

Ronald Reagan Presidential Library  
Digital Library Collections

---

This is a PDF of a folder from our textual collections.

---

**Collection:** Mathis-Richard, Sue: Files  
**Folder Title:** Immigration  
**Box:** 2

---

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: [reagan.library@nara.gov](mailto:reagan.library@nara.gov)

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

Note: Agreement with Haiti not to be disclosed this after noon.

THE WHITE HOUSE  
WASHINGTON  
September 29, 1981

MEMORANDUM FOR DAVE GERGEN  
LARRY SPEAKES

FROM: KATE MOORE

SUBJECT: Interdiction Proclamation and Executive Order

The President signed today a proclamation and Executive Order authorizing Coast Guard interdiction of illegal aliens travelling to the United States by sea. Below is the background on these actions by the President, for your press briefing.

As the action is controversial, it is recommended that we allow Justice and the State Departments to take the lead on any extended briefings. State will include this item along with an announcement of an agreement with Haiti, at its noon briefing tomorrow.

Purpose and Legal Authority

As part of this Administration's immigration and refugee policy, announced July 30, 1981, the President authorized the Attorney General to seek legal authority to conduct a limited program of intercepting illegal aliens travelling to the United States by sea. This decision was made in an effort to alleviate the problems in South Florida where influxes of illegal aliens -- averaging 1,000 to 1,500 per month -- are placing strains on the community.

The Justice Department has advised that existing Presidential authority is adequate to support such a program. The Presidential Proclamation and Executive Order will allow such a program to be initiated. This administration, however, will also be submitting to Congress legislation to clarify and strengthen this authority.

Nature of Interdiction Program

Coast Guard Action - The Coast Guard will be authorized to stop and board U.S. vessels, vessels without nationality, or vessels of foreign nations with which we have agreements authorizing such actions (e.g. Haiti), which are suspected of carrying illegal aliens to the U.S. to make inquiries, examine documents and to take such actions as are necessary to establish the registry, condition, and destination.

Asylum - INS officers will be present to help determine whether claims of asylum might generally exist.

Funding - Funds will be provided from within the Coast Guard's existing budget; this effort will represent a reallocation of resources.

Timing - The program will be initiated as soon as logistics will allow.

QUESTIONS SHOULD BE DIRECTED TO TOM STEWART, DOJ. 633-2009.



# Department of Justice

EMBARGOED FOR RELEASE AT 9:00 A.M. EDT  
THURSDAY, JULY 30, 1981

## U.S. IMMIGRATION AND REFUGEE POLICY

### The Problem

The time for a clear U.S. immigration and refugee policy is long overdue.

- o Current laws and enforcement procedures are inadequate -- particularly with regard to illegal aliens and mass requests for asylum.
  - The Immigration and Nationality Act of 1965 and its 1976 amendments do not provide effective means for controlling illegal immigration.
  - The magnitude of illegal immigration seriously handicaps the Immigration and Naturalization Service's ability to enforce the law.
    - Current procedures regarding deportation are often too lengthy and complicated, thereby inhibiting effective and timely enforcement of our immigration laws.
    - The laws do not provide for enforcement against those who would knowingly hire illegal aliens.
  - There are inadequate guidelines and legislative authority for dealing with mass immigration (e.g., the Cuban influx in 1980).
  - There is a great need for increased cooperation between the U.S. and other countries regarding immigration policies.
- o Immigrants -- both legal and illegal -- are entering the U.S. in greater numbers than at any time since the early 1900s.
  - Largely because of the Cuban and Haitian influx and a large refugee admissions program, more than 800,000 persons were allowed to enter the U.S. in 1980 -- about a 300,000 increase from the previous year.

-- The Census Bureau has estimated that 3.5 million to 6 million people are in the U.S. illegally -- at least 50% from Mexico. About 1-1.5 million entered illegally in 1980.

o Immigrants who enter the U.S. illegally are creating problems for themselves, as well as for the country.

-- Since they are afraid to seek the protection of U.S. labor laws, many work in "sweatshop" conditions for less than legal minimum wages.

-- An uncontrolled influx of illegal aliens can strain community services and create potential problems for some American job seekers.

The Reagan Administration Proposals

On March 6, President Reagan established a Task Force on Immigration and Refugee Policy to review existing practices and recommend ways to strengthen U.S. immigration laws and programs. Chaired by the Attorney General, the Cabinet-level Task Force presented its recommendations to the President in three full Cabinet meetings July 1, 13 and 16.

As a result, the Administration has formulated a comprehensive U.S. immigration and refugee policy to deal with:

- A. Arrivals of Undocumented Aliens by Sea
- B. The General Illegal Alien Problem
- C. Legal Immigration
- D. Refugee and Asylee Benefits

The Administration will implement these policies through administrative action and legislation proposed to Congress.

A. Arrivals of Undocumented Aliens by Sea

o Increased Enforcement

-- Legislation to prohibit bringing undocumented aliens to the U.S., and to strengthen existing authority for the interdiction, seizure and forfeiture of vessels used in violation of our laws.

-- Legislation to prohibit, in Presidentially declared emergencies, U.S. residents and U.S. registered vessels from travelling to designated foreign countries for the suspected purpose of transporting illegal aliens to the U.S.

-- Legislation to authorize the President to direct the Coast Guard to interdict unregistered vessels and to assist foreign governments that request such assistance to interdict on the high seas their flag vessels, suspected of attempting to violate U.S. law.

-- Increased resources for the development of additional permanent facilities in which temporarily to detain illegal aliens upon arrival pending exclusion or granting of asylum, to prevent heavy impacts on local areas.

o Reform of Exclusion Proceedings

-- Legislation to reform and expedite exclusion proceedings; applications for asylum would be heard before newly established asylum officers in the Immigration and Naturalization Service (with review by the Attorney General).

o International Measures

-- To secure the return to Cuba of those Cubans (currently at Ft. Chaffee, the Atlanta Federal Prison and certain other facilities) who would be excludable under U.S. law.

-- To seek additional resettlement opportunities for Haitians in Western Hemisphere countries.

-- To obtain Haitian cooperation in restraining illegal immigration of its nationals to the U.S. and accepting the return of Haitians attempting to enter the U.S. illegally.

o Contingency Planning for Mass Immigration

-- Legislation to provide the President with special authority to direct Federal agencies to take necessary actions in a Presidentially declared emergency, including the establishment of holding centers, and to reimburse state and local governments for authorized expenditures resulting from an emergency.

-- Legislation to establish an emergency mass migration fund for domestic crises of \$35 million, and to provide, in an emergency, for reprogramming of existing immigration and refugee and other funds.

o Legalization of Cubans and Haitians Already in the U.S.

-- Legislation to repeal the Cuban Adjustment Act of 1966, but provide for Cubans and Haitians in this country prior to January 1, 1981, to apply for a renewable term entry card which could be rolled over every three years indefinitely; after 5 years, such Cubans and Haitians could apply for permanent resident status, providing they were not otherwise excludable and could demonstrate English language capability.

B. The General Illegal Alien Problem

o Increased enforcement of existing immigration statutes

-- Increased resources for Border Patrol and other Immigration and Naturalization Service enforcement;

-- Increased resources for Labor Department enforcement of fair labor standards and laws.

o Sanctions against employers who knowingly hire illegal aliens

-- Legislation to prohibit employers from knowingly hiring one or more aliens who are not entitled to lawful residence in the U.S. The law would impose civil fines (\$500-1,000) for each offense on employers of at least four employees, and authorize the Justice Department to seek injunctions against employers who follow a "pattern or practice" of hiring illegal aliens.

-- The Administration is explicitly opposed to the creation of a national identity card. But, given employer sanctions, the Administration recognizes the need for a means of compliance with the law that would provide an employer with a good faith defense if he requests from the prospective employee and examines:

(a) documentation issued by the Immigration and Naturalization Service,

or any two of the following:

(b) birth certificate

(c) driver's license

(d) Social Security card

(e) registration certificate issued by the Selective Service System

In addition, the new hire and the employer would certify, through the utilization of an employment form, that (i) the new hire is either a U.S. citizen, a lawful permanent resident alien, or a foreign temporary worker authorized to work in the U.S., and (ii) the employer has examined the above identifiers and has no reason to believe the employee is not a lawful resident.

o International cooperation within the Americas to enforce immigration laws

-- The U.S. would continue discussions with Mexico and other countries to achieve:

- Joint prevention of third country nationals crossing Mexico to enter the U.S. illegally;
- Increased cooperation in the border areas, particularly against smugglers.

o A new experimental temporary worker program for Mexican nationals (2 year trial period)

-- Legislation to provide for up to 50,000 workers to be admitted annually on a temporary basis.

- Allow temporary stays for up to 9-12 months.
- Normal wage and working standards would apply, but the foreign worker would not be eligible for unemployment compensation.
- Spouses and minor children would remain in Mexico.
- Would not be eligible for welfare, food stamps, unemployment insurance, and Federally assisted housing.
- Exclusion of jobs in a state where the state certifies there is an adequate supply of American workers.
- The Labor Department would allocate the national ceiling among affected states.

Legal status for certain illegal aliens currently residing in the U.S.

-- Permit illegal aliens, present in the U.S. prior to January 1, 1980, and not otherwise excludable, to apply for a new status of "renewable term temporary resident", in which they would be permitted employment.

-- These residents:

- would pay Social Security, income, and other taxes;
- would not have access to welfare, Federally assisted housing, food stamps, or unemployment insurance;
- would not be able to bring in spouses and minor children.

-- The renewable term residency could be rolled over every three years indefinitely.

-- After residing in the U.S. ten years, the renewable term resident could apply for permanent resident alien status, providing he or she was not otherwise excludable and could demonstrate English language capability. Permanent residents can under existing law eventually apply for U.S. citizenship.

C. Legal Immigration

-- Legislation to provide an increase of 20,000 each in the separate annual country ceilings for permanent immigration from Mexico and Canada, including a compensating increase in the global limit (with allotments not used by one of these countries being transferrable to the other) -- to provide for the special needs of neighbors.

-- Streamline the procedures for admitting "independent" (i.e., non-family) immigrants with needed skills by providing for lists of occupations for which adequate domestic workers are not available (as opposed to individual certification of labor need on a case-by-case basis).



D. Restructured Benefits for Refugees and Those Seeking Asylum

-- Continue existing categorical refugee benefit programs (i.e., cash assistance, medical benefits, English language instruction, and employment services), but reduce levels of cash assistance payments to the many refugees who do not qualify for welfare programs.



# Department of Justice

EMBARGOED FOR RELEASE AT 9:00 A.M. EDT  
THURSDAY, JULY 30, 1981

## U.S. IMMIGRATION AND REFUGEE POLICY

### The Problem

The time for a clear U.S. immigration and refugee policy is long overdue.

- o Current laws and enforcement procedures are inadequate -- particularly with regard to illegal aliens and mass requests for asylum.
  - The Immigration and Nationality Act of 1965 and its 1976 amendments do not provide effective means for controlling illegal immigration.
  - The magnitude of illegal immigration seriously handicaps the Immigration and Naturalization Service's ability to enforce the law.
    - Current procedures regarding deportation are often too lengthy and complicated, thereby inhibiting effective and timely enforcement of our immigration laws.
    - The laws do not provide for enforcement against those who would knowingly hire illegal aliens.
  - There are inadequate guidelines and legislative authority for dealing with mass immigration (e.g., the Cuban influx in 1980).
  - There is a great need for increased cooperation between the U.S. and other countries regarding immigration policies.
- o Immigrants -- both legal and illegal -- are entering the U.S. in greater numbers than at any time since the early 1900s.
  - Largely because of the Cuban and Haitian influx and a large refugee admissions program, more than 800,000 persons were allowed to enter the U.S. in 1980 -- about a 300,000 increase from the previous year.

- The Census Bureau has estimated that 3.5 million to 6 million people are in the U.S. illegally -- at least 50% from Mexico. About 1-1.5 million entered illegally in 1980.
- o Immigrants who enter the U.S. illegally are creating problems for themselves, as well as for the country.
  - Since they are afraid to seek the protection of U.S. labor laws, many work in "sweatshop" conditions for less than legal minimum wages.
  - An uncontrolled influx of illegal aliens can strain community services and create potential problems for some American job seekers.

### The Reagan Administration Proposals

On March 6, President Reagan established a Task Force on Immigration and Refugee Policy to review existing practices and recommend ways to strengthen U.S. immigration laws and programs. Chaired by the Attorney General, the Cabinet-level Task Force presented its recommendations to the President in three full Cabinet meetings July 1, 13 and 16.

As a result, the Administration has formulated a comprehensive U.S. immigration and refugee policy to deal with:

- A. Arrivals of Undocumented Aliens by Sea
- B. The General Illegal Alien Problem
- C. Legal Immigration
- D. Refugee and Asylee Benefits

The Administration will implement these policies through administrative action and legislation proposed to Congress.

#### A. Arrivals of Undocumented Aliens by Sea

##### o Increased Enforcement

-- Legislation to prohibit bringing undocumented aliens to the U.S., and to strengthen existing authority for the interdiction, seizure and forfeiture of vessels used in violation of our laws.

-- Legislation to prohibit, in Presidentially declared emergencies, U.S. residents and U.S. registered vessels from travelling to designated foreign countries for the suspected purpose of transporting illegal aliens to the U.S.

-- Legislation to authorize the President to direct the Coast Guard to interdict unregistered vessels and to assist foreign governments that request such assistance to interdict on the high seas their flag vessels, suspected of attempting to violate U.S. law.

-- Increased resources for the development of additional permanent facilities in which temporarily to detain illegal aliens upon arrival pending exclusion or granting of asylum, to prevent heavy impacts on local areas.

o Reform of Exclusion Proceedings

-- Legislation to reform and expedite exclusion proceedings; applications for asylum would be heard before newly established asylum officers in the Immigration and Naturalization Service (with review by the Attorney General).

o International Measures

-- To secure the return to Cuba of those Cubans (currently at Ft. Chaffee, the Atlanta Federal Prison and certain other facilities) who would be excludable under U.S. law.

-- To seek additional resettlement opportunities for Haitians in Western Hemisphere countries.

-- To obtain Haitian cooperation in restraining illegal immigration of its nationals to the U.S. and accepting the return of Haitians attempting to enter the U.S. illegally.

o Contingency Planning for Mass Immigration

-- Legislation to provide the President with special authority to direct Federal agencies to take necessary actions in a Presidentially declared emergency, including the establishment of holding centers, and to reimburse state and local governments for authorized expenditures resulting from an emergency.

-- Legislation to establish an emergency mass migration fund for domestic crises of \$35 million, and to provide, in an emergency, for reprogramming of existing immigration and refugee and other funds.

o Legalization of Cubans and Haitians Already in the U.S.

-- Legislation to repeal the Cuban Adjustment Act of 1966, but provide for Cubans and Haitians in this country prior to January 1, 1981, to apply for a renewable term entry card which could be rolled over every three years indefinitely; after 5 years, such Cubans and Haitians could apply for permanent resident status, providing they were not otherwise excludable and could demonstrate English language capability.

B. The General Illegal Alien Problem

o Increased enforcement of existing immigration statutes

--- Increased resources for Border Patrol and other Immigration and Naturalization Service enforcement;

-- Increased resources for Labor Department enforcement of fair labor standards and laws.

o Sanctions against employers who knowingly hire illegal aliens

-- Legislation to prohibit employers from knowingly hiring one or more aliens who are not entitled to lawful residence in the U.S. The law would impose civil fines (\$500-1,000) for each offense on employers of at least four employees, and authorize the Justice Department to seek injunctions against employers who follow a "pattern or practice" of hiring illegal aliens.

-- The Administration is explicitly opposed to the creation of a national identity card. But, given employer sanctions, the Administration recognizes the need for a means of compliance with the law that would provide an employer with a good faith defense if he requests from the prospective employee and examines:

(a) documentation issued by the Immigration and Naturalization Service,

or any two of the following:

(b) birth certificate

(c) driver's license

(d) Social Security card

(e) registration certificate issued by the Selective Service System

In addition, the new hire and the employer would certify, through the utilization of an employment form, that (i) the new hire is either a U.S. citizen, a lawful permanent resident alien, or a foreign temporary worker authorized to work in the U.S., and (ii) the employer has examined the above identifiers and has no reason to believe the employee is not a lawful resident.

o International cooperation within the Americas to enforce immigration laws

-- The U.S. would continue discussions with Mexico and other countries to achieve:

- Joint prevention of third country nationals crossing Mexico to enter the U.S. illegally;
- Increased cooperation in the border areas, particularly against smugglers.

o A new experimental temporary worker program for Mexican nationals (2 year trial period)

-- Legislation to provide for up to 50,000 workers to be admitted annually on a temporary basis.

- Allow temporary stays for up to 9-12 months.
- Normal wage and working standards would apply, but the foreign worker would not be eligible for unemployment compensation.
- Spouses and minor children would remain in Mexico.
- Would not be eligible for welfare, food stamps, unemployment insurance, and Federally assisted housing.
- Exclusion of jobs in a state where the state certifies there is an adequate supply of American workers.
- The Labor Department would allocate the national ceiling among affected states.

Legal status for certain illegal aliens currently residing in the U.S.

-- Permit illegal aliens, present in the U.S. prior to January 1, 1980, and not otherwise excludable, to apply for a new status of "renewable term temporary resident", in which they would be permitted employment.

-- These residents:

- would pay Social Security, income, and other taxes;
- would not have access to welfare, Federally assisted housing, food stamps, or unemployment insurance;
- would not be able to bring in spouses and minor children.

-- The renewable term residency could be rolled over every three years indefinitely.

-- After residing in the U.S. ten years, the renewable term resident could apply for permanent resident alien status, providing he or she was not otherwise excludable and could demonstrate English language capability. Permanent residents can under existing law eventually apply for U.S. citizenship.

C. Legal Immigration

-- Legislation to provide an increase of 20,000 each in the separate annual country ceilings for permanent immigration from Mexico and Canada, including a compensating increase in the global limit (with allotments not used by one of these countries being transferrable to the other) -- to provide for the special needs of neighbors.

-- Streamline the procedures for admitting "independent" (i.e., non-family) immigrants with needed skills by providing for lists of occupations for which adequate domestic workers are not available (as opposed to individual certification of labor need on a case-by-case basis).

D. Restructured Benefits for Refugees and Those Seeking Asylum

-- Continue existing categorical refugee benefit programs (i.e., cash assistance, medical benefits, English language instruction, and employment services), but reduce levels of cash assistance payments to the many refugees who do not qualify for welfare programs.