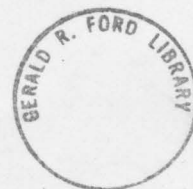
Labor supplies are different from area to area and from time to time. Employers frequently feel that labor is unavailable. Whether or not this reflects their own reluctance to establish competitive conditions and wages or a shortage of workers willing to work at reasonable prices under reasonable conditions is very difficult to establish.

There is a procedure by which foreign nationals can be legally admitted for work in the U.S. Since admittance depends on a specific finding of need by the Secretary of Labor, the fact that very few such findings have been made is often submitted as evidence that domestic labor can and does perform most tasks at reasonable rates. What this need would be if there were no illegal aliens is not known, of course. In 1973, 13,000 foreign nationals were admitted for work; compared to an estimated 2.7 million domestic farm wage workers. This indicates that needs that can meet the formal requirements for documentation are specific, highly localized, and probably small. We would not expect this number to increase as long as domestic labor surpluses persist.

Any suggestion that such requirements are small probably will be contested by those who would prefer to pay lower wages. Despite overall declining farm employment, high unemployment and labor surpluses, requests continue to be received by USDL that more foreign workers be certified on the basis that an adequate number of willing and able domestic workers are not available.

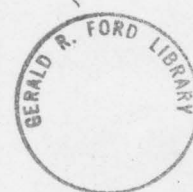
Foreign workers certified in recent years have been principally British West Indians and Bahamians, rather than Mexicans, who have been admitted for harvesting sugar cane in Florida. Employers contend, and USDL has certified that domestic workers will not perform this job. However, that contention has been contested by farmworkers in Florida courts.

In this connection, it is instructive to review the history of the termination of the Bracero Program more than 10 years ago. An ERS publication, "Termination of the Bracero Program," contains an evaluation of the Bracero and predecessor programs from an agricultural point of view. The report shows that in the year of its termination, there were about 200,000 foreign workers, 178,000 of them Mexicans.



In the year preceeding termination of the program, about 16,000 farm employers used Mexican contract workers, less than 1 percent of all farms in the contiguous United States at that time. But in a small number of States, the share of farms depending on this labor source was much greater. The average number of Mexicans (45,775) employed on U.S. farms during the year accounted for only 0.7 percent of the total farmwork force. However, in those States in which they were concentrated foreign workers constituted a much more significant proportion of the supplemental farm labor force. Principal user States were California, Texas, Arizona, Michigan, Colorado, Arkansas, and New Mexico. The potential demise of the Bracero Program caused some fear that heavy crop losses in these States might result. Fortunately, this did not occur, although labor problems associated with termination of P.L. 78 did occur in California, Michigan, and Florida. Those attributable solely to loss of labor appear to have been minimal.

Major crops in which there were shifts in acreage, prices or production problems in 1965 were asparagus, cantaloupe, celery, cucumbers for pickles, lettuce, tomatoes, and strawberries. Loss of crops can result from many factors--weather, labor difficulties, market prospects, and others. Losses due solely to lack of labor or expectations of it, are difficult to quantify, and can at best be but estimates. It is also difficult to evaluate the effect of such losses on farm income. Reductions in total volume marketed usually result in higher prices, thus tending to maintain gross income to producers as a group. However, losses are usually not distributed evenly or equally to all individual producers, and consequently some may have been financially hurt by the demise of the program.



THE IMPACT OF ALIENS ON FARM EMPLOYERS AND DOMESTIC FARMWORKERS

The impact of aliens on farm labor markets varies by location, types of commodities produced on farms, effectiveness of farm product markets, availability of alternative employment opportunities for domestic workers, and the potential for job task combining by employers.

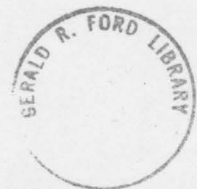
While documentation of illegal aliens employed in agriculture or the days of labor supplied by them is difficult, we can demonstrate, by use of economic principles, that for any given labor demand an increase in the supply of labor will reduce the wage rate. If the increase originates from a labor pool of alien workers willing to work for lower wages, domestic workers will be displaced.

Demand for farm labor tends to be wage inelastic. A given percentage increase in wage rates will result in a lower percentage increase in amount of labor demanded but an increase in total wages paid. On the supply side, a given percentage increase in the wage rate offered to domestic labor will result in a greater percentage increase in amount supplied. Thus, in the aggregate, labor supply response to wage changes is generally more elastic than demand response.

Three groups of alien labor compete in U.S. agricultural labor markets and, generally, supply response at given wage levels is greater than for domestic workers. A major reason for this is the geographical separation of residence and labor market orientation. A wide gulf exists between higher wage levels in U.S. markets and the general lower cost of living and softer labor markets in home communities. Even in border areas where place of residence and place of work are in close geographic proximity these sharp distinctions remain. This is especially true for Mexican workers, who have a great economic incentive to compete in low skill U.S. seasonal agricultural labor markets.

Competition with U.S. agricultural workers comes both from illegal alien and the "Green Carder." The latter is an alien who has been issued a permanent work permit and enjoys comparatively free movement across national borders, some even commuting on a daily basis. Of the two groups, supply response is the greatest for the illegal alien since he is completely outside of U.S. social and labor legislation which effectively sets a reservation wage below which domestic workers will not offer their services. Furthermore, as a fugitive from the U.S. Immigration and Naturalization Service (INS), the illegal worker may be less willing to appeal his status or air his grievances.

The supply response of the "Green Card" worker is only slightly less elastic since his reservation price is determined by the standard of living and labor market conditions at his place of residence. However, since entry is controlled by the number of permits issued, the supply response becomes completely inelastic after a point.



The third group of alien workers are certified temporary workers. Their supply response is completely inelastic since all entry is subject to administrative review. To qualify for temporary workers, an employer must demonstrate inability to attract domestic workers at a set "adverse wage rate." This rate is generally 10 to 15 percent above prevailing rates. Thus by design this worker does not compete directly with domestic workers. Therefore, competition to domestic workers comes from two sources: the illegal alien and the alien holder of a permanent work permit.

The Hired Farm Labor Force

Employment of domestic farmworkers declined 18 percent between 1965 and 1971 from 3,128,000 to 2,550,000, but increased by 5 percent between 1971 and 1973 from 2,550,000 to 2,671,000. However, the major employment shifts occurring during this period are masked by this simple statistic. Short term employment (up to 3 months duration) declined by 10 percent, but long term employment (6-12 months) increased by 34 percent and intermediate term employment (3-6 months) increased 64 percent. These changes are summarized in Table 1. Significantly, the increase in daily wage rates over this period maintained about the same average annual rate of change prevailing between 1965 and 1971, a period marked by persistent decline in all farm wage employment.

The relationships between total employment and actual mandays of labor provided shows marked contrasts by employment duration but have remained relatively constant over the past decade. Short and intermediate term workers have each provided only 10-15 percent of total mandays, while long term workers have accounted for 2/3 to 3/4 of the total. The recent trend is toward greater concentration of total mandays of effort to longer term workers at the expense of short term workers.

Employment Adjustments Under Conditions of Increased Product Demand or Reduced Labor Demand

The shifts in domestic labor use over the past 3 years toward intermediate and long term employment with but few apparent wage incentives imply that four types of adjustments occurred.

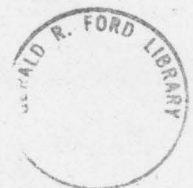
- (1) Existing workers were employed for longer periods.
- (2) New workers with limited economic alternatives were attracted to intermediate and longer term labor markets.
- (3) Short term employment needs were reduced.
- (4) Aliens were used to replace an apparent decline in short term labor use.



Table 1--Changes in domestic agricultural employment, 1971-1973

Year	Length of employment			Total
	Less than 3 months	3-6 months	6-12 months	
----- Thousand workers ----- (Percentage in parentheses)				
1971.....	1,839 (72.1)	213 (8.4)	498 (19.5)	2,550 (100)
1972.....	1,793 (63.8)	361 (12.9)	655 (23.3)	2,809 (100)
1973.....	1,652 (61.9)	351 (13.1)	668 (25.0)	2,671 (100)
Total Change 1971-1973...	-187 (-10.2)	+138 (64.8)	+170 (34.1)	+121 (4.75)

Source: Hired Farm Working Force, various issues. †



The greatest adjustment affecting employment of youth between 14 and 24 appears to be extension of employment periods. Intermediate length employment increased by 74,000 between 1971 and 1973; long term employment by 46 thousand, but total employment remained constant over the period. An increase of 53,000 prime labor force age persons in the intermediate group was partially offset by a reduction of about 30,000 short term workers.

Long term net employment increases occurred among migrants and locals of primary labor force age. The total migrant labor force increased by 32,000 over the period; long term employment by 28,000. Overall employment of prime labor force age persons increased by 129,000 with an increase of 104,000 persons in long term employment.

Local workers probably entered the agricultural labor force because of reduced local employment opportunities reflecting deteriorating economic conditions. Migrant workers were probably attracted by expectations of higher wage northern employment. Often living in home base areas with chronically depressed long term employment opportunities, they have separate residence and labor market orientations similar to aliens. Furthermore, the presence of aliens in local seasonal markets depresses prevailing wage rates below the reservation wage for domestic migrants which is set by higher wage northern markets and available income transfer programs. Both migrants and aliens act according to expected economic logic brought about by similar relative distinctions between residence and labor market orientations.

The lengthening of employment periods for youth and certain prime labor force age workers and the increased hiring of migrants and other prime labor force age persons at the expense of short term domestic employment was accomplished during the period analyzed without a major increase in domestic wage rates. In addition, average farmworker income was also increased because of longer employment. Indeed, the large supply response to wage stimuli of magnitudes similar to those occurring during the previous period of employment decline indicates that, in general, farm labor demand was quite soft during the period under analysis. This upward adjustment in labor use took place under conditions of increased product demand. Hence, we can infer that under conditions of constant product demand and a reduction of existing intermediate and long term workers employed at the beginning of the period, farmers in general could have adjusted to such a shift in supply with unit labor cost changes similar to those actually experienced in recent years.

Short term labor demand is more inelastic than demand for longer term labor. Farmers must plant or harvest within relatively short time periods or face partial or complete crop loss. Therefore, the short term worker, while providing a relatively small proportion of total mandays, provides his labor services at a most crucial time.

Short term labor demand can be reduced by improved job task coordination, i.e., combining several seasonal jobs to provide intermediate or long term employment, mechanization, or greater efficiency in management of a given



labor force. In addition, short term domestic employment can be reduced by increased use of alien workers, either legal or illegal.

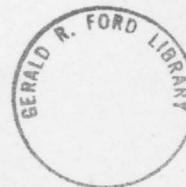
Up to this point our analysis has indicated that intermediate and long term domestic labor markets do not face serious competition from alien labor. Therefore, we conclude the obvious; that competition from aliens occurs primarily in the short term markets.

Based on conversations with Immigration Service officials, it appears that use of alien labor is concentrated in California, Arizona, Texas, and Florida even though pockets appear in such diverse States as Colorado, Washington, and Idaho, among others. Furthermore, alien workers are employed most frequently in fruit and vegetable harvest, low skill feedlot employment, livestock ranching, and in nursery operations. The nursery and feedlot and some ranching operations probably depart from the general practice of hiring short term workers. However, the bulk of the illegal workers are used to harvest tree fruits and vegetables.

In fiscal 1974, 41,671 illegal aliens were apprehended while employed in California agriculture. This is about 14 percent of the total agricultural labor force. In fiscal 1970, apprehensions were about 6 percent of the total labor force. In Arizona, 26,612 illegals were apprehended working in agriculture, about 75 percent of the estimated domestic agricultural labor force. Finally, in Texas 42,385 illegal aliens were apprehended; about 30 percent of the estimated domestic labor force.

The true number of unidentified illegal alien workers can only be surmised but if half the total were apprehended the importance of these workers becomes a very significant factor in short term seasonal labor market operations.

While illegal aliens have posed an increasing problem in these Southwestern States, especially since the termination of the Bracero Program, use of illegal aliens in the Florida fruit and vegetable harvest is a more recent phenomenon. Attracted by reports of high earnings based on 1973-74 field conditions, the number of illegals burgeoned by February 1975 to almost half of the estimated 77,000 farmworkers, according to INS estimates. Although this figure may overstate the situation it emphasizes that, in addition to large numbers of illegal harvest workers, wide spread smuggling operations also exist. INS officials in Florida feel that most agricultural workers originate from poor interior Mexican villages and come to the United States with plans to return home after the season. In illegal status throughout their stay, they are dependent upon the existence of covert transportation arrangements for both entry and exit. Unlike the situation in Southwest border States, deportation of Florida illegals can pose major cost obstacles to INS.



Most short term domestic workers are either students, housewives, or employed persons entering agriculture to provide a seasonal source of secondary earnings. In addition, day rate workers, often unemployed and drawing unemployment insurance, also enter the labor force for short periods--total employment duration is usually less than 1 month. These people, rather than persons primarily dependent on agricultural wages for their livelihood, are most likely to be displaced by the seasonal illegal alien worker. 1/

Based on INS figures, the impact of the legal alien worker on border State agriculture appears to be very much less than for the illegal worker. Slightly over 5,000 legal workers were employed in Texas agriculture in fiscal 1974; 14,552 in California and 4,420 in Arizona. About half of the Texas legal aliens and 44 percent of the California legals were seasonal workers under contract and hence worked under conditions of controlled entry. Almost all legal aliens in Arizona, however, had commuter status and thus competed directly with domestic workers.

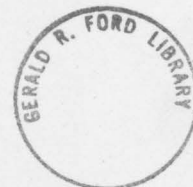
The Impact to Farm Employers from the Elimination of Alien Labor

The impact to farm employers from the elimination of alien labor is affected by commodity market conditions, labor management ability, potential for mechanization and available supply of domestic labor.

Since the major impact of alien labor appears to be on short term labor use the direct cost effects resulting from a substitution of domestic labor for alien labor are bounded by this consideration. Since the cost of short term labor is, on the average, 10-15 percent of total labor cost and probably ranges upward to 25-30 percent in certain commodities, farm employers forced to hire additional short term domestic labor face a short run cost/total cost relationship between .01 and .03. That is, if we assume that the short term seasonal workers are paid from 10 to 30 percent of total wages, we know that for each 10 percent increase in short term labor costs required to maintain short term employment at predisplacement levels total labor cost will increase from 1 to 3 percent.

Actual cost of substitution of domestic labor for illegal aliens are subject to a potentially high degree of error. But the replacement of an estimated 100,000 to 200,000 illegal aliens who may be employed in agriculture, primarily in the Southwest and Florida, could raise daily wage rates from \$1.00 - \$2.50. This figure is based on simple comparisons of recent wage and

1/ It is recognized, however, that if illegal aliens are used as strike breakers in labor disputes affecting intermediate and long term workers, they can have a very serious impact on earnings of domestic farmworkers.



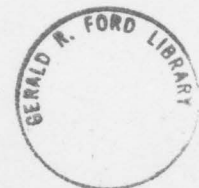
supply relationships in short term labor markets. 2/ Assuming that each worker is employed approximately 60 days total payroll increases of \$6 million to \$30 million are projected. Since it is likely that illegal aliens spend a large share of their total earnings outside the U.S. the annual drain of U.S. funds may be as high as \$150 million. This is about three percent of total agricultural payroll.

Increased wage rates would force some farmers out of business and large wage increases would shift the complete wage schedule upward. (Traditionally daily average earnings in short term labor markets have been lower than in intermediate and long term markets.) However, if the wage response resulted from a uniform elimination of aliens across all markets, the wage increases would be absorbed into the cost structure within two or three seasons. But the adjustment process would be severe and would result in greater domination of product markets by fewer and larger firms. There would be little, if any, opportunity for small operators to gain increased returns as a result of greater returns to own labor use since the commodities most affected all require a relatively large peak seasonal labor force. A greater incentive toward development of labor cooperatives to serve labor needs of small operators or a decline in small operations are the most likely results of rapid elimination of illegal alien supplies.

The ability of farmers operating near the Mexican border in California, Arizona, and Texas to attract domestic labor to replace aliens should effective employer sanctions be enforced, depends upon the physical existence of a sufficient domestic labor supply and the ability to improve seasonal labor management capabilities.

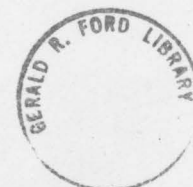
These are very "iffy" questions. Most border areas have integrated economies. Eliminating only agricultural labor flow is capricious policy and probably could not be enforced. But closing the border to all alien labor with insufficient opportunity for legal entry will result in severe short run damage to the economies on both sides of the border. Furthermore, large increases in wage rates for short term seasonal agricultural employment could cause local disruptions to low wage nonagricultural industries as workers are enticed from full time jobs. This in turn may attract other illegals into these jobs on a permanent basis and lead to further deterioration of local labor markets. Certification of additional temporary aliens is a conceptual possibility but the envisioned administrative requirements indicate that a radical departure from past immigration enforcement policies is required.

2/ Due to current widespread nonagricultural unemployment many seasonal labor markets are softer than in previous years. This implies that the wage response required to attract domestic labor is lower in certain areas than that estimated above. Also, recent coverage of agriculture under the Supplementary Unemployment Assistance program enables workers to build work credits against future unemployment thus providing yet an additional incentive to work in agriculture.



Domestic labor could easily substitute for displaced aliens if a large domestic supply of secondary and moonlight labor existed. Such a supply, composed of housewives and students, or of primary labor force members seeking second jobs, would result in few if any additional social overhead costs. However, if this supply is composed primarily of heads of households, with few alternative employment possibilities a sophisticated and expensive infrastructure of income transfer payments must be maintained to absorb personal income loss during periods of low labor demand. With potential labor force displacement rates indicated at 25 to 50 percent or more in some local agricultural labor markets, such a solution would place heavy burdens on existing institutions.

The earlier analysis of intermediate and long term labor market changes indicates that greater efficiency in agricultural labor use has been achieved over the past few years. Recent experiences in Florida and California also suggest that greater harvest efficiencies are possible if short term seasonal labor markets are reasonably tight. Florida citrus growers, faced with short labor supplies during the 1972-73 season, were able to complete harvest within normally acceptable time schedules. Unionization pressures on California employers have also had similar effects. Continuing efforts are possible along these lines but they point toward a gradual rather than an abrupt altering of the status quo. Yet, labor-management efficiency can only occur under conditions of effective commodity market operation. The general effect of improved seasonal labor-management efficiency is to increase fixed costs (although possibly lowering total costs) by providing more regularized employment during harvest periods. However, farmers with production operations subject to uninsured weather induced yield reductions, uncertain product demand or unstable product prices will attempt to minimize fixed labor costs rather than to improve management capability.



U.S. DEPARTMENT OF LABOR
OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20210

FEB 20 1975



FEB 20 1975

MEMORANDUM TO CABINET COMMITTEE ON ILLEGAL ALIENS

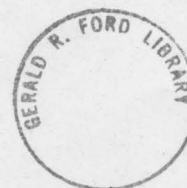
ATTENTION: Jonathan C. Rose, Director
Office of Justice Policy and Planning

SUBJECT: Circulation of Illegal Alien Papers

Attached are Department of Labor papers addressing themselves to "Impact Considerations" 2, 3 and 4 of the tentative agenda of the Cabinet Committee on Illegal Aliens.

In summary, the Department of Labor currently has no independent source of data regarding the numbers, characteristics or impact of illegal aliens in the United States and relies upon the Immigration and Naturalization Service for such information. The Department has, however, funded a research project, scheduled for completion on July 1, 1975, which will furnish some basis for reasonable estimation in this area. Law Enforcement Assistance Administration has also funded a research design project to secure a better appraisal of the dimensions of the problem.

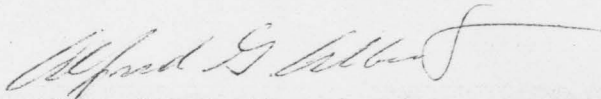
With respect to the numbers, characteristics and impact of legal entrants into the United States, here again, the data is compiled by the I.N.S. Since the terms of present immigration law condition the admission of aliens (both immigrant and non-immigrant) upon a determination of non-availability of American workers, the needs of the economy for any labor can be met.



The major policy change which should be considered has been suggested by the Department of Labor to the House Committee on the Judiciary in its testimony on the Rodino Bill. This change would in effect eliminate the labor certification as a condition for the admission of immigrants.

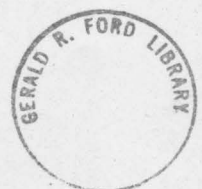
Our "Bureau of International Labor Affairs" is still compiling data on how European nations handle their needs for imported labor (Agenda item 2 under Administrative, enforcement and legislative improvements). Our observations regarding their methods and experience will be distributed to the Committee shortly.

There have been no studies made of the impact of illegal aliens upon the costs of unemployment insurance. Since employment of aliens illegally in the country is presently not prohibited and no provision of Federal law prohibits States from paying unemployment insurance to such aliens, there has been no proper justification for subjecting U.I. claimants to this line of inquiry. Given the present level of U.I. activity, there are also no resources available to pursue such an effort.



Alfred G. Albert
Deputy Solicitor of Labor

Attachments



IMPACT CONSIDERATIONS

What Are The Characteristics, Etc.

What are the characteristics of immigrants, legal and illegal? That is, what are their educational skills? Where are they distributed? What effects do they have on the places they live?

In attempting to find answers to these questions, there are several factors to consider. There is, of course, some information available on legal immigrants and non-immigrants. There is little known about the illegals; however, some data is currently available and more is being gathered under research projects underway. Because of their responsibilities under the law, the Immigration and Naturalization Service controls the admission of all immigrants and non-immigrants and the apprehension of illegals. In the course of these operations, I.N.S. gathers a great deal of data which is published in their annual report. This information covers the 400,000 immigrants and the 6 million non-immigrants who enter each year, whereas, the Department of Labor's data covers less than 12 percent of those immigrants and an infinitesimal part of the non-immigrants. In addition, the I.N.S. data is reasonably

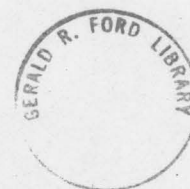
current, whereas, the labor certification data includes the aliens who apply and are approved but may not be able to enter the United States for two or more years because of backlogs of visas.

I.N.S. is furnishing tables from their Fiscal Year 1973 annual report (the FY 1974 report is due in a month) illustrative of the data available on education and skill levels:

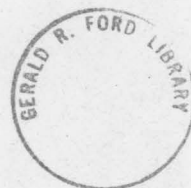
1. Table 8 - covers immigrant admitted by country of birth and by broad occupational grouping.
2. Table 8A - covers immigrants admitted by more specific occupation.
3. Table 16B - covers non-immigrants admitted by occupation.

I.N.S. information on the distribution of aliens is contained in Table 12A. See also page 8 and Table 8 in Immigrants and the American Labor Market, Manpower Research Monograph No. 31 (attached).

The effects that legal immigrants have on the labor market was the basis for the study contained in the above noted Monograph.



The Labor Department does not maintain statistics on the wage levels or jobs held by illegal aliens and their distribution, a task which would, by definition, be nearly impossible. The Department, however, has funded a research project to secure information on this subject. The Manpower Administration has retained Linton, Miels & Coston, Inc., to study the impact of illegal aliens on the Nation's labor markets. In the course of the study, Immigration and Naturalization Service apprehension records, which have been carrying substantial labor market information since the first of the year, will be tabulated to secure information on the wages earned by the illegal, the occupation and employer involved, and the duration of the illegal's stay in the country. Additional data on these subjects will be secured by searching Social Security earnings tax records (on a group basis) and by interviews with a cross-section of the apprehended illegals. In addition, the firm will secure labor market information on a small group of non-apprehended illegals.

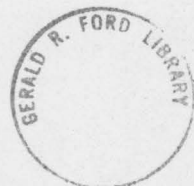


What Is The Impact of Illegals, Etc.

What is the impact of illegals on the U.S. labor situation? Do they cause worse unemployment or are they mainly doing work which citizens would not?

As noted under the preceding questions, the Department of Labor has funded a research study in an effort to find answers to this question. The draft report of that study is due on July 1, 1975.

Based on current information available from I.N.S. apprehension reports and some anecdotal evidence, we believe that illegal aliens are increasingly working in jobs that citizens and permanent residents would welcome -- the building trades is one example. Beyond that, however, we also believe that since illegals often must accept substandard wages and working conditions, they interfere with the normal workings of the labor force and perpetuate those substandard conditions.



Does Our Current Importation of Labor, Etc.

Does our current importation of labor meet our needs for agriculture, services trades, and unskilled labor in the economy? Are any major policy or procedural changes required?

The Department of Labor believes that by and large our own labor force supplemented by the 400,000 immigrants who enter each year (most of them work) and the 40,000 or so temporary workers who enter under labor certifications plus the numbers of non-immigrants who enter for temporary work without labor certifications (students, treaty traders, exchange visitors and their wives, aliens with "special knowledge", etc) very adequately meet the needs of our economy. Assuming that all the illegals were removed and isolated shortages of labor were to develop either for temporary or permanent employment, the present provisions of the law provide for the entry of needed aliens. This is not to say that policy and procedural changes could not be made which would remove some of the incentives for aliens to enter illegally or enter legally and then violate their status, and to speed the labor certification process for immigrants while reducing governmental costs.

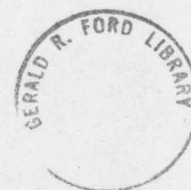


Table II

Status of Illegals When Found - Fiscal Years 1970-1974

Years	In Agriculture	In Industry and Other	Seeking Employment	In Institutions	In Travel	Totals
1970	58,401	76,146	152,846	17,799	160,550	335,077
1971	80,353	79,562	192,392	23,826	209,921	412,578
1972	89,680	102,911	248,214	21,860	256,576	492,189
1973	108,162	129,868	356,541	25,211	363,329	647,512
1974	116,665	128,765	479,339	29,184	484,013	780,991

Source: Unpublished INS data, taken from standard form
G-23.18

Note: Since many illegals are counted as both "in travel"
and "seeking employment" the figures do not total.

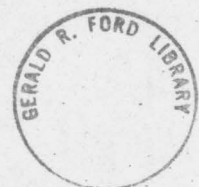


Table III

Status of Illegals When Found - Fiscal Years 1970 & 1974
By Border Patrol, Area Control and by Nationality

	Years	In Agriculture	In Industry and Other	Seeking Employment	In Institutions	In Travel	Totals*
(thousands of persons)							
A. Mexico-Adult males							
<u>BORDER PATROL</u>	1970	52.4	10.8	124.7	8.7	132.0	199.7
	1974	105.8	22.4	401.6	13.0	404.3	547.3
<u>AREA CONTROL</u>	1970	3.8	24.0	10.0	8.7	4.2	50.9
	1974	4.7	49.6	11.8	12.0	5.2	82.4
B. Mexico-females and children							
<u>BORDER PATROL</u>	1970	1.3	2.8	11.4	0.4	14.2	19.6
	1974	5.5	4.1	53.9	1.0	57.2	69.4
<u>AREA CONTROL</u>	1970	0.1	3.1	0.9	0.6	0.3	7.2
	1974	0.1	7.2	1.6	0.7	0.5	10.8
C. All Other Countries							
<u>BORDER PATROL</u>	1970	0.5	1.7	3.2	1.2	7.8	11.9
	1974	0.4	2.4	7.8	0.8	14.5	18.1
<u>AREA CONTROL</u>	1970	0.5	33.7	2.9	1.8	1.9	45.9
	1974	0.1	43.1	2.7	1.7	2.3	52.9

Totals do not reflect an addition of the figures in the preceding five columns, rather, they reflect totals derived directly from the INS document. Border Patrol figures reflect a number of persons checked as both in travel and seeking employment; area control figures tend to record status for most but not all of the apprehendees. The statistics of real importance are those in "agriculture" and "industry and other" columns. Source: INS forms G-213.18



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 12, 1975

FEB 12 1975

TO: Cabinet Committee on Illegal Aliens

FROM: Jonathan C. Rose *JCR*
Director
Office of Justice Policy & Planning

SUBJECT: Circulation of Illegal Alien Papers

Enclosed is a list of all persons who attended the initial meeting on February 6, 1975.

All papers prepared pursuant to the initial meeting should be circulated to each agency represented on the Cabinet Committee prior to the next meeting to be held on Friday, February 21, 3:00 p.m., Room 4111, Justice Department.

Please notify my office (739-2105) the name of person to be attending the February 21 meeting in order that proper clearances can be made.

Attachment





OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 1975

Cabinet Committee on Illegal Aliens

White House -	Fernando E. C. DeBaca Special Assistant to the President Room 197, Old Executive Office Building (Washington, D. C. 20500)	456-2701
	Dr. Theodore C. Marrs Special Assistant to the President Room 103, Old Executive Office Building (Washington, D. C. 20500)	456-2735
State	Leonard F. Walentynowicz Administrator Bureau of Security and Consular Affairs Room 6811 Department of State (Washington, D. C. 20520)	632-9576
Treasury	James J. Featherstone Deputy Assistant Secretary, Designate Room 3449 Treasury Department (Washington, D. C. 20220)	964-5054
	David R. Macdonald Assistant Secretary (Enforcement, Operations, & Tariff Affairs) Room 3448 Treasury Department (Washington, D. C. 20220)	964-2033
	Vernon Hann Acting Assistant Commissioner Bureau of Customs Room 804 2100 K Street, N. W. (Washington, D. C. 20229)	964-2416

CONT.



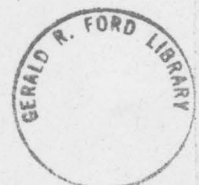
Justice	Jonathan C. Rose Associate Deputy Attorney General Room 4236 Justice Department (Washington, D. C. 20530)	739-2105
	Bruce E. Fein Counsel to the Director Office of Justice Policy & Planning Room 4233 Justice Department (Washington, D. C. 20530)	739-2061
	Edward W. Scott, Jr. Deputy Assistant Attorney General for Administration Room 1111 Department of Justice (Washington, D. C. 20530)	739-3101
	James F. Greene Deputy Commissioner Immigration & Naturalization Service Room 7104, Chester Arthur Bldg. 425 Eye Street, N. W. (Washington, D. C. 20536)	376-8356
	John Nahan Management Analyst Immigration & Naturalization Service Room 7003 425 Eye Street, N. W. (Washington, D. C. 20536)	376-8434
Agriculture	J. Dawson Ahalt Staff Economist Room 214A, Administration Bldg. Department of Agriculture 14th & Jefferson Drive, N. W. (Washington, D. C. 20250)	447-7043

CONT.



Commerce	Karl E. Bakke General Counsel Room 5870 Department of Commerce (Washington, D. C. 20230)	967-4772
	Bernard V. Parette Deputy General Counsel Department of Commerce Room 5870 (Washington, D. C. 20230)	967-4772
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HEW	Ira Goldstein Special Assistant to the Assistant Secretary for Planning & Evaluation Room 5027, North Bldg. Health, Education & Welfare 330 Independence Ave., S. W. (Washington, D. C. 20201)	245-1865
	John B. Rhinelanders General Counsel Room 5228, North Bldg. Health, Education & Welfare 330 Independence Ave., S. W. (Washington, D. C. 20201)	245-7741
OMB	David M. Bray Deputy Associate Director for Economics & Government Office of Management & Budget Room 9202 New Executive Office Bldg. (Washington, D. C. 20503)	395-4892
	James N. Purcell, Jr. Chief, Justice-Treasury Branch Office of Management & Budget Room 9220, New Executive Office Building (Washington, D. C. 20503)	395-4516

CONT.



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F. Lynn May
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456-6437

NSC

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395-5004





OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 1975

Updated 2/21,

Cabinet Committee on Illegal Aliens

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CONT.

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Agriculture

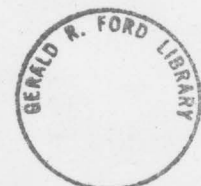
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(Washington, D. C. 20500)

456-6437

NSC

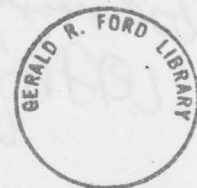
Stephen Low
Staff Member for Latin
American Affairs
National Security Council
Room 380, Old Executive
Office Building
(Washington, D. C. 20500)

395-5004

DOT

Herbert R. Kaiser, Jr.
Deputy Assistant Secretary for
Environment, Safety & Consumer
Affairs
Room 10101
Department of Transportation
400 - 7th Street, S. W.
(Washington, D. C. 20590)

426-4492



DOCUMENTATION

(universal ID concept) — another much like gun control
— civil liberties question

- Kind of universal identification to meet requirements
- (a) Use of state drivers license / motor vehicle license — Robino Bill
- (b) Use of social security card
- Problem of getting ID to meet requirements of Robino bill.
- Are there any secure identity cards.

— battery of documents / passport, birth certificate or

o Status of Robino bill

o USDA in drafting

① Birth certification

② Passport

③ Naturalization papers

④ Church record

⑤ Form 194 (INS)

⑥ SSA

Problem of abuse of identification forms
Social Security cards —
matter of Interdepartmental
Policy Group under Criminal Division
& Justice — Committee on False
Identification.
(intellectual concern) — any good reason can be
perceived by rotten people.

Agricultural Dept

→ 1/3 labor is made up of illegal aliens.
1/2 Texas, etc

(interminable circular
argument)

→ Existing law provides for legal admission of
labor — at a proper wage rate & under proper working conditions
There is no shortage.

The future economic
competition in another country
undermines capital labor force.

Question of culture shock / do analysis with a minimum of bias
— Should we have an identification system

→ What will be the cultural shock if you moved to get illegals
— numbers are large, they change everyday

— breaks pay \$50,000 a year at peak / projected mechanism
— labor / agriculture.

— with 8.2% unemployment, there is no reason why you can't
H-2 program \$40,000 → only temporary jobs.

80-85 agriculture / non agriculture.

— balancing coefficient position →

USA print / Dave Nord / begin study.





OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAR 11 1975

March 11, 1975

TO: Attached List of Addressees

FROM: Jonathan C. Rose *JCR*
Associate Deputy Attorney General

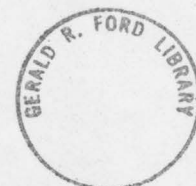
SUBJECT: Cabinet Committee on Illegal Aliens

As discussed at the February 28, 1975 meeting, two task forces will be established to study particular issues relating to the illegal alien problem. Dr. Marrs of the White House will head one task force with the responsibility of studying the feasibility and public acceptability of requiring proof of citizenship of legal alien status prior to obtaining employment. The task force will have representatives from INS, HEW, and the Domestic Council. I would suggest that INS designate a representative familiar with the work of the Federal Advisory Committee on False Identification. Dr. Marrs will arrange for the task force meetings.

A second task force will be headed by a representative from the Department of Agriculture. INS and Labor will have representatives on this task force. It will estimate the economic impact of legislation which entirely removes illegals from the country. The study will focus both on agriculture on the Southwest border and urban employers in big cities like New York. Additionally, the study will consider what the options are available concerning workers now in the country. The Department of Agriculture will arrange for task force meetings.

The next Cabinet Committee meeting will be held at 10:30 a.m., Friday, March 21, 1975 in the Office of the Deputy Attorney General. I would hope that Mr. North would be present to explain some Department of Labor studies on the economic impact of illegal aliens.

Attachment
Addressee List





OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 1975

Updated 2/21/75

Cabinet Committee on Illegal Aliens

White House -	Fernando E. C. DeBaca Special Assistant to the President Room 197, Old Executive Office Building (Washington, D. C. 20500)	456-2701 2827-
	Dr. Theodore C. Marrs Special Assistant to the President Room 103, Old Executive Office Building (Washington, D. C. 20500)	456-2735
State	Leonard F. Walentynowicz Administrator Bureau of Security and Consular Affairs Room 6811 Department of State (Washington, D. C. 20520)	632-9576
Treasury	James J. Featherstone Deputy Assistant Secretary, Designate Room 3449 Treasury Department (Washington, D. C. 20220)	964-5054
	David R. Macdonald Assistant Secretary (Enforcement, Operations, & Tariff Affairs) Room 3448 Treasury Department (Washington, D. C. 20220)	964-2033
	Vernon Hann Acting Assistant Commissioner Bureau of Customs Room 804 2100 K Street, N. W. (Washington, D. C. 20229)	964-2416



CONT.

Justice

Jonathan C. Rose
Associate Deputy
Attorney General
Room 4236
Justice Department
(Washington, D. C. 20530)

739-2105

Bruce E. Fein
Counsel to the Director
Office of Justice Policy
& Planning
Room 4233
Justice Department
(Washington, D. C. 20530)

739-2061

Edward W. Scott, Jr.
Deputy Assistant
Attorney General for
Administration
Room 1111
Department of Justice
(Washington, D. C. 20530)

739-3101

James F. Greene
Deputy Commissioner
Immigration & Naturalization Service
Room 7104, Chester Arthur Bldg.
425 Eye Street, N. W.
(Washington, D. C. 20536)

376-8356

John Nahan
Management Analyst
Immigration & Naturalization Service
Room 7003
425 Eye Street, N. W.
(Washington, D. C. 20536)

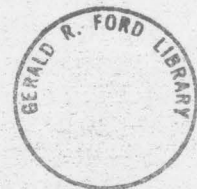
376-8434

Agriculture

J. Dawson Ahalt
Staff Economist
Room 214A, Administration Bldg.
Department of Agriculture
14th & Jefferson Drive, N. W.
(Washington, D. C. 20250)

447-7043

CONT.



Commerce	Karl E. Bakke General Counsel Room 5870 Department of Commerce (Washington, D. C. 20230)	967-4772
	Bernard V. Parette Deputy General Counsel Department of Commerce Room 5870 (Washington, D. C. 20230)	967-4772
Labor	Alfred G. Albert Deputy Solicitor Department of Labor Room 4148 14th & Constitution Ave., N.W. (Washington, D. C. 20210)	961-3821
HEW	Ira Goldstein Special Assistant to the Assistant Secretary for Planning & Evaluation Room 5027, North Bldg. Health, Education & Welfare 330 Independence Ave., S. W. (Washington, D. C. 20201)	245-1865
	William A. Morrill Assistant Secretary for Planning & Evaluation Room 5027, North Bldg. Health, Education & Welfare 330 Independence Ave., S. W. (Washington, D. C. 20201)	245-1858
OMB	David M. Bray Deputy Associate Director for Economics & Government Office of Management & Budget Room 9202 New Executive Office Bldg. (Washington, D. C. 20503)	395-4892
	James N. Purcell, Jr. Chief, Justice-Treasury Branch Office of Management & Budget Room 9220, New Executive Office Building (Washington, D. C. 20503)	395-4516



Domestic
Council

Geoffrey C. Shepard
Associate Director
Domestic Council
Room 234, Old Executive
Office Building
(Washington, D. C. 20500)

456-2562

F. Lynn May
Staff Assistant
Domestic Council
Room 235, Old Executive
Office Building
(Washington, D. C. 20500)

456-6437

NSC

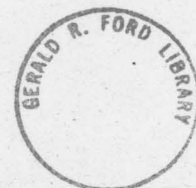
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Affairs
Room 10101
Department of Transportation
400 - 7th Street, S. W.
(Washington, D. C. 20590)

426-4492



*Refer calls
for more
information*

FOR IMMEDIATE RELEASE

*Mr. Hutchinson
739-3123*

JANUARY 6, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

January 6, 1975

MEMORANDUM FOR: THE DOMESTIC COUNCIL

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

SUBJECT: Domestic Council Committee on Illegal Aliens

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

GERALD R. FORD

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

L. WILLIAM SEIDMAN
Biographical Data

L. William Seidman has been Assistant to the President for Economic Affairs, Executive Director of the Economic Policy Board and a member of the Energy Resources Council since September 28, 1974.

Prior to these appointments, Mr. Seidman was Assistant to the Vice President for Administration in the Office of Vice President Gerald R. Ford. Before entering government service, he was National Managing Partner of Seidman & Seidman, Certified Public Accountants in Grand Rapids, Michigan. From 1963 to 1968, he was Special Assistant on Financial Affairs to the Governor of Michigan. He was a member of the Federal Reserve Bank of Chicago (Detroit Branch) and its Chairman in 1970.

Mr. Seidman was born on April 29, 1921, in Grand Rapids, Michigan. He received his A.B. degree (Phi Beta Kappa) in 1943 and his LL.B. degree in 1948 from Harvard Law School. He received an M.B.A. degree from the University of Michigan in 1949. He served in the United States Naval Reserve as a Lieutenant from 1942 to 1946.

He is married to the former Sarah Berry and they have six children. They reside in McLean, Virginia.

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December 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

JAMES H. CAVANAUGH
Biographical Data

James H. Cavanaugh has been Deputy Director of the Domestic Council since July of 1974. He joined the Domestic Council staff in January 1971 to work on health programs. In January 1973, he became Associate Director for Human Resources.

From 1969 to January of 1971, he was Deputy Assistant Secretary of Health, Education and Welfare for Health and Scientific Affairs. From 1966 to 1968, he served as Special Assistant to the Surgeon General of the United States Public Health Service.

Dr. Cavanaugh was a member of the Faculty of the University of Iowa College of Medicine from 1962 to 1966. During 1964 he served as a Visiting Professor and Educational Consultant at the Central University of Venezuela College of Medicine in Caracas.

Dr. Cavanaugh was born on March 3, 1937 in Orange, New Jersey. He received his B. S. degree from Fairleigh Dickinson University in 1959. He received his M. A. degree in 1962 and his Ph. D. degree in 1964 from the University of Iowa.

He is married to the former Esther S. Musselman and they have two children. They reside in Bethesda, Maryland.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

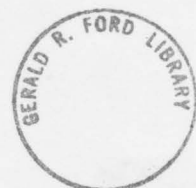
HENRY A. KISSINGER
Biographical Data

Henry A. Kissinger was sworn in as the 56th Secretary of State on September 27, 1973. Secretary Kissinger also serves as Assistant to the President for National Security Affairs, serving until September 19, 1974. Since 1954 he had been a member of the faculty of Harvard University both in the Department of Government, and at the Center for International Affairs. He was Associate Director of the Center from 1957 to 1960. He served as Study Director, Nuclear Weapons and Foreign Policy, for the Council on Foreign Relations from 1955 to 1956, and Director of the Harvard International Seminar in 1951.

Secretary Kissinger is the author of six books and over forty articles on foreign policy. He is a recipient of the Guggenheim Fellowship (1965-66) and the Woodrow Wilson prize (1958) for the best book in the fields of government, politics, and international affairs.

A Summa Cum Laude graduate of Harvard College, he received his M. A. in 1952 and Ph. D. in 1954 from the Harvard University Graduate School of Arts and Sciences. From 1943 to 1946 he served in the Army Intelligence Corps and from 1946 to 1949 he was Captain of the Military Intelligence Reserve. Born May 27, 1923 in Furth, Germany, Secretary Kissinger is the father of two children, Elizabeth, and David, and is married to the former Nancy Maginnes. They reside in Washington, D. C.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

RONALD H. NESSEN
Biographical Data

Ronald H. Nessen has been Press Secretary to the President since September 20, 1974. Mr. Nessen joined the staff of United Press International in Washington in 1956, working there until 1962, when he joined the National Broadcasting Company.

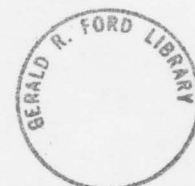
His first NBC assignment was in Washington, where he served from 1962 to 1965 as a White House correspondent during the term of President Johnson. He was assigned to Southeast Asia by NBC in 1965 and covered Vietnam until he was wounded by a grenade fragment in 1966. He returned to Washington and later that year was assigned to New York, where he anchored a weekly Vietnam television report and a five minute daily Vietnam report on the "Today" show.

In 1967, Mr. Nessen received a series of foreign assignments from NBC, covering Latin America, Asia, Africa and then London. He returned to the United States, where he covered the Presidential campaign of 1968. After that, he was based in Washington, specializing in urban affairs. When Gerald Ford became Vice President, Mr. Nessen was assigned to cover most of the 118,000 miles traveled by the Vice President. When President Ford took office in August, 1974, Mr. Nessen became NBC's White House correspondent.

He was born in Washington, D. C., May 25, 1934. Mr. Nessen attended American University, where he majored in history.

He is married to the former Young Hi Song of Seoul, South Korea, and has two children, Edward, 1 1/2 and Caren, 18. The Nesses live in Bethesda, Maryland.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

DONALD RUMSFELD
Biographical Data

Donald Rumsfeld has been Assistant to the President since September 29, 1974. Prior to his appointment he was U. S. Permanent Representative on the Council of the North Atlantic Treaty Organization from February 2, 1973, with the rank and status of Ambassador.

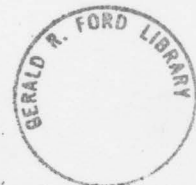
Mr. Rumsfeld was a member of the President's Cabinet from May 26, 1969, to February, 1973, first during his service as Director of the Office of Economic Opportunity and Assistant to the President, (May 1969-1970) and was previously Counsellor to the President. Mr. Rumsfeld also served as Director of the Cost of Living Council from October, 1971, as a member of the Domestic Council from January, 1971, and as a member of the Property Review Board from April, 1970. Mr. Rumsfeld also served as Chairman of the Property Review Board.

At the time of his appointment as Assistant to the President and Director of OEO, Mr. Rumsfeld was a Member of Congress from Illinois' 13th Congressional District. He was a member of the Government Operations, Science and Astronautic and Joint Economic Committees.

Mr. Rumsfeld was born on July 9, 1932, in Chicago, Illinois. He received his A. B. degree from Princeton University in 1954 and served in the U. S. Navy as an aviator and flight instructor from 1954 to 1957. In 1958 he served as Administrative Assistant to Congressman David Dennison of Ohio and in 1959 became Administrative Assistant to Robert P. Griffin of Michigan. He was associated with the investment banking firm of A. G. Becker and Company in Chicago from 1960 until he was first elected to Congress in 1962.

He is married to the former Joyce Pierson and they have three children. They reside in the District of Columbia.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

ROBERT T. HARTMANN
Biographical Data

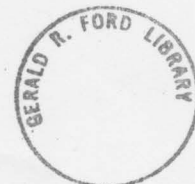
Robert T. Hartmann has been Counsellor to the President since August 9, 1974. Prior to his appointment he was Chief of Staff for then Vice President Ford.

Mr. Hartmann was Minority Sergeant at Arms of the House of Representatives in the 91st, 92nd, and 93rd Congresses and Legislative Assistant to then Minority Leader, Gerald R. Ford, before Mr. Ford became Vice President on December 6, 1973. Mr. Hartmann was formerly the Chief of the Washington Bureau of the Los Angeles Times from 1954 to 1964.

Mr. Hartmann is a native of Rapid City, South Dakota. He spent most of his lifetime in California and received his B.A. from Stanford University in 1938. He served in the Pacific during World War II and is a retired Captain from the United States Naval Reserve.

He is married to the former Roberta Sankey. They reside in Westgate, Maryland, and have two children.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

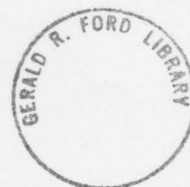
PHILIP W. BUCHEN
Biographical Data

Philip W. Buchen has been Counsel to the President since August 15, 1974.

Prior to his appointment, Mr. Buchen was a senior partner in the law firm of Law, Buchen, Weathers, Richardson and Dutcher of Grand Rapids, Michigan, and served as Executive Director of the Domestic Council Committee on the Right of Privacy. He is a former law partner of the President. Mr. Buchen was a member of the United States Delegation to the INTELSAT Conference which negotiated the definitive arrangements for the International Telecommunications Satellite Organization between 1969 and 1972. From 1969 to 1974, he served on the Board of Directors of the COMSAT Corporation.

He was born on February 27, 1915, in Sheboygan, Wisconsin. Mr. Buchen received a B.A. degree from the University of Michigan in 1939 and a J.D. degree from the University of Michigan Law School in 1941. He is a member of the Michigan State Bar.

Mr. Buchen is married to the former Beatrice Loomis. They have a son, Roderick, and a daughter, Mrs. Victoria Aler. They reside in Washington, D. C.



FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

ROY L. ASH
Biographical Data

Roy L. Ash has been Director of the Office of Management and Budget since February 3, 1973.

Mr. Ash was President of Litton Industries, Inc., of Beverly Hills, California from 1961 to 1974. He co-founded the company in 1953. From April, 1969, to May, 1971, Mr. Ash served as Chairman of the President's Advisory Council on Executive Organization. During its two years the Council, informally known as the Ash Council, made recommendations on Executive Branch organization in a series of meetings with the President. The Council's recommendations led to the President's reorganization plans of 1970 and 1971. Among them was the plan which created the Office of Management and Budget out of the former Bureau of the Budget.

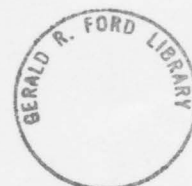
Mr. Ash was born October 20, 1918, in Los Angeles and is a lifelong resident of that city. Although he had no undergraduate work, Mr. Ash graduated first in his class when he received his MBA degree from the Harvard School of Business in 1947.

He was with the Bank of America from 1936 to 1942 and from 1947 to 1949. During World War II, he served with the Air Force and attained the rank of Captain. From 1949 to 1953, Mr. Ash was chief financial officer of the Hughes Aircraft Company.

Mr. Ash has been co-chairman of the Japan-California Association, and immediate past president of the Los Angeles World Affairs Council; trustee of the California Institute of Technology, the Committee for Economic Development and the Urban Institute; and a member of the executive committee of the U. S. -Japan Advisory Council.

Mr. Ash is married to the former Lila M. Hornbeck. They have five children, two of whom are married.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

KENNETH R. COLE, JR.
Biographical Data

Since January 16, 1974, Kenneth R. Cole, Jr. has served as Assistant to the President for Domestic Affairs. Mr. Cole also serves as Executive Director of the Domestic Council.

The Domestic Council, which is comprised of department and agency heads concerned with domestic issues, is responsible for the development and coordination of the President's domestic policies. Mr. Cole handles in the President's behalf, liaison with state and local government officials. The President directed Mr. Cole to work closely with the Vice President, who serves as Vice Chairman of the Domestic Council, other members of the Cabinet, Federal agency heads, Members of Congress, and state and local officials.

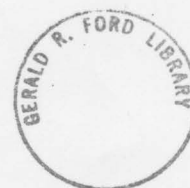
Mr. Cole has served as Director of the Domestic Council since December 14, 1972. Prior to that he served as Deputy Director of the Domestic Council and Deputy Assistant to the President for Domestic Affairs. Mr. Cole was Special Assistant to the President for Domestic Affairs. Mr. Cole was Special Assistant to the President from January to November 1969. He was an executive of the J. Walter Thompson Company in New York City from 1965 to 1968 and joined President Richard Nixon's campaign in February 1968.

He was born in New York City on January 27, 1938, and grew up in Scarsdale, New York, and Westfield, New Jersey. Mr. Cole received his B.S. degree in business administration from Bucknell University in 1959. After graduation he served as Assistant to the Vice President for the Elizabethtown Gas Company, Elizabeth, New Jersey. From 1961 to 1965 he served in the U.S. Navy, rising to the rank of Lieutenant.

Mr. Cole and his wife, Marilyn, live in Bethesda, Maryland, with their two daughters, Corinne and Megan.

Mr. Cole has resigned effective March 2, 1975.

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FOR IMMEDIATE RELEASE

DECEMBER 18, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

JOHN O. MARSH, JR.
Biographical Data

John O. Marsh, Jr. has been Counsellor to the President since August 10, 1974. Prior to his appointment he was Assistant to the Vice President for Defense Affairs.

From 1973 to 1974, he was Assistant Secretary of Defense for Legislative Affairs. Mr. Marsh was elected to four successive terms in the U.S. House of Representatives as a Virginia Democrat. He served as a member of the Appropriations, Veterans Affairs, and Interior and Insular Affairs Committees. He was born in Winchester, Virginia on August 7, 1926. Mr. Marsh, a graduate of Washington and Lee Law School, has practiced law from 1952 until his election to Congress in 1962 and resumed the practice of law in Washington after retiring voluntarily from the House in 1970 to practice law.

Mr. Marsh was named "Outstanding Young Man in Virginia" by the Virginia Junior Chamber of Commerce in 1959. He also received the Distinguished Service Medal of the American Legion's Department of Virginia. A graduate of the Infantry Officer Candidate School, Mr. Marsh is presently a Lieutenant Colonel in the Virginia National Guard.

Mr. Marsh is married to the former Glenn Ann Patterson of Kenbridge, Virginia. They reside in Arlington, Virginia.

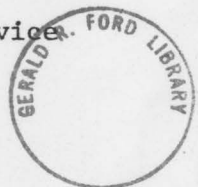
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A host of outside groups are affected by immigration policies; pressure groups in business, agriculture; labor organizations; specific ethnicities, etc. How should their opinions be sought and used?

Almost any approach to the problem of illegal immigrants in the U.S. carries with it certain adverse effects, most notably the potential for the infringement of particular citizens' constitutional rights. The most severe intrusions would be felt by citizens (in some cases second and third generation Americans) whose national origins (or whose parents' or grandparents' origins) happen to be the same as that of large numbers of illegal immigrants. Mexican Americans are particularly severely affected in this way; however the same potential exists for American citizens of Hispanic origin, for Chinese Americans (and other citizens of Asian origin), and for Americans from a number of other foreign countries. The risk is especially great for those who are distinct in appearance and for groups whose major immigration to the U.S. has been relatively recent-- i.e., for those categories of American citizens who are, regrettably, sometimes perceived and recognized as "foreign" or "less American" than earlier and Western European immigrants. For the purposes of the following discussion, these Americans are referred to as "ethnic minorities."

There is often competition between the illegal and his "brother" U.S. citizen. For example, in the southwest illegal immigrants compete with Mexican American citizens for jobs in the agricultural and service industries, and when job displacements affect workers outside of the



Mexican American community, resentment may be created against all Spanish Surnamed people. Moreover, the latter are at a disadvantage in this labor market, since employers can and do exploit the vulnerable illegal immigrants by threats of informing the immigration authorities as to their illegal status, hiring them at substantially lower wages, avoiding the expense of social security and income tax contributions, and frequently laying them off just before final wages are due to be paid. The employers are assisted in this process by an array of "middle-men" who can deliver blocks of illegal immigrant workers at attractive rates, on schedule.

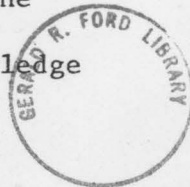
The Mexican American workers, although severely impacted by the practices, have very few alternatives in coping with such a system, and most are distasteful. They are reluctant to turn "informer," helping the INS to apprehend and deport their former countrymen, and even more naturally reluctant to turn-in the employers who engage in illegal practices. This leaves them only the alternative of accepting jobs themselves under the same exploitative conditions as the illegal immigrants in order to obtain work themselves. The effect of this practice, then, is to deny Mexican American citizens the protections afforded American citizens under the law. While one example is cited above, the same pattern shows up elsewhere in the U.S.--of exploitation and unequal competition for jobs between illegal immigrants from a variety of countries and their ethnic minority counterparts who are American citizens. Representative



organizations must be afforded an opportunity to impact the committees thought with their valuable and unique understanding of their own problems and problems and those of the illegal.

The second consequence for ethnic minority citizens flows from attempts to increase our enforcement efforts. By virtue of their visible ethnicity, these minority Americans are subject to being detained on the street--with demands to show evidence of their citizenship (which very few of us carry at all times)--and even to having their homes searched without warning, which are certainly infringements of the equal protection rights of American citizens which would not be tolerated by the vast majority of us. It is very likely that an increase in such distasteful practices would be an inevitable result of any increased pressure on or by the INS for more effective enforcement. More subtly, any increased enforcement campaign also reinforces a negative public image for ethnic minority citizens, which implicit support for various forms of discrimination which they meet in everyday life in the U.S. Again, "feedback" from representative groups is essential to keep the extent of any reaction in proper perspective.

The obvious fact that none of these adverse consequences for ethnic minority American citizens are ever intended by those responsible for enforcement gives little satisfaction in view of the seriousness and the near-inevitability of those consequences. We can and should try to minimize the "fall-out" of our good intentions by seeking the advice of key individuals and organizations who have detailed knowledge



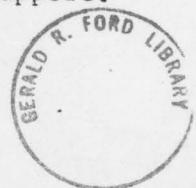
on the subject, before any changes, and maintaining contact throughout. Primarily, these should be groups specialized in immigration problems or which represent the affected ethnic minority citizens. .

HEW's list of important organizational contacts is Attachment A; some methods for obtaining their inputs are suggested in Attachment B; and issues on which their inputs might be most useful are identified in Attachment C.

The outside group's inputs should be used to indicate directions of modifications in our national immigration policy; to clarify, elaborate on, support or reject, information; and to formulate legislation on this issue.

HEW recommends that each member Department be made responsible for the input of its constituent groups into the Committee's proceedings, although this should certainly be accompanied with official recognition from the Committee. Towards that end, HEW proposes that it act as the "contact point" for the organizations in Attachment A, in coordination with appropriate White House staff.

Finally, it is very important that these individuals and organizations be contacted in the formulation stages and before the Committee forwards any recommendations to the President, in order to insure that the Committee recommendations can have the broadest possible public support.



Attachment A

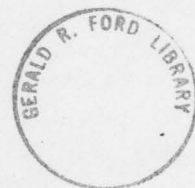
The following list, by no means exhaustive, includes examples of individuals and organizations which are knowledgeable about the illegal immigrant issue:

Center for Migration Studies
ATTN: Carlo De Rege
209 Flagg Place
Staten Island, New York 10304
212/351-8800

The center is concerned with researching various migration issues at the national and international levels and has extensive resources on migration. The center publishes a monthly sociological paper, Migration Today, which has presented several pieces on the illegal aliens issue both in the U.S. and elsewhere.

Nationalities Service Center of Philadelphia
ATTN: Michael Blum
1300 Spruce Street
Philadelphia, Pennsylvania 19107
215/KI 5-6800

A United Fund Agency affiliated with the American Council for Nationalities Service. It was organized in 1721 to help persons from other countries, regardless of race, creed or nationality, with their orientation and adjustment to the United States.



East/West

768 Commercial Street
San Francisco, California 94108
415/781-3194

A weekly Chinese-American journal with the majority of articles addressing all Asian Americans. In 1974, East/West published several articles on Asian immigration including the issue of illegal aliens.

Japanese American Citizen's League

1730 Rhode Island Avenue, N.W. #204 (National Office)
Washington, D.C. 20036
202/223-1240

A civil rights organization begun in 1930 with six regional offices. Primarily a legislative lobby for Japanese and Asian American issues. Major involvement in 1965 immigration legislation; particularly repeal of Asian quotas.

China Institute of the United States

ATTN: N.T. Yung
Research Section
212/744-8181

The research section has a wealth of data on Chinese Americans particularly in the New York Area.



Demonstration Project for Asian Americans, Seattle

ATTN: Dorothy Cordova
1608 East Jefferson
Seattle, Washington 98122
206/322-0203

The purposes of this project are to identify barriers and service gaps in the receipt of social services by the Asian American communities and to develop methods to overcome those gaps and barriers. The current target populations are under and unemployed immigrant health professionals and Asian war brides, although the staff is very knowledgeable on a variety of Asian Americans issues.

Chinese for Affirmative Action

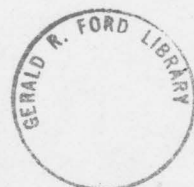
ATTN: Henry Der
669 Clay Street #3F
San Francisco, California 94111
415/398-8212

A civil rights and affirmative action organization for Chinese and Asian Americans in the areas of media, education and employment since the 1960's.

League of United Latin American Citizens (LULAC)

Joe Benites, President
3033 North Central Avenue #402
Phoenix, Arizona 85012
602/263-5291

LULAC is a 45 year old non-partisan, non-profit national organization, which is dedicated to the promotion of the social, educational and economic interests of Spanish Surnamed Americans.



American GI Forum

Antonio Morales, National Chairman
3417 S. Main
Fort Worth, Texas 76110
817/335-1930

The American GI Forum is an organization composed of veterans and active duty service members dedicated to improving the quality of life for Spanish Surnamed Americans.

Mexican American Legal Defense Educational Fund (MALDEF)

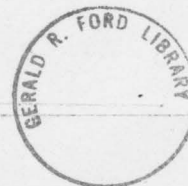
Vilma Martinez, President and General Counsel
148 9th Street
San Francisco, California 94103
415/626-6196

MALDEF is involved in litigation cases of the civil rights and constitutional rights concerning Spanish Surnamed Americans.

National Council de la Raza

Raul Yzaguirre, National Chairman
1025 15th Street, N.W., 4th Floor
Washington, D.C. 20005
202/659-1251

The National Council de la Raza is a civil rights organization that develops social science and economic research capabilities with regards to issues effecting Hisp^a-nic Americans.



United States Catholic Conference
1312 Massachusetts Avenue, N.W.
Washington, D.C. 20005
202/659-6876

Secretariat for the Spanish Speaking National Conference of
Catholic Bishops/United Catholic Conference - provides advocacy
for the Hispanic community.

Division for Migration and Refugee Services/US Catholic Conference -
provides services on the immigration and illegal alien problem of
the country.

Urban Coalition (Task Force on Illegal Aliens)
1201 Connecticut Avenue, N.W.
Washington, D.C. 20036

The Urban Coalition has established a subcommittee of the steering
committee made up chiefly of Spanish Surnamed Americans of the
board. This group studies the legislation concerning illegal immigrants.

Autonomous Center for Social Action (CASA)
Javier Rodriquez, President
2673 W. Pico Blvd.
Los Angeles, California 90006
213/487-4171

CASA, which was established in 1968, deals with the legislation and
immigration laws that affect the undocumented workers of this country.

The Good Neighbor Commission
P.O. Box 12007
Austin, Texas 78711
512/475-3581

The Good Neighbor Commission is a state agency which deals with some
of the problems of migrant workers

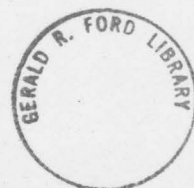


Attachment B

Both letter and telephone communications are suggested. A letter should be sent first which introduces Federal concern about the issue and explains why we have contacted them specifically.

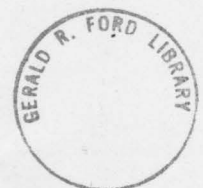
After some designated time period, which should be stated in the letter, we should follow with a telephone call to confirm and/or clarify written responses as well as allow respondents to pose questions to us.

Finally, should the Committee desire, representatives of a few of these organizations might be requested to meet personally with the Committee or its designated representatives for further discussion of specific issues.



Attachment C

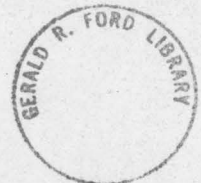
1. Ways to improve current national policy
 - a. Humane and realistic treatment of those already here and those who are sent back to their country.
 - b. Humane and realistic treatment of those coming in now and in the future.
2. An operational definition of "illegal immigrants"
3. The pros and cons of obtaining data on the following characteristics of illegal immigrants
 - a. Numbers
 - b. Socio-economic status: education, income, employment
 - c. Length of residence in U.S.
 - d. Marketable skills
 - e. Utilization of social services
4. Concerns and problems of illegal immigrants when they enter this country
5. Contributions of illegal immigrants to U.S.
6. References, data, etc., on this issue
7. Additional comments



DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS

State Department Recommendations on the
Structure, Issues and Time Frame
for the Work of the Committee

Throughout our history this country has been one of the world's major sources for immigration, if not the principal one. There is no indication that this phenomenon has changed. Indeed, the United States remains one of the, if not the, most desired destination for persons throughout the world motivated to leave their current domicile. Over the years, the attitude of the United States toward this phenomenon has changed as social, political, and economic conditions, as well as the public's perceptions of them, have changed. For the first century of our national existence, this country followed a policy of unrestricted immigration and established no techniques for regulation of immigration since there were no restrictions or requirements requiring implementation. Beginning in 1875 a process of regulation and restriction of immigration was begun which culminated in the Act of February 5, 1917, establishing the basic qualitative restrictions, and the Immigration Act of 1924, establishing quantitative restrictions. The Immigration and Nationality Act of 1952, with subsequent amendments--most notably in 1965, represents essentially a refinement and codification of the two earlier statutes.



We have now arrived at what would appear to be a crossroads in this field. For example, the pressures on persons in other countries, especially in Latin America and the "Third World" to emigrate increase as birthrates continue to outstrip economic growth. Further, political unrest is causing many people to relocate. Besides increased educational opportunities as well as the impact on instant communication and travel systems have reinforced generally the desire and opportunity of people to move about the world. Thus, the "push" factors are reinforced by the ever-broadening nature of the "pull" factors of the United States. Recent experience shows that in countries such as India and Korea, which 50 years ago largely ignored the existence of the United States, thousands, if not hundreds of thousands, and potentially millions, of persons are seeking to immigrate legally or illegally to this country.

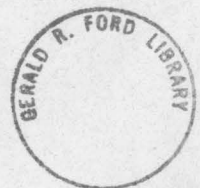
At the same time, a conjunction of circumstances in this country raise more forcefully than ever before the question of our traditional benevolent attitude toward immigration. Demographic considerations raise questions of the country's continuing ability to absorb immigrants. There appear to be substantial questions in the minds of many about the desirability and feasibility of continuing to pursue a policy of unlimited growth. The current



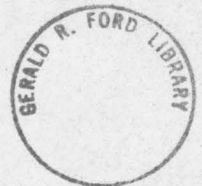
economic situation and the energy crisis also pose serious problems for our economic situation. Thus, it would appear that it is time to reconsider our overall immigration policy.

In addition, any immigration policy this country might follow, other than one of unlimited immigration, implies techniques for implementing the restrictions to be imposed. Existing techniques are essentially those adopted more or less inadvertently during and immediately following World War I, although with modernizations. Because of the rapidly increasing nature of the "push" factors and of the fact that persons now feel these impulses in virtually every part of the world, questions arise as to the adequacy of traditional control techniques and the possibility of adopting others. Some of the potential alternatives have political and philosophical implications of the broadest kind.

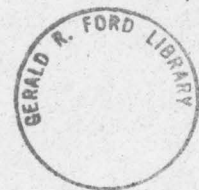
For these reasons, the Department is convinced that a thorough, serious overall study of the questions raised is urgently required. All issues presented in the enclosures to the Attorney General's memorandum of January 17 are directly or collaterally related to the problem and all, thus, require consideration. The Department believes that the necessary first step in this process is the



establishment of a full-time professional staff, apart from the personnel now regularly employed in particular positions in the concerned Executive agencies, for the sole and explicit purpose of conducting necessary studies of these issues for this Committee. In essence, the organization should be in the nature of a Presidential Commission, having a defined life span and having funds obligated for the necessary staff. It is furthermore our view that the life span of the organization thus created must be not less than two, and perhaps as much as four, years for there to be a reasonable expectation that it will be able to make a meaningful study of the many broad issues which are involved. Also, the organization should have the broadest possible authority to inquire into not only the issues already identified, but also any additional ones that may arise during the course of the studies, together with very broad authority to call upon government agencies and private persons or organizations having information, knowledge or expertise which will contribute to the studies. In this connection it is worthy of note that the 1917 and 1924 acts, as well as the Immigration and Nationality Act of 1952, were the result of studies made by organizations of this type and conducted over several years.



It is the Department's opinion that the first task of this Committee should be to create, or to recommend the creation of, an organization of the kind and with the status described above for the purpose of undertaking the necessary study.



MEETING ON WESTERN HEMISPHERE IMMIGRATION
POLICIES AND THE ILLEGAL ALIEN PROBLEM

WASHINGTON, D.C.

FEBRUARY 11-12, 1975

February 11 -- Quality Inn, Room A and B

1:00 p.m. - 2:00 p.m. Introductory Remarks

John E. McCarthy

Paul Sedillo, Jr.

Francis (Frank) X. Doyle

2:00 p.m. - 3:00 p.m. The National Scene

Fernando E. C. de Baca

Special Assistant to the President
on the Spanish Speaking

Kenneth J. Meikeljohn

Legislative Representative

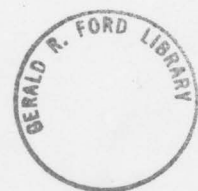
AFL-CIO

Donald G. Hohl

MRS - USCC

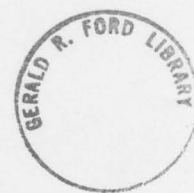
3:00 p.m. - 3:30 p.m. Question and Answer Period

3:30 p.m. - 5:00 p.m. Presentation of Views by Participants



February 12 -- Bishops Meeting Room, U.S.C.C. Headquarters

9:00 a.m. - 10:30 a.m.	Presentation of Views (Cont.)
10:30 a.m. - 10:45 a.m.	Summary of Action Taken in 93rd Congress and Proposals of 94th Congress Donald G. Hohl
10:45 a.m. - 11:30 p.m.	Reactions to Congressional Bills by Participants - Western Hemisphere and Sanctions
11:30 a.m. - 12:30 p.m.	Specific Legislative and/or Administrative Proposals by Participants - Western Hemisphere and Sanctions
12:30 p.m. - 1:00 p.m.	Proposed Future Actions
1:00 p.m.	Luncheon



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Catholic Services for Immigration
1801 W. Durango
San Antonio, Texas 78207
(512) 222-9006

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Washington, D.C. 20500

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United Farm Workers Organizing
Committee, AFL-CIO
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(805) 822-5571

Most Rev. Patricio Flores
Auxiliary Bishop of San Antonio
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San Antonio, Texas 78284
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Israel Leyton
Executive Secretary
The Latin American Secretariat
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Paterson, New Jersey 07505

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Rev. Antoine Adrien
Haitian Fathers
915 Putnam Avenue
Brooklyn, New York 11221

Rev. Anthony J. Bevilacqua
Vice Chancellor
Diocese of Brooklyn
75 Greene Avenue
Brooklyn, New York 11238

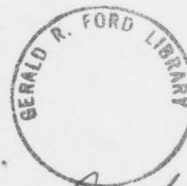
Rev. Jose Alvarez
Communications Office
Archdiocese of New York
1011 First Avenue
New York, New York 10022

Rev. Guy Sansaricq
Sacred Heart Church
115-58 222nd Street
Cambria Heights, New York 11411

Raul Yzaguirre
National Council of La Raza
1025 15th St., N.W.
Washington, D.C.

Jose Juarez
Spanish Speaking Catholic
Commission

Ricardo Parra
MWCLR



United States Catholic Conference Washington, D. C. - Staff

John E. McCarthy, Director, Migration and Refugee Services

Paul Sedillo, Director, Secretariat for the Spanish Speaking

Frank Doyle, Assistant Director, Government Liaison

Frank Monahan, Assistant Director, Government Liaison

Msgr. George G. Higgins, Secretary for Research

Donald G. Hohl, Assistant Director, Migration and Refugee Services



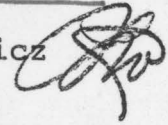


DEPARTMENT OF STATE
ADMINISTRATOR
BUREAU OF SECURITY AND CONSULAR AFFAIRS
WASHINGTON

FEB 26 1975

February 28, 1975

TO: Agency Representatives, Domestic Council
Committee on Illegal Aliens

FROM: Leonard F. Walentynowicz 

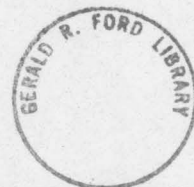
Enclosed please find a copy of our preliminary thoughts on the issues we were requested to comment on.

As we indicated in our initial paper, only a definitely chartered group will give this subject the kind of study, comprehensive review and ultimate output it deserves.

Recently, the Canadian Government issued what they call a "green paper" on basically the same subject. We have secured copies of same. In addition, we have had the pleasure of discussing said "paper" with Mr. John Hadwen, Director General of the Bureau of Consular Affairs of the Canadian Government, and he has provided us with some valuable insight into their approach and possible solutions of this problem. Significantly, they did create and use a group of the type we have suggested. While we realize that there may be some Congressional limitations on the use of combined funds from different agencies to support such a group, it appears that funding could be provided by the Domestic Council through the President's office.

Regardless of what approach we use, it is important that we seek and arrive at appropriate solutions with all due deliberate speed since it is reasonably expected that the population of the world will double in the next decade and, therefore, exacerbate the difficulties already present.

Enclosure



Domestic Council Committee on Illegal Aliens

To What extent is our policy on illegal aliens the result of the aims of our foreign policy?

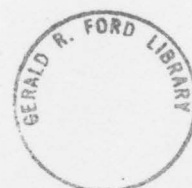
Traditionally, United States immigration policy has not been primarily determined by foreign policy considerations, although it has had - and continues to have - substantial foreign policy implications. In general, United States immigration policy has been reactive in nature, developed usually to meet problems after they had arisen and been perceived. As a result, questions relating to migration have become substantial foreign policy issues only after some conflict has occurred.

Mexico is the only country with which the "illegal alien" phenomenon - as opposed to migration policy in a broader sense - has become an important foreign policy issue. It has been informally stated that the problem of illegal migrants from Mexico has become the principal bilateral issue between the United States and Mexico. There is, however, no reason to believe that domestic enforcement activities designed to control illegal entry and/or unauthorized employment after entry have been affected by this fact. On the other hand, the United States Government has made efforts to elicit from the Government of Mexico cooperation in the control of illegal entry by



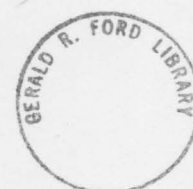
Mexican nationals. It should be noted that this "illegal alien" problem is merely the outward sign of two fundamental issues in migration generally - restrictions over the entry of aliens by the United States and population pressures in Mexico which force a portion of the population to seek economic betterment outside the country. In a broader sense, United States notions of migration policy are also reflected in the Jackson-Vanik amendment to the Foreign Trade Bill. The Jackson-Vanik amendment is basically an expression of the view that, as a matter of policy, all countries should permit free emigration. While there has been no explicit statement tying this expression of policy to United States policy on the admission of aliens, there is necessarily an implicit commitment to admit at least some of those aliens permitted by other countries to emigrate under a policy of unrestricted emigration. In other words, all advocates of free migration must consider not only departure of people, but also where they will be resettled.

Although in a general sense foreign policy considerations have not been decisive in determining United States immigration policy, it is not possible to separate the visa issuance and refusal process entirely from foreign policy considerations. Consular officers adjudicating visa



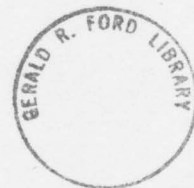
applications live and work in the society of the country to which they are assigned and the official and unofficial attitudes toward the performance of this function which they encounter cannot fail to have a psychological impact upon them. This is especially true in the adjudication of nonimmigrant visa applications, since the consular officer does not, in such cases, ultimately have an explicitly enunciated, objective standard to which he can repair, but is rather required to make an evaluation of the credibility of individual applicants. Most applicants will state for the record that their purposes in going to the United States are such as would render them eligible to receive the category of nonimmigrant visa for which they have applied.

On the other hand, the consular officer's thought process can also be influenced by domestic factors. The general attitude in the United States inevitably also affects him in this way. General factors such as the economic situation, emphasis on facilitation of travel and tourism and others all condition domestic attitudes toward the admission of alien travellers. In addition, expressions of particular interests and view points enter into this process. The sum of all these considerations cannot fail to be reflected in the consular officer's evaluation.



While it is impossible to document cases in which the evaluation process has been directly or overtly influenced by these factors, the Department believes it to be unrealistic to fail to recognize that a consular officer's thought process in considering nonimmigrant visa cases could not be wholly unaffected by the knowledge that his actions are being critically scrutinized by the community in which he must live and work for the duration of his assignment and by the domestic attitudes he feels behind him.

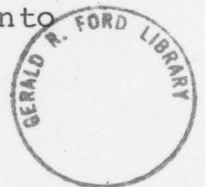
Although there is evidence which might indicate that this phenomenon has resulted in consular officer's taking the line of least resistance in some situations, there is also evidence that in other cases it has resulted in a hardening of the attitude of the consular officer. In the final analysis, factors such as this are difficult to evaluate in overall terms, since their effect is heavily dependent upon the personality and temperament of the individuals upon whom they operate.



Domestic Council Committee on Illegal Aliens

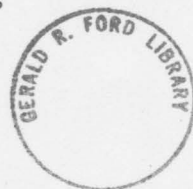
Can we continue to freely admit people into the country and encourage visitors from foreign lands, and yet control those persons while they are here and ensure they leave on time?

The question of control of aliens entering the country for temporary purposes is one of the fundamental issues in United States immigration policy. For all of the well-known social, political and economic reasons the United States remains the desired destination for a great percentage of persons throughout the world who feel pushed to leave their native countries. It must be recognized that, just as there are oil-producing countries, there are also people-producing countries, and the current rate of population growth in many of these countries is such that economic development of them at rates within the realm of the conceivable will simply not provide for many of those people a decent living. They are, thus, faced with the necessity of moving elsewhere or facing, ultimately, starvation. In addition, there are those who, while not starving, feel they can better themselves elsewhere. Because of the attractiveness of the United States, many of them seek to come here. Because of our numerical and qualitative restrictions on immigration, all but a very few of them will be unable to do so through the standard legal procedure. Thus, the pressure to achieve entry into



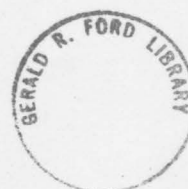
the United States either surreptitiously or in the guise of legitimate temporary visitors, students, etc., is intense and can only increase with the passage of time. Our existing system for the control of temporary admission is, conceptually, an integrated approach to this problem. The Immigration and Nationality Act requires aliens seeking to enter the United States to be in possession of a valid visa of a category appropriate for the alien's purpose of entry, although there is authority in the law for a waiver of this requirement in limited circumstances. The Act also provides for a \$1,000 fine upon a carrier who brings to a port of entry an alien who is required to be in possession of a visa but who does not possess one. Thus, the alien is directed into the visa application process, unless he falls within one of the limited exempted categories.

In the visa application process, the consular officer must, first, decide what is the proper category of visa for the alien, given his purpose for travel to the United States, and must, second, decide whether the alien is qualitatively eligible to receive a visa. The first of these two decisions generally is the more difficult one since the proper category of visa is determined by the alien's intentions, thus making it necessary to attempt to evaluate the alien's credibility and the truth of his assertions as to his intentions.



The procedures under the Act are completed at the port of entry. An officer of the Immigration and Naturalization Service has the statutory authority and responsibility to make an independent determination with respect to each of these issues, whether or not the alien is required to be in possession of a valid visa.

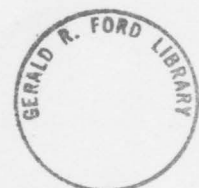
This process is complicated by an additional factor, beyond those mentioned elsewhere in this and in other papers. The intense pressure on aliens to gain entry into the United States, together with the long-standing existence of the general scheme for control, as outlined above, have led to greatly increased sophistication in the subterfuges and other devices employed to negotiate the process successfully under false pretenses. Consular officers abroad are engaged, as are immigration officers in the United States, in a never-ending contest of wits. As soon as one fraudulent device is detected and rendered useless in one area, it is replaced by another in that area and it crops up elsewhere. There is a constant need for both lateral co-ordination and more penetrating investigation. There is a constant interplay of conflicting considerations and pressures. The legitimate traveller should not be harassed or unduly delayed, but the prospective violator must be uncovered.



Once the alien has been admitted into the United States, control over his subsequent activities is unsystematic. The Immigration Service maintains records of aliens admitted and is able to identify those admitted temporarily who have failed to depart when required. There does not exist, however, a systematic control mechanism either for the surveillance of aliens to detect those who may violate their status by unauthorized employment or for ensuring that aliens not authorized to work are excluded from the labor market.

Amendments to the Social Security legislation in 1972, under which an applicant for a Social Security account must establish his identity and citizenship or alien status could provide a foundation upon which such a system might eventually be built. Legislation currently pending in the Congress to establish a penalty on the employer who knowingly hires an illegal alien could also, if enacted, evolve into such a system.

Over the longer term, the possibility of eventually establishing a national identity card system must be considered, since such a system, together with a technologically improved system of documentation for alien residents could provide the ultimate solution to the problem of control over temporary aliens. Such a system, including explicit



statutory prohibitions against unauthorized employment with penalties for violation, would virtually eliminate this as a major problem in this country.

The question is then presented whether any measures short of such a system can provide the desired control over aliens admitted temporarily and thus allow us to continue to encourage temporary travel to this country. The Department does not consider that it has an ultimate satisfactory answer to that question, although there is reason to believe that for the immediate future something less than such a system will be sufficient for the purpose.

It has been alleged that the existing system not only does not work to accomplish this end, but also that it cannot be made to do so, irrespective of the resources that might be committed to its implementation. On the other hand, there is evidence that implementation of the existing system has been seriously hampered by a lack of resources.

It is possible that more effective implementation of the existing system, coupled with enactment of legislation to penalize employers who give employment to aliens not authorized to be so employed, and to prevent unauthorized self-employment will accomplish the desired goal. Furthermore, we do not believe that there is any hard evidence to indicate such an approach would have collateral disadvantages such as unduly impeding commerce and trade. It is the Department's view that this question should be accorded a very high priority by this Committee.

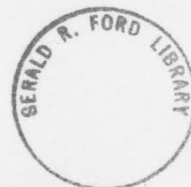


Domestic Council Committee on Illegal Aliens

A host of outside groups are affected by immigration policies; pressure groups in business, agriculture; labor organizations, specified ethnicities, etc. How should their opinions be sought and used?

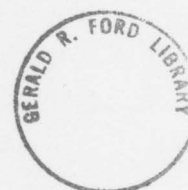
The Department believes that the groups to which reference is made will actively seek to present their views to this Committee and to see to it that their viewpoints are at least considered, if not given controlling weight, in the consideration of possible changes in existing immigration policy. It is, and always has been, a fact that these groups are not only affected by immigration policy, but also affect and sometimes determine it. There is no reason to believe that it will be otherwise in this instance.

The Department therefore believes that the manner in which this Committee undertakes to obtain their views and in which it takes them into account is of great significance. In this respect, we believe that recent actions by the Canadian Government are of considerable interest. Canada is also currently reviewing its immigration policy. The Government began a study of immigration policy with the original goal of developing legislation for introduction in Parliament.



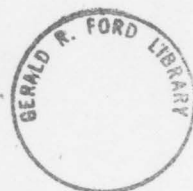
As the study was carried on, it became apparent that this issue is of such great sensitivity and is one on which there are so many partially or totally divergent views that the Government might well find itself in a most difficult position if it became identified with a specific legislative proposal before public debate on the question had begun.

As a result, the Canadian Government has published a very general statement of principle on immigration, outlining in the broadest terms the underlying principles which it believes should be the basis for an immigration policy--management of population growth, reunification of families, humanitarian concern for refugees, etc.--but without entering into specific details of the manner in which those principles should be implemented legislatively. A special commission has been created to hold public discussions of these questions throughout the country over a three to six month period, both to generate public interest and comment on these questions and also to provide a forum and general framework for the useful channeling of this debate. It is anticipated that, after completion of this initial phase, the Government will then develop and introduce in Parliament a revised immigration bill which will reflect the views and ideas expressed in the initial phase. The legislative process will then be undertaken and it is anticipated that new immigration legislation will become law sometime in 1976.



Obviously, the Canadian parliamentary system of government lends itself more readily to this systematic approach than does our own. Nevertheless, the Department believes that there are useful lessons in this process for our own activities. We believe that the Administration should refrain from committing itself to a particular legislative direction before the various groups which will wish to express their views and ideas have been given an opportunity to do so. We believe further that the process of soliciting views from the public or portions thereof should be a relatively short one, both to avoid its degenerating into a divisive argument and to prevent the issue from becoming a stale one in which the public loses interest because of the length of the process.

The procedures for soliciting views - public hearings in Washington or around the country, presentation of written comments, etc. - are matters which can and should be resolved as part of the general process of establishing the working procedures of this Committee. Although the Department sees considerable value in the "town meeting" approach of public discussions of these matters in different areas of the country.





THE DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

FEB 26 1975

ASSISTANT SECRETARY

FEB 26 1975

MEMORANDUM FOR: Domestic Council Committee
on Illegal Aliens (Attention:
Mr. Jonathan C. Rose)

FROM: David R. Macdonald *D.R.M.*
Assistant Secretary (Enforcement,
Operations and Tariff Affairs)

SUBJECT: Circulation of Illegal Alien Papers

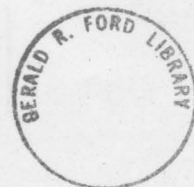
The attached is a memorandum prepared by the
Commissioner of the Internal Revenue Service.

Although at the first meeting of the Committee
no issues were assigned to Treasury for comment,
certain questions were raised by persons in atten-
dance, and the Commissioner's memorandum discusses
those.

As the attached memorandum discloses, IRS will
send a representative to the next meeting of the
Committee.

Attachment

cc: The Hon. Laurence H. Silberman



Internal Revenue Service
memorandum

date: FEB 25 1975

to: David R. Macdonald
Assistant Secretary (Enforcement,
Operations and Tariff Affairs)

from: Commissioner of Internal Revenue

DM

subject: Domestic Council Committee on Illegal Aliens

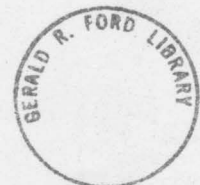
This is in response to the questions you raised, on the above subject, in your memorandum of February 14, 1975. For your convenience, we have restated your questions, and supplied our responses immediately after each question:

Question: (1) Whether illegal aliens were paying their taxes and whether the device of terminating taxable years should be used in cases involving illegal aliens?

Answer: A 90-day test to determine the feasibility of an IRS/Immigration and Naturalization Service (INS) inter-agency effort to improve compliance with Federal tax laws by apprehended illegal aliens was completed in June 1974. The duties of IRS personnel were geared to obtaining required income tax returns from illegal aliens who have been apprehended and were in the process of being deported.

The vast majority of illegal aliens interviewed during this test had no taxes withheld from their wages, were claiming high numbers of exemptions to avoid paying taxes, or simply had no intention of paying any Federal taxes.

The test program, which was conducted in four cities, resulted in a total of 1,699 aliens being interviewed and 1,090 returns secured. During the test a total of four terminations were requested and approved. Although the termination procedure had limited use in this program, the mere existence of the termination procedure was a valuable tool in achieving voluntary compliance. Consequently, we believe that termination procedures should be utilized on a limited basis when the need arises. We are opposed to blanket use of termination procedures because of the considerable costs and administrative problems which would ensue.



Mr. Macdonald, Assistant Secretary
(Enforcement, Operations and Tariff Affairs)

This test substantiated a long-held belief that illegal aliens in the United States represent an area of noncompliance. In view of this, we have contacted INS and discussed the continuation of this program on a broader scale. They have indicated their enthusiasm for an expanded program. We are presently in the process of writing the guidelines for this new program, which will involve a total of 16 cities across the United States.

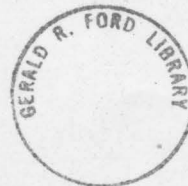
Question: (2) How many deductions can be claimed by an individual taxpayer on his withholding statement?

Answer: In essence, the Internal Revenue Code states that an individual taxpayer, whether an illegal alien or legal alien, may claim all legal exemptions, so long as that individual is a citizen of a contiguous country to the United States. If that individual is not a citizen of a contiguous country, he may claim only one exemption.

Question: (3) Whether known employers of illegal aliens can be audited to determine whether they are transmitting Social Security contributions to the Government?

Answer: We are presently developing a test program (for implementation this fiscal year) involving the joint cooperation of the Internal Revenue Service, Immigration and Naturalization Service, and the Social Security Administration. The basic thrust of this project will be to secure the payment of withholding taxes by employers of illegal aliens. Upon apprehension of an illegal alien, INS agents routinely prepare specific INS forms showing the alien's employer, address, and other pertinent information. For purposes of this test, INS will associate their forms which show a common employer. Where a common employer is shown on five or more of these records, the records will be forwarded to the participating IRS district office having responsibility for the geographical area in which the employer is located.

Upon receipt of the INS forms, IRS will determine whether the employer has filed Form 941, Employer's Quarterly Report, for the period(s) of employment indicated on the attached INS forms. If no return has been filed, the entire case will be assigned to the field for personal contact. If a return has been filed, a "Request for Social Security Earnings Information", will be forwarded to the Social Security Administration (SSA). Upon receipt of the SSA information, one of the following procedures will be completed:



Mr. Macdonald, Assistant Secretary
(Enforcement, Operations and Tariff Affairs)

1. If the alien's wages were properly reported, the case will be closed.
2. If the wages were not reported or were under-reported, the case will be forwarded to the district office for examination of the employer's return.

We have also reviewed the possibility of adopting a "universal identification card" as mentioned on Page 6 in the General Statement of Intent of the Domestic Council Committee on Illegal Aliens. Although we agree that something must be done to ensure tax compliance with regard to nonresident and illegal aliens, we are equally opposed to a "universal identification card." The issuance of an identity card to all persons employed in the United States would have limited usefulness and would tend to create an Orwellian atmosphere, which would be totally unacceptable to the public. Legislation aimed at the employers of aliens would be a more direct method in which to enforce the Federal tax laws, when coupled with strong and effective compliance programs.

I plan to designate a Service official to attend the next meeting of the Council and will let you know the name of that official in a few days.





DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

FEB 26 1975

Feb. 25, 1975

MEMORANDUM FOR AGENCY REPRESENTATIVES TO THE
DOMESTIC COUNCIL COMMITTEE ON ILLEGAL ALIENS

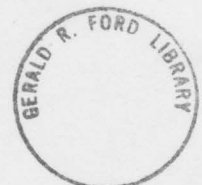
Subject: Issues Assigned to HEW for Comment

As agreed at the initial meeting of the Domestic Council Committee on Illegal Aliens, you will find attached this Department's papers on four of the issues identified by the Attorney General's memorandum of January 17, 1975.

It is important to note that the data and discussion contained within the attached papers represent the best possible within the two-week time allowed, but are significantly less than comprehensive or statistically reliable. In fact, the very nature of the problem makes accurate data difficult to collect or assess. We have, however, attempted to identify the available information, and to present it with the necessary caveats, so as to provide the Committee with a starting-point for its deliberations.

William A. Morrill
Assistant Secretary for
Planning and Evaluation

Attachments



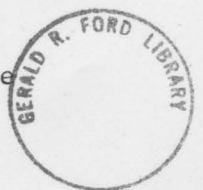
How do illegal aliens contribute to the rising costs of welfare and unemployment insurance? 1/ Have there been any studies comparing costs in those areas where they congregate and those in which they do not? Can studies be funded and launched through HEW?

The only reliable data on welfare costs associated with illegal immigrants 2/ are those produced by HEW's Quality Control program. Initiated in 1973, this program involves spot-checking a statistically valid sample of each state's AFDC caseload for a potentially wide range of errors, one of which is designated as "error due to citizenship and alienage program element." Ten states were found to have errors of this type: Arizona, California, Colorado, Connecticut, District of Columbia, New Mexico, Pennsylvania, South Carolina, Tennessee and Texas. The number of error cases of this type which were estimated based upon the sample check as of March 1974 ranged from 22 (New Mexico) to 2,323 (Pennsylvania). California, with 660 cases, and Texas, with 586, were the only other states with more than 75 cases. As a proportion of the total cases in error for all causes, those related to "citizenship/alienage" ranged from a low of 0.3% (Tennessee) to a high of 3.2 (Pennsylvania) among the ten states.

Estimates of the funds involved in these AFDC cases are more speculative, since there is no record of just what proportion of each case is actually in error. That is, a "case" may involve an entire family, and the "citizenship/alienage" error may only affect one member of the family, so that only a small portion of the total monthly payment is in error. If we ignore this, and assume that the entire payment is in error for all of the estimated cases related to

1/ This paper addresses the issues as they apply to welfare. The Department of Labor is addressing the unemployment insurance issue.

2/ From the point of view of American citizens of Hispanic and Asian background, "illegal aliens" is connotatively negative--"illegal immigrants" is used in this discussion as a preferable alternative phrase.



"citizenship/alienage" error, the funds involved would amount to 0.1% of total federal and state AFDC funds for one year, at very most. This represents some \$7 million, which may be as much as 50% in error, due to the nature of the sample and "entire payment" assumption. The true figure may be closer to \$3 million.

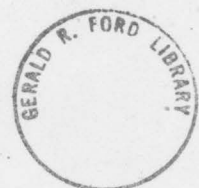
No figures are available with respect to the Supplementary Security Income (SSI) program, a means-tested program of public assistance for low income elderly, and in some cases, blind and disabled persons, formerly administered by the states but transferred to federal (HEW) control recently. To be eligible for SSI, an individual, in addition to meeting other requirements, must be either (1) a citizen of the United States, or (2) an immigrant lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law. An "illegal" immigrant is not eligible for supplemental security income and any claims filed by such immigrants are disallowed. However, we do not have any data at this time to indicate how many "illegal" immigrants may be on the supplemental security income rolls.

It is important to note, however, that it is unlikely that the number of illegal immigrants collecting SSI could be very substantial, since very few illegal immigrants would at present, meet the basic requirements of age (over 65), blindness or disability. The evidence we have indicates the illegal immigrant is typically 21-61 years of age and able-bodied.



As far as can be determined in the time frame allotted, none of HEW's agencies has any research underway, nor is any planned, on the costs attributed to illegal immigrants in any of the Department's welfare programs. Two studies were conducted in the past two years--one on Asian Americans and one on Migrant Workers--but neither of these attempted to address the issue of illegal immigrant status directly.

The above data represent information which could be obtained since the Committee's first meeting. HEW may be able to identify more complete information in the future, should the Committee so desire.



What is the impact on health delivery costs of the illegal alien?

Available data on the impact of illegal immigrants^{1/} on health delivery costs are largely speculative, and are focused on out-patient, ambulatory services. Three programs constitute the major areas which might absorb health delivery costs from illegal immigrants: Migrant Health, Medicare and Medicaid. The first two are discussed below, and Medicaid is addressed within the paper on welfare costs.

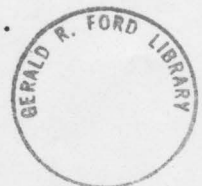
The Migrant Health Program, administered by HEW, provides the best source of information, since it focuses on agricultural workers--a group which may be expected to include the largest proportion of illegal immigrants (e.g. 58% of Mexican illegal immigrants are in agricultural work^{2/}). This program is often the major, if not exclusive supplier of health services in many rural areas. Thus, if the migrant worker who is an illegal immigrant requires health services, he or she would be most likely to utilize a migrant health facility.

In FY '75 the Migrant Health Program estimates that 390,000 people (approximately 13% of the eligible population) will be served at an average per capita expenditure of \$60.89. Under the present regulations governing this program, any migrant worker is eligible, regardless of citizenship. For example, Title 42, Public Health Act, Part 56 states: "Domestic Agricultural Migratory Worker" means an individual residing in a State whose principal

^{1/} This paper addresses the issues as they apply to welfare. The Department of Labor is addressing the unemployment insurance issue.

^{2/} Final Report of the Special Study Group on Illegal Immigrants from Mexico, January 15, 1973.

This report assumes 1,000,000 illegal aliens, of which 85% are estimated to be Mexican, and 58% of these to be migrant workers.



occupation is in agriculture on a seasonal basis, who establishes for the purpose of such employment a temporary place of abode and who has been so employed within the last 24 months. "Seasonal Agricultural Worker" means an individual residing in a State whose principal occupation is in agriculture on a seasonal basis, who has been so employed within the last 24 months and who has not established a temporary place of abode." Therefore, there is no specific record of citizenship status for those served. However based upon an estimate of 500,000^{3/} Mexican illegal immigrants who are farmworkers, and assuming that they use the Migrant Health facilities at the same rate as do other migrant workers (which may not be accurate as we discuss below) we may estimate that 13%, or approximately 65,000 illegal immigrants used these services last year, at a cost of \$3,950,000. Migrant health research staff feel that the illegal farmworkers are not, however, likely to use these services except in cases of real emergency, since their usual pattern is to avoid unnecessary contacts with public systems. They feel a more realistic utilization rate would be 5%, which would yield an estimate of \$1,500,000 total expenditures in migrant health services for this group, or approximately 6.3% of the total Migrant Health Program budget for FY '75.

There is no available data bearing directly on the costs to the Medicaid program of illegal immigrants. If we speculate that the error rate here is approximately the same as that for AFDC, then Medicaid expenditures for illegal immigrants would amount roughly to 2/100 of one percent (or \$13 million) of the total cost of the program. (This is probably a high estimate, for the

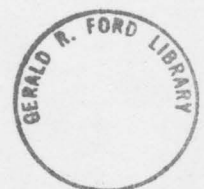
^{3/} Ibid.



same reasons as mentioned above in connection with the AFDC estimate.)

These figures suggest that the popular estimate of the degree to which illegal immigrants utilize welfare has been somewhat exaggerated. Once again, the natural reluctance of illegal immigrants to approach public agencies in this country, and thus be entered on official records, may account for this.

There is no estimate presently available for the costs of illegal immigrant participation in the Medicare program. However, since this program is available only to persons over 65, and requires a formal application for those who are not receiving social security benefits, the possibility of illegal immigrant participation in Medicare to any significant extent appears quite remote. First, because they are in the country illegally, illegal immigrants are most reluctant to submit formal applications to any public agency. Second, all of the illegal immigrants identified in a survey conducted by the Interdepartmental Commission for the Study of the Problem of the Clandestine Immigration of Mexican Workers to the United States of America were between the ages of 18 and 61 (the survey, reported in 1972, included persons residing in Mexican border towns who had crossed the border into the U. S. illegally) and the Medicare age limit is 65.



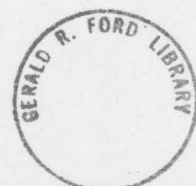
Should the United States adopt a universal identification card? How can Justice and HEW cooperate in this area? If it is desirable to exercise control, how might this be done without invasion of privacy?

The proposal that the U.S. adopt a universal identification card must be considered in terms of: 1) the danger of invasion of privacy and possible violation of the Privacy Act of 1974, 2) the cost to the Federal Government, both initially and thereafter, to maintain the system, 3) the time required to institute the system, even given sizable increments in Federal staff, and 4) once in place, the effectiveness of such a system for alleviating the problem in question. The discussion which follows addresses each of these considerations in order, based largely upon recent discussion and/or analysis of the universal identifier proposal by various Federal actors.

Privacy Issues

The potential for abuse of individual privacy is one of the bases upon which objections to universal identifiers (UIs) have been made. In the Report of the HEW Secretary's Advisory Committee on Automated Personal Data Systems--"Records, Computers and the Rights of Citizens"--the Committee indicated their feeling that a ". . . national population register . . . could serve as the skeleton of a national dossier system to maintain information on every citizen from cradle to grave. . . ."

Used everywhere (it) would make it much easier for an individual to be traced, and his behavior monitored and controlled, through the records maintained about him at a wide range of different institutions.



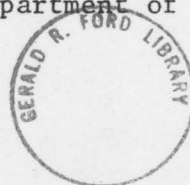
". . . issues at birth (it) could create an incentive for institutions to pool or link their records, thereby making it possible to bring a lifetime of information to bear on any decision about a given individual . . ."^{1/} The Committee goes on to state that it believes fear of a standard universal identifier is justified. It takes the position that "a standard universal identifier should not be established in the U.S. now or in the foreseeable future."^{2/}

When enumeration for social security purposes first began, SSA pledged that the information given would remain confidential; that the files would be opened only to those who had a legitimate interest in the administration of the Social Security Act. The mere fact that the SSN would or could serve as the base for a UI system would cause many to believe that SSA had compromised its pledge; and it could cause fear that this UI would give rise to the establishment of a governmental or private comprehensive, personal data bank, which fears have been well documented in the past.

P.L. 93-579, the Privacy Act of 1974, was enacted to ensure even greater confidentiality of records. The purpose of the Act is "to provide certain safeguards for an individual against an invasion of personal privacy by . . . Federal agencies. . . ." We cannot help but feel that such a universal identification system will be counter to the purpose of the Act. A further consideration is that a question of

^{1/}"Records, Computers and the Rights of Citizens, "Report of the Secretary's Advisory Committee on Automated Personal Data Systems, U.S. Department of Health, Education, and Welfare, July 1973, pp. 111-112.

^{2/} p. 112.



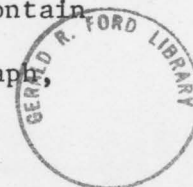
disclosure or invasion of the individual's privacy would be raised if a card which had to be shown for everything from employment to registering for school or driving a car would contain personal identifying information.

We take special note that the Privacy Protection Study Commission established by the Privacy Act is empowered, in the course of conducting its study of data banks, automated data processing programs, etc., to research and analyze the "use of social security numbers, license plate numbers, universal identifiers, and other symbols to identify individuals in data banks and to gain access to, integrate, or centralize information systems and files" (Section 5(c)(1)(C) (accents added).

Finally, should a universal identifier be adopted for use by Federal agencies, there is also a clear danger and public fear that this centralized information system might be either accessed by the private sector or become the nucleus of a private system over which the government would have little meaningful control. A wide spectrum of private industry would find it very attractive to utilize such data for a series of critical decisions concerning employment, credit, etc., and given the positive identification of the UI, private industries would have the vehicle through which to consolidate a wide variety of personal information. Alarmingly, access to such a file would be virtually outside of public control.

Costs

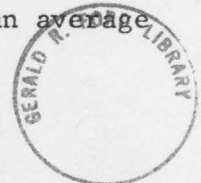
In order to make the social security card, or any identification card, serve as a good identifier of an individual, it would have to contain personal information. Such information could include a photograph,



fingerprints, a list of personal characteristics, or any combination of these. There is both a substantial initial cost and a sizable maintenance cost related to each of these alternatives, plus some significant time and staff implications.

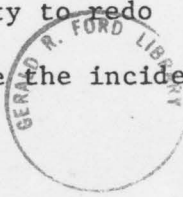
We have in the past looked into the issuance of photo identification cards. In December 1973 it was determined that the cost of having photo identification cards is about 50 cents per card (for card and film only); thus, the initial cost would be \$100 million, at a minimum, for the estimated 200 million cards required. Costs would, of course, be even higher as a result of homebound or "outside the U.S." individuals. Additionally, an entire network would have to be set up to issue duplicate or replacement cards, establish procedures for cancellation of cards, etc. Each change of name would necessitate reissuance of a laminated picture card, and there would be a need to review the card (probably at least every five years) to accomodate changes in appearance.

Approximately two years ago, HEW reviewed H.R. 1506, a proposed bill "To Amend the Social Security Act to Provide that Every Citizen and Resident of the U.S. Shall have a SSN." The bill required a thumbprint on every new social security card within a five-month period. At that time our estimates were that the 150 million new cards which would then have been required could not be reissued to current card holders, in addition to the processing of 50 million new cards for those without cards, in the period provided for in the bill. It was judged that SSA's field offices could handle the aforementioned numbers in six months by adding an average



of four employees to each office (a total of 5,200 new employees), and by requiring all old and new employees to work 24 hours per day, 7 days per week, and suspending all other activities in the offices. This figure did not take into account the workload for SSA's data processing staff, which issues cards to those who have never had one. It should be noted that the figures mentioned above were based strictly on the requirement of a thumbprint only. Additionally, a number of organizational questions are important: who would do the verification of the prints? Where will they be done? Will a claimant for benefits or services have to wait for verification?

The total number of new social security numbers issues from 1937 through January 1975 is 231,893,781. About 13 million were issues between July 1973 and January 1975 alone (a yearly rate of approximately 9 million). In terms of personal records on file (including name changes and original numbers) the total figure is even greater--314 million. Additionally, the Social Security Administration averages about 4 million requests for changes per year, some 3 million of which result in new cards being issued by the central office or by the field offices (district offices). (The other one million are generally internal changes not resulting in a new card being issues). In addition, the district offices issue approximately 4 million duplicate cards yearly. The total quantity of cards issued yearly, then, is about 16 million (9 million new, 3 million changes, and 4 million duplicates). For a picture alone (at 50¢ per card) the annual cost to maintain the system can easily be seen to exceed \$8 million incremental at the current case load. Importantly, the necessity to redo cards with pictures far more frequently would seriously increase the incidence, and therefore the cost, beyond those figures.

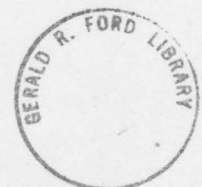


Cooperation Between Justice and HEW

The Social Security Administration is currently requesting evidence of age, identity, citizenship or alien status from applicants for social security numbers. This procedure has been in effect since April 1974. Because of that revision in the social security procedures, there is now greater assurance that social security cards will be kept out of the hands of persons who have no legitimate need for a number, including illegal immigrants, without depriving those persons who need numbers for work or other legitimate purposes. Provisions were initially made whereby SSA made referrals to INS when the immigrant applicant for an SSN could not provide evidence, when the immigrant wanted a number for work but was not permitted to work, when the evidence provided was obviously altered or phony, or when the immigrant, not permitted to work, secured a number for a reason other than work and subsequently earnings were reported to his earnings record.

From March 19, 1974, (the actual effective date of the implementing regulations) until September 1, 1974, SSA referred some 20,000 abandoned immigrant applications to INS. Of the first 2,916 which INS investigated, they found that employment was authorized in 1545, over 50 percent, of the cases. In addition, INS informed SSA that in less than one-third of the cases was the information furnished of any use to them at all.

As a result of the above, SSA implemented a change in procedure to reduce the volume of unproductive abandoned SSN applications that are



referred to INS. Applications are now being returned to individuals until such time as he or she brings in the evidence required, and no referral is made to INS at that early stage. This helps to alleviate a fruitless yet time-consuming workload for both INS and SSA, while not changing our commitments. Other categories are still referred to INS, and SSA will continue to cooperate with INS in establishing the best possible procedures to effectuate the law.

Summary

In brief, the evidence shows that: 1) the privacy issues are very real, both in terms of recent legislation and the increasing tide of public opinion; 2) if the social security card is utilized, HEW estimates the initial cost to be in excess of \$100 million and the marginal annual cost at around \$10 million thereafter; 3) assuming the addition of a thumbprint to the social security card, an extensive amount of time would be necessary to implement the system; and, 4) very recent experience with attempts to coordinate SSA's new citizenship identification requirements with the INS have not yet increased our effectiveness in apprehending illegal immigrants.

