

Ronald Reagan Presidential Library
Digital Library Collections

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

Collection: President, Office of the: Presidential
Briefing Papers: Records, 1981-1989
Folder Title:04/16/1982 (Case File: 082626)
(2)
Box: 16

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

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


C

THE WHITE HOUSE

WASHINGTON

April 15, 1982

MEETING WITH THE CABINET COUNCIL
ON LEGAL POLICY

DATE: APRIL 16, 1982
TIME: 2:00 P.M. (60 MINUTES)
LOCATION: CABINET ROOM
FROM: CRAIG L. FULLER 

I. PURPOSE

The Cabinet Council on Legal Policy (CCLP) is meeting to discuss immigration policy. The Justice Department must testify next week on immigration legislation and several points concerning the Administration's position on current legislation need to be reviewed.

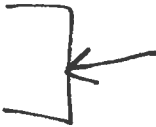
II. BACKGROUND

As you will recall, the Administration developed a comprehensive immigration package after considerable deliberation by you with the members of your cabinet. The Administration introduced a bill with the following provisions:

- o penalties on employers who hire illegal aliens;
- o legal status for illegal aliens who were in the U.S. before January 1, 1980;
- o an experimental 2-year temporary worker program for 50,000 Mexican workers;
- o reform of our procedures to return persons who come here illegally;
- o new legal authorities to deal with mass arrivals of undocumented aliens;
- o increased legal immigrant admissions for Canada and Mexico.

Senator Simpson and Congressman Mazzoli have their own immigration reform legislation under review in the Congress and it now appears that their legislation, the Simpson-Mazzoli Bill, will be the principal vehicle for immigration this legislative session.

The attached paper by the Justice Department outlines the specific concerns. [Please note that there is an "Executive Summary" beginning on page 3 of the attached paper.]



OMB has identified the following three areas as the principal concerns between our immigration bill and the Simpson-Mazzoli bill:

- o Simpson-Mazzoli calls for stronger and broader sanctions against employers who hire illegal aliens.
- o Simpson-Mazzoli calls for implementation of some kind of a national identification system within three years.
- o Simpson-Mazzoli calls for a more liberal amnesty program to give legal status to illegal aliens who have resided in the U.S. for some time.

III. PARTICIPANTS

A final list will be attached to the agenda.

IV. PRESS PLAN

White House photographer only.

V. SEQUENCE

Attorney General Bill Smith will lead the discussion.

CABINET COUNCIL ON LEGAL POLICY

April 16, 1982

PARTICIPANTS

- ✓ The President
- ✓ The Attorney General
- ✓ The Secretary of Defense
- ✓ The Secretary of Interior
- ✓ The Secretary of Agriculture
- ✓ The Secretary of Health and Human Services
- ✓ The Secretary of Energy
- ✓ The Secretary of Education
- ✓ The Counsellor to the President
- ✓ The Director, Office of Management and Budget
- ~~The Chief of Staff~~
- ✓ The Counsel to the President
- ✓ The Assistant to the President for Policy Development
- ✓ The Chairman, Administrative Conference of the U.S.
- ✓ The Chairman, Council of Economic Advisers
- ✓ Acting Secretary of State Eagleburger
(Representing Secretary Haig)
- ✓ Deputy Secretary McNamar
(Representing Secretary Regan)
- ✓ Under Secretary Lovell
(Representing Secretary Donovan)
- ✓ Deputy Secretary Trent
(Representing Secretary Lewis)
- ✓ Deputy Trade Representative Macdonald
(Representing Ambassador Brock)

- ✓ Richard Darman
- ✓ Elizabeth Dole
- ✓ Ken Duberstein
- ✓ Craig Fuller
- ✓ David Gergen
- ~~Larry Speakes~~
- ✓ Daniel Murphy
- ✓ Michael Uhlmann, Executive Secretary
- ✓ Becky Norton Dunlop

For Presentation:

- ✓ Jonathan Rose
- ✓ David Hiller

Additional Attendees:

- ✓ Ed Gray
- ✓ Michael Guhin

Jim Cicconi
Jim Medas
Annalise Anderson

- ✓ Sherman Unger



Office of the Attorney General
Washington, D. C. 20530

CABINET COUNCIL ON LEGAL POLICY

April 16, 1982
2:00 p.m.

AGENDA

Immigration and Refugee Policy

- I. Introduction and Executive Summary
- II. Issues for Decision

Employer Sanctions

1. Coverage of Employers
2. Penalties
3. Scope of Prohibitions
4. Worker Identification

Legalization of Illegal Aliens Now in U.S.

5. Terms of Legalization
6. Temporary Foreign Workers

Mass Arrivals of Undocumented Aliens

7. Interdiction Authority
8. Emergency Provisions
9. Adjudication Procedures

Legal Immigration

10. The Visa Preference System:
Structure and Gap
11. Overall Cap: Numbers

I. Introduction.

This decision paper addresses issues raised by the differing provisions of the Administration and Simpson-Mazzoli immigration reform bills. The Administration will testify concerning the Simpson-Mazzoli bill on April 20. The House and Senate may act on these bills before the end of summer. The Simpson-Mazzoli bill likely will be the vehicle for congressional action.

The Administration bill was introduced last October. It reflects decisions of the President and Cabinet based on the recommendations of the Attorney General and the Cabinet Task Force he chaired last year. The principal provisions of the Administration bill are (1) penalties on employers who hire illegal aliens, (2) legal status for illegal aliens who were in the U.S. before January 1, 1980, (3) an experimental 2-year temporary worker program for 50,000 Mexican workers, (4) reform of our procedures to return persons who come here illegally, (5) new legal authorities to deal with mass arrivals of undocumented aliens, and (6) increased legal immigrant admissions for Canada and Mexico. Through the budget process the Administration has significantly increased the law enforcement resources of the Immigration and Naturalization Service.

The legislation introduced by Senator Simpson and Congressman Mazzoli is broadly similar to the Administration bill, but differs in several respects that require Administration consideration. Simpson and Mazzoli have come a considerable distance toward the Administration bill. The Administration now should seek some changes to ensure that enacted legislation as nearly as possible responds to our remaining concerns.

The attached paper outlines the Administration decisions required in five major areas: (i) employer sanctions, (ii) legalization, (iii) temporary foreign workers, (iv) mass arrivals of undocumented aliens, and (v) legal immigration. The options and recommendations were prepared by a Cabinet Council working group.

Pressures to immigrate to the United States continue to increase at this time of domestic inflation, unemployment, and necessary cuts in social programs. Immigration is "pushed" by poverty and unemployment in sending countries, such as Mexico, and "pulled" by the ease of entry and offers of work in this country at relatively high wages.

Americans correctly perceive that we have lost control of our borders. Public concern was heightened by the mass arrival of Cubans in the 1980 boatlift and by large refugee admissions from other countries. There are 3 to 6 million illegal aliens now living in the United States; the number may grow by 500,000 annually. (See Chart A). Recent polls show 91 percent of Americans want an "all-out effort" to stop illegal immigration, and many are concerned with the level of legal immigration, which is the highest of any country of the world.

A summary of the issues for decision together with the working group recommendations follows below:

EXECUTIVE SUMMARY

Issues for Decision and Working Group Recommendations

Employer Sanctions

1. Coverage of Employers

Issue: The Administration bill covers only employers of 4 or more persons. The Simpson-Mazzoli bill applies to all employers.

Recommendation: That the Administration adhere to its position that coverage of employer sanctions be limited to employers of four or more persons.

2. Penalties

Issue: The Administration bill imposes civil fines of \$500 to \$1,000 and authorizes injunctions against repeat offenses. Violation of injunctions can be punished as civil or criminal contempt. The Simpson-Mazzoli bill provides for civil fines of \$1,000 to \$2,000 and for criminal penalties for third and subsequent offenses.

Recommendation: That the Administration accept the higher civil penalty provisions of the Simpson-Mazzoli bill, but continue to oppose all criminal penalties except as provided for criminal contempt for violations of injunction orders.

3. Scope of Prohibitions

Issue: Both bills prohibit knowing hiring of illegal aliens. The Simpson-Mazzoli bill also penalizes "recruitment or referral" of illegals and the failure to check the I.D. of any person hired.

Recommendation: That the Administration oppose expansion of the hiring prohibition contained in its bill (except for "continued employment") as producing undue and unnecessary enforcement and compliance burdens.

4. Worker Identification

Issue: The Administration bill relies on existing identification documents (birth certificates, Social Security cards, etc.). The Simpson-Mazzoli bill relies on existing documents for 3 years, but requires the Administration within 3 years to implement a more secure I.D. system.

Recommendation: Provide that enforcement rely on existing I.D.'s, but require that the Administration report to the Congress within 3 years concerning the possible need and implementation of a new system.

Legalization

5. Terms of Legalization

Issue: Both bills give a legal status to illegal aliens in the United States before 1/1/80. The terms of the Simpson-Mazzoli bill are considerably more expansive than our own.

Recommendation: Grant, on an express one-time basis, temporary resident status to illegals before January 1, 1981, and permit them to apply for permanent status after a total of 8 years here. No federal benefits for temporary residents, except limited medical or other assistance as defined by Congress (not by the Attorney General).

Temporary Foreign Workers

6. Temporary Foreign Workers

Issue: The Administration bill establishes an experimental 2-year program to admit up to 50,000 Mexican workers annually. The Simpson-Mazzoli bill provides only for slight changes in the existing H-2 temporary worker program.

Recommendation: Seek further amendments and regulatory changes to streamline current H-2 program to enhance administrative flexibility.

Mass Arrivals of Undocumented Aliens

7. Interdiction Authority

Issue: The Administration bill clarifies the President's existing authority to direct interdiction of illegals arriving by sea, as is now done with Haiti. The Simpson-Mazzoli bill contains no comparable provisions.

Recommendation: That the Administration not pursue legislation concerning enhanced interdiction authority, and continue its present program under existing law.

8. Emergency Provisions

Issue: The Administration bill provides special legal authorities to the President in the event of an immigration emergency. The Simpson-Mazzoli bill contains no comparable provisions.

Recommendation: Seek emergency authority more limited than that provided in the Administration bill (1) to prohibit U.S. vessels, vehicles, etc. from traveling to designated foreign countries, (2) to prohibit U.S. vessels from transporting aliens from designated foreign countries, (3) to intercept U.S. vessels carrying undocumented aliens to the U.S., (4) to detain undocumented aliens upon arrival, with limited judicial review, and (5) to exempt federal actions from environmental statutes. Provide penalties for violations of emergency restrictions.

9. Adjudication Procedures

Issue: Both bills would reform adjudication procedures in immigration cases. The Simpson-Mazzoli bill also would create an independent agency within Justice and provides for full adversarial hearings in all asylum cases.

Recommendation: That the Administration support reforms of the adjudicatory process, without creating an independent agency within the Department of Justice and without a full adversarial hearing in asylum cases.

Legal Immigration

10. The Preference System: Structure and Cap

Issue: The Administration bill retains the existing system, including admission of immediate relatives of U.S. citizens without numerical limits. The Simpson-Mazzoli bill establishes an overall cap of 425,00 for all admissions, except refugees -- roughly the current level.

Recommendation: That the Administration express some reservations concerning an overall cap, and suggest means of providing needed flexibility, (e.g., provide periodic review of the overall numbers, and permit unused independent visas to be available for relative immigrants).

11. Overall Cap: Numbers

Issue: The Administration bill would raise the worldwide immigration ceiling by 40,000 to accommodate the proposed increase in admissions of Mexican and Canadian immigrants. The Simpson-Mazzoli bill contains no comparable provision.

Recommendation: That the Administration support increasing the overall ceiling by 40,000 to accommodate the increased admissions from Canada and Mexico.

II. Issues for Decision.

EMPLOYER SANCTIONS: DECISIONS 1, 2, 3, and 4

The principal enforcement tool of both the Administration and the Simpson-Mazzoli reform legislation is a law providing for sanctions against the hiring of illegal aliens. The opportunity to work in the United States at wage rates often 5 to 10 times those paid in other countries strongly "pulls" illegal migration. The President's Task Force on Immigration and Refugee Policy concluded that a law such as that proposed is the only credible remaining method to deter illegal entries.

The Administration's bill "presumes" a knowing violation of the statute where an employer has not requested and examined certain existing identification documents prescribed by the Attorney General, imposes civil fines of \$500 to \$1,000 on employers who knowingly hire illegals, and authorizes injunctions to end a pattern or practice of violations.

The Simpson and Mazzoli bill also provides for employer sanctions, but their bill differs from the Administration bill in four significant respects.

Issues presented by these differences follow below:

1. Coverage of Employers.

OPTIONS

Administration Bill

Covers only employers of four or more persons.

Simpson-Mazzoli Bill

Applies to all employers.

ANALYSIS

The Administration limited the coverage of its bill for reasons of administrative efficiency. The bill's regulatory requirements would be most burdensome for the smallest employers, particularly households and "mom and pop" businesses, if they were covered. Enforcement in the case of small firms and households would be viewed by many as intrusive, and would likely be politically controversial. The Administration bill exempts only 5% of American workers, but about 50% of employers (i.e., those with three or fewer employees). However, the bill may exempt more than 5% of the illegals, who may be concentrated in smaller establishments or in households as domestics.

The exemption of household domestics, however, has been criticized as favoring the well-to-do.

If the law were extended to cover all employers, usual standards of enforcement discretion and resource allocation would in any event concentrate enforcement efforts on the larger employers and not on small firms and households.

RECOMMENDATION

That the Administration adhere to its position that coverage of employer sanctions be limited to employers of four or more persons. This position can be fully defended as the only realistically enforceable approach.

2. Penalties.

The penalties imposed by the Administration bill and the Simpson bill differ in their severity. Attorney General may seek injunction against pattern or practice of violations.

OPTIONS

Administration Bill

Imposes civil fines of \$500 for the first offense, and \$1,000 for subsequent offenses. Under our bill civil or criminal contempt sanctions are available for violation of an injunction against repeated offenses. The significance of this availability of contempt sanctions is not widely understood.

Simpson-Mazzoli Bill

Provides for a transition period with no fines during the first 6 months and only administrative warnings during the second 6 months. Then, a civil fine of \$1,000 for the first offense, civil fine of \$2,000 for subsequent offenses. Third or later offenses are criminal misdemeanors punishable by \$1,000 fine or 6 months imprisonment, or both.

ANALYSIS

The Administration bill would impose penalties for the first time on employers who hire illegal aliens. Broad voluntary compliance is expected. The civil penalties of \$500 to \$1,000 were thought adequate to deter most knowing violations and injunctions with contempt sanctions were provided to end a pattern of offenses. Additionally, as noted above, under the Administration bill, violation of an injunction could be punished as a criminal contempt of court. Providing for criminal penalties in other cases could jeopardize the modest business support for sanctions generally that now exists. The Administration has said that harsher penalties could be sought later if warranted by experience.

However, the Administration bill has been criticized as too lenient. It is argued that the civil fines should be higher, and that criminal penalties should be imposed on the repeat offender, even where no pattern of violations exists. The Simpson-Mazzoli bill apparently would preserve administrative discretion to seek civil instead of criminal penalties in all cases.

RECOMMENDATION

That the Administration accept the higher civil penalty provisions of the Simpson-Mazzoli bill, but continue to oppose all criminal penalties except as provided for criminal contempt for violations of injunction orders.

3. Scope of Prohibitions.

Both bills prohibit the knowing hiring of illegal aliens. The Simpson-Mazzoli bill prohibits additional conduct as well.

OPTIONS

Administration Bill

Prohibits knowing hiring of illegal aliens.

Simpson-Mazzoli Bill

Prohibits (1) knowing hiring, (2) knowing recruitment or referral for purposes of employment, and (3) knowing continued employment of illegal aliens hired after the date of enactment.

Imposes civil fine of \$500 for hiring any person without checking ID or retaining forms for inspection.

ANALYSIS

The Simpson-Mazzoli bill does not define "recruitment or referral." This language could be read to cover casual referrals, as well as the practices of labor contractors, union hiring halls, and employment agencies. Where employers hire persons referred to them by contractors or hiring halls, both the employer and the referral agency would have to comply with the verification procedure to establish a defense.

This provision for double verification seems unnecessary to enforce the law adequately and would be extremely burdensome to employment agencies and union hiring halls with a large volume of referrals.

The Administration's approach rejected creating a "paperwork" offense for failure to comply with the verification procedure, instead seeking compliance by presuming a knowing violation against the hiring prohibition where the procedure was not followed, and the employee in fact turned out to be an illegal alien. Such a "paperwork" offense could be particularly onerous if the coverage of the law extended to small firms and households.

RECOMMENDATION

That the Administration oppose expansion of the hiring prohibition contained in its bill (except for "continued employment") as producing undue and unnecessary enforcement and compliance burdens.

4. Worker Identification.

In order to enforce employer sanctions simply and without discrimination against Americans who may appear to be of foreign origin, employers need a means of distinguishing illegal aliens from persons authorized to work.

The Administration bill requires employers to examine existing kinds of identification documents prescribed by the Attorney General, such as Social Security cards, driver's licenses, etc., and requires both the employee and employer to sign a form attesting, respectively, that the employee is authorized to work and that the employer has examined the required identification. These forms must be retained for inspection by INS.

The Simpson and Mazzoli bill adopts basically the Administration position for three years, but requires the President within three years to develop and implement "a secure system to determine employment eligibility" for all job applicants for use in place of current ID's. The nature of the new system is not defined.

OPTIONS

Administration Bill

Employment eligibility procedure relies on existing identification documents, as prescribed by the Attorney General.

Simpson-Mazzoli Bill

Relies on existing documents for three years, but requires the Administration within three years to implement an unspecified "secure system to determine employment eligibility."

Option 3

Provide that the Administration will review (1) the efficacy of enforcement relying on existing ID's and (2) the need, practicability, and implementation of a new system of worker identification, and will report its findings to the Congress within 3 years.

Option 4

Accede to the requirement of developing a new system, but extend the implementation period to 5 or more years.

ANALYSIS

The Administration declined to propose a new system of identification on grounds of cost and privacy concerns. Reissuing the social security card on more secure banknote paper would cost over \$1 billion. The cost of further upgrading and reissuing the card with better identification features, such as photographs and magnetic tape, would be as high as \$2 billion according to a GAO report published last year. Moreover, a new card may not produce benefits that outweigh the costs. Any new card would still be based on existing documents, such as birth certificates, and thus would be no more secure than the underlying documents.

Also, it is argued that use of an improved social security or other card for identification purposes could lead to a de facto national identification card. Many people feel that the use of a national identity card is inconsistent with fundamental American principles of freedom, individual privacy, and limited central government.

On the other hand, the Administration bill has been criticized for relying on existing ID's, which are easily obtained and counterfeited. A new system would likely make it marginally more difficult for illegals to obtain employment. If a reissued social security card were used, it is argued that government intrusiveness would not increase much, since employees must now provide their social security numbers when hired.

Simpson and Mazzoli, and most people who favor enforcement, including Congressmen Fish, McCollum, and Lungren on the House Immigration Subcommittee, believe a more secure form of identification is needed. Simpson and Mazzoli are unlikely to agree to delete their provision for a new means of identification. They may even be unwilling to substitute a provision that the Administration study the question.

Option 1 would reaffirm the Administration position that enforcement of employer sanctions rely on existing ID's.

Option 2 would accede to the provision in the Simpson-Mazzoli bill that the Administration implement a new system of employment eligibility within 3 years.

Option 3 would rely on existing ID's, but require the Administration to review their efficacy and the need for a more secure system, and to report to Congress within 3 years.

Option 4 is the same as Option 2, but would extend the period of implementation to 5 years. Any new system requiring development and procurement of data processing capability would require longer than 3 years.

RECOMMENDATION

Option 3. Provide that enforcement rely on existing ID's, but require that the Administration report to the Congress within 3 years concerning the possible need and implementation of a new system. This approach can be defended as the most cost-effective by far, and seems, as a practical matter, to be the bare minimum to which the Congress will assent.

5. Terms of Legalization.

There are an estimated 3 to 6 million illegal aliens now living in the United States. Some practical way must be found to deal with them, without encouraging further illegal migration.

Both bills would (1) grant a legal status to illegal aliens who have resided in the United States continuously since January 1, 1980, and to some Cuban and Haitian entrants; (2) exclude persons who were criminals, national security risks, etc.; (3) give at first only a temporary status to more recent arrivals; and (4) prohibit temporary residents from bringing in spouses and children, and limit the federal welfare benefits available to temporary residents. However, the particular terms of the two bills differ significantly.

One concern of Federal, State and local government with regard to legalization is the fiscal impact of new legal residents' participation in welfare and other programs for which they were not entitled as illegal aliens. Under current law, lawful permanent residents are entitled to all benefits available to U.S. citizens.

The Administration bill would deny federal benefits to the new temporary residents. The Simpson-Mazzoli bill would exclude most federal benefits for temporary residents, but would allow benefits (SSI) to the aged, blind, and disabled, and medical benefits as prescribed by the Attorney General. Their bill also would permit the States to limit the benefits they provide.

OPTIONS

Administration Bill

Temporary resident (TR) status for illegal aliens arriving before 1/1/80 and Cuban/Haitian entrants arriving before 1/1/81. Permanent resident status for TR's after 10 years in U.S. (5 years for Cuban/Haitian entrants), who have minimal English language ability.

Temporary residents not eligible for federal benefits.

Simpson-Mazzoli Bill

Temporary resident status for illegal aliens arriving before 1/1/80 and Cuban/Haitian entrants arriving before 1/1/81. Permanent resident status for illegal aliens in the U.S. since 1/1/78, and after 2 years, for TR's.

Temporary residents eligible for assistance to blind, aged, and disabled (SSI) and medical assistance, prescribed by the Attorney General.

Option 3 (Compromise)

Temporary resident status for illegal aliens arriving before 1/1/80 and Cuban/ Haitian entrants arriving before 1/1/81. Permanent resident status for temporary residents after 8 years in the U.S.

Option 4 (Compromise plus more recent eligibility date)

Temporary resident status for illegal aliens arriving before 1/1/81, including Cuban/Haitian entrants. Permanent resident status for temporary residents after 8 years in the U.S.

ANALYSIS

Option 1, the Administration bill, was designed to gradually absorb illegal aliens here before January 1, 1980, and Cubans and Haitians here before January 1, 1981. By requiring 10 years of residence before granting permanent status (5 years for Cubans and Haitians), the fiscal and demographic impact would be gradual, welfare dependence could be limited by delaying eligibility for federal assistance, the appearance of rewarding unlawful behavior could be mitigated, and the unfairness of granting permanent legal status to illegals while law-abiding immigrants waited years for visas could be avoided. (Assuming the law went into effect January 1, 1983, illegals would have to wait up to 7 more years to become permanent residents.)

However, the Administration bill has been criticized as mean-spirited and unworkable. It is argued that temporary residents should not be separated from their families for years, that they are entitled to the federal benefits for which they pay taxes, and that these aspects will discourage illegals from coming forward. States and localities criticize the denial of federal cash and medical assistance, arguing such assistance is a federal responsibility.

Option 2, the Simpson-Mazzoli bill, is preferred by Hispanic and other pro-amnesty groups. However, it has been criticized by some as too expansive. In effect, it requires illegals to reside in the U.S. 5 years for permanent status, compared to the 10 years required by the Administration. It is argued that it rewards illegality by too suddenly conferring permanent status, and that it will encourage further illegal migration.

Option 3 takes a middle position. It would retain the January 1, 1980 cut-off date but would require all temporary residents to have resided in the U.S. for 5 years to apply for permanent status. Assuming the law went into effect January 1, 1983, illegals would have to wait up to 4 years more to become permanent residents. Like the Administration bill, Option 3 would require all applicants for permanent status to have minimal English language ability.

Option 4 is the same as Option 3, except it would advance the cut-off date to January 1, 1981. A date of January 1, 1980, would cover only 45 percent of the illegal alien population, leaving a very substantial undocumented population in place, with all the attendant problems. Bringing the cut-off date forward 1 year would cover about 60 percent of the illegals while still requiring at least 2 prior years residence for participation. Affected employers would favor legalizing more of the current illegal workforce, particularly if no new temporary worker program were enacted. However, some would argue that advancing the date is overly generous to illegals who have not established sufficient equities to remain in this country.

RECOMMENDATION

Option 4. Grant, on an express one-time basis, temporary resident status to illegals before January 1, 1981, and permit them to apply for permanent status after a total of 8 years here. No federal benefits for temporary residents, except limited medical or other assistance as defined by Congress.

6. Temporary Foreign Workers.

The Administration proposed a 2-year experimental temporary worker program in order to channel a portion of the current illegal migration into legal channels and to respond to the special labor needs of some of our States. Advocates of a temporary worker program (Governor Clements, Senator Hayakawa, agricultural employers, etc.) believe the pilot program of 50,000 is far too small. Labor, Hispanics and other minorities, and church groups have criticized the proposal as unfair to unemployed Americans and a regression to the controversial Bracero program.

Simpson and Mazzoli rejected the Administration's proposed experiment, but instead proposed to codify the existing H-2 temporary worker program, very slightly changed.

The current H-2 provision provides for the admission of temporary alien workers in temporary jobs if U.S. workers are not available. Aliens admitted as H-2 workers are authorized to work only in the job for which they were admitted. Under the law, DOL issues an advisory opinion, called a labor certification, regarding (1) the availability of U.S. workers for the jobs, and (2) whether the wages and working conditions offered the aliens will adversely affect U.S. workers.

There are no statutory limits on the number of H-2 workers who can be admitted. The number is determined by the requests submitted by employers and the DOL labor certification. The number of H-2 workers admitted has increased in the last two years. About 18,000 agricultural H-2 workers and 25,000 non-agricultural H-2 workers were admitted in FY 1980. This has been in the past largely an East Coast program. Any bill must provide sufficient flexibility to permit the executive branch to accommodate Western agricultural labor needs, while providing safeguards to U.S. workers.

OPTIONS

Administration Bill

Establishes an experimental 2-year program to admit up to 50,000 Mexican nationals annually for stays up to 12 months. (Unclear whether 50,000 is an adequate figure.)

Exclusion of jobs in States where State certified there were adequate numbers of American workers. DOL would allocate the national ceiling among participating States. Normal wage and working condition standards would apply. Workers would be free to change jobs, but excluded from jobs with adequate American workers.

Temporary workers could not bring spouses and children, and would be ineligible for welfare benefits and unemployment compensation.

Retains existing H-2 program.

Simpson-Mazzoli Bill

Would establish a separate H-2 program for agricultural workers by bifurcating the current H-2 authority and then codifying certain aspects of existing DOL H-2 regulations and modifying certain others. Would reduce the maximum period of admission to 8 months unless otherwise recognized (prior to enactment) by the Secretary of Labor for a longer period. DOL may not require application for certification more than 80 days prior to need and must provide decision at least 20 days before need. Sets up 7-day procedure for new certification decision where domestic workers do not arrive or are not qualified. Decision of Secretary of Labor would be conclusive on Attorney General -- as opposed to present "advisory" status. Five-year debarment for aliens and employers who violate H-2 visas/certifications.

Option 3 (Further amendments to H-2 program and regulatory changes)

Propose amendments to Simpson-Mazzoli H-2 program that would provide increased authority and flexibility for DOL to develop agricultural H-2 program through regulation. Enhance ability of associations to obtain certifications for workers and provide for expedited decision where domestic workers do not arrive or are unqualified. Reduce debarment period while providing notice and hearing procedure, and restore Attorney General's authority to approve petitions in absence of DOL certification.

Consider other possible changes in current H-2 regulations, including: computation of the adverse effect wage rate; and provisions concerning meals and housing.

ANALYSIS

The Administration's temporary worker program lacks significant support, outside some in Congress and State officials in the Southwest. Agricultural employers believe that it is too small, that "free agent" workers would leave agricultural jobs, that governors in key agricultural States would choose not to participate, and that the workers would not return to Mexico.

The Administration's proposed experimental program faces great difficulty in Congress. Simpson and Mazzoli and most in Congress with ties to labor and minorities oppose it.

Modifications of the existing H-2 program, through statute and regulation, may be more practicable. A DOJ/DOL/DOA working group has drafted proposed amendments to the Simpson-Mazzoli provisions, and will continue to review existing regulations. The Administration could recede from its proposal after adequate changes were made in the Simpson-Mazzoli bill to provide the necessary flexibility to accommodate all reasonable agricultural labor needs.

RECOMMENDATION

Option 3. Seek further amendments and regulatory changes to streamline current H-2 program to enhance administrative flexibility.

7. Interdiction Authority.

In order to deter illegal alien smuggling by sea, the Administration has instituted a program of intercepting boats carrying illegal aliens as they leave Haiti. This program, pursuant to the President's Executive Order of September 1981 and an arrangement with the Government of Haiti, has substantially reduced the illegal traffic from Haiti. (See Chart B).

The Office of Legal Counsel had given its opinion that existing authorities are adequate to sustain the Administration's current interdiction program, but advised that the program could be subject to legal challenge and that legislation could clarify and strengthen the President's authority.

The Administration bill would permit the President to enter into arrangements with foreign countries for this purpose, and to direct the Coast Guard and other Federal agencies to undertake certain interdictions, along the lines of the current Haitian program.

The Simpson-Mazzoli bill includes no comparable provision. The present interdiction program is controversial. Legislation to ratify it would meet substantial opposition and could distract congressional consideration from other badly needed reforms.

RECOMMENDATION

That the Administration not pursue legislation concerning enhanced interdiction authority, and continue its present program under existing law.

8. Emergency Provisions.

The 1980 Mariel boatlift brought a wave of 125,000 undocumented Cubans to south Florida. Many were criminals, mentally ill, or otherwise maladjusted. CIA estimates an additional 200,000 Cubans could come to the U.S. if Castro reopened the port for this purpose. The Carter Administration had neither a consistent policy concerning the emergency nor an orderly way of implementing the few decisions which were made.

The President has directed the Attorney General to prepare a contingency plan for future immigration emergencies. The Administration bill would strengthen laws to prohibit bringing undocumented aliens to the U.S. and laws authorizing the seizure and forfeiture of vessels used in violation of the immigration laws.

The Administration bill also provides a number of special legal authorities to the President in the event of a Presidentially-declared immigration emergency. These provisions have been very controversial, particularly the authority to close harbors, ports, roads, etc., to prevent illegal arrivals; to intercept vessels carrying illegal aliens to the U.S., including foreign flag vessels on the high seas; and to establish special procedures for determining the admissibility of aliens arriving during the emergency. The Simpson-Mazzoli bill contains no comparable provisions.

Additional law enforcement authorities are needed in the event of threatened mass arrivals of undocumented aliens. The Administration at least must bring the deficiencies of current laws to the attention of Congress. Amended legislation has been drafted that would provide needed authority, but that would omit controversial provisions of the Administration bill authorizing closure of ports, roads, etc., and asserting jurisdiction over foreign flag vessels.

Senator Simpson is receptive to more limited legislative authority along these lines. However, they would continue to be controversial and could distract congressional attention from other badly needed reform provisions.

RECOMMENDATION

Seek emergency authority more limited than that provided in the Administration bill (1) to prohibit U.S. vessels, vehicles, etc. from traveling to designated foreign countries, (2) to prohibit U.S. vessels from transporting aliens from designated foreign countries, (3) to intercept U.S. vessels carrying undocumented aliens to the U.S., (4) to detain undocumented aliens upon arrival, with limited judicial review, and (5) to exempt federal actions from environmental statutes. Provide penalties for violations of emergency restrictions.

9. Adjudication Procedures.

It is universally recognized that our adjudicatory procedures have broken down under the burden of overwhelming numbers. There are presently more than 100,000 asylum applications pending. (See Chart C). Legal challenges to INS proceedings have brought those proceedings virtually to a standstill. Multiple opportunities for administrative and judicial review needlessly protract the process.

Both the Administration and the Simpson-Mazzoli bill propose reforms in legal procedures, but the proposals differ. The Simpson-Mazzoli bill establishes an independent adjudicatory body within the Department of Justice modeled on the U.S. Parole Commission. The structure is similar to the administrative consolidation planned by Justice, but would eliminate the Attorney General's appointment and removal power and his authority to review immigration judges' decisions. Justice believes that it could be unsound to create a wholly independent agency within DOJ to administer the immigration laws. The absence of accountability would compound existing management problems and substantially diminish the authority of the Executive Branch.

A second concern is the elaborate adversarial asylum hearing provided by the Simpson-Mazzoli bill. The Administration bill provides for a non-adversarial interview, with limited participation by counsel, and discretionary review on a summary record. The less formal interview would be more nearly comparable to the process followed with refugees overseas.

RECOMMENDATION

That the Administration support reforms of the adjudicatory process, without creating an independent agency within the Department of Justice and without a full adversarial hearing in asylum cases.

LEGAL IMMIGRATION: DECISIONS 10 and 11

The Administration proposed only two changes in the legal immigration system: (1) increasing the number of visas available to Canada and Mexico, and (2) streamlining the process for certifying the labor need for immigrant workers. The Administration believed that the existing laws are basically rational and fair, and that changes in the preference system bear little relation to the problems of illegal immigration and mass asylum, but are complex and controversial and could impede enactment of reform legislation.

Under current law individuals enter the U.S. legally for permanent residence in one of three categories (1) immigrants subject to an annual worldwide numerical ceiling of 270,000; (2) spouses and children of U.S. citizens not subject to any numerical limitation (155,000 last year); and refugees (whose numbers are annually determined under the Refugee Act of 1980 by the President after consultation with the Congress: 140,000 in FY 1983). All three categories combined contribute approximately one-fourth of the total U.S. population growth annually. This nearly doubles when illegal immigration is added. Further, the impact is much greater in some States; over 70 percent of all new immigrants move to six States; California, New York, Florida, New Jersey, Illinois, and Texas.

Until the late 1800s no limits existed on immigration into the United States. Thereafter Congress passed a series of restrictions culminating in the national origins quota system of the 1920s. This system explicitly favored Northern and Western Europe and the Western Hemisphere (on which no restrictions were placed). In 1965 Congress established the present system; Western Hemisphere immigration was restricted for the first time and, in the Eastern Hemisphere, the national origins system was replaced by equal country ceilings (20,000 per country) with preference for family reunification. The country ceilings were extended to the Western Hemisphere in 1976 (causing particular hardship to Mexico). While this system de facto favors the developed Western world (where by the 1960s political and economic conditions no longer pushed immigration to the U.S.), developing world push has in fact resulted in the majority of immigrants in the 60s and 70s coming from Latin America and Asia. Current demand far outruns available legal immigration quotas; this creates backlogs within particular countries (e.g., Mexico, China, Philippines, Korea) which increases pressures for illegal immigration.

The current worldwide legal immigration (not including refugees) is 425,000: 270,000 subject to the ceiling plus an average 155,000 "immediate relatives" of U.S. citizens (spouses and children, and parents of adult citizens). 87 percent of current immigrants are relatives of American citizens and lawful permanent residents. The remainder is divided evenly between professionals and workers with certified job offers.

The Simpson-Mazzoli bill substantially reworks the existing preference system. It would place a cap on all immigrant admissions, excluding refugees, of 425,000 annually -- the present level. Their bill would also create two separate preference systems for immigrants, one for family reunification and one for non-relative ("independent") immigrants. Relatives would be allotted 325,000 immigrant visas annually; independents, 100,000. Labor certification and a job offer would continue to be required for all immigrants seeking admission for employment purposes. The number of such immigrants would, however, be roughly doubled from a current total of 54,000 to 100,000. In addition, the current two preference classes for immigrant workers (3rd, for exceptional ability and 6th, for skilled and unskilled workers) would be expanded by adding a separate preference class for investors and an independent nonpreference worker class.

Two broad changes provided in the Simpson-Mazzoli bill require Administration consideration. A comparison of the current system and that proposed by the Simpson-Mazzoli bill is attached. (See Chart D).

10. The Visa Preference System: Structure and Cap.

OPTIONS

Administration Bill

Retain existing preference classes and admission of immediate relatives of U.S. citizens without numerical limitation.

Simpson-Mazzoli Bill

Establish an overall cap of 425,000 and create separate categories of relative and independent immigration.

ANALYSIS

The Administration rejected placing immediate relatives of U.S. citizens and refugees within an overall cap, as Senator Huddleston and others have proposed. The Simpson-Mazzoli bill would bring the relatives of U.S. citizens, but not refugees, within a ceiling of 425,000 -- approximately the current level of immigration. This compromise position is widely supported in the Congress.

On the other hand, over time, growing admissions of immediate relatives of U.S. citizens within the cap would significantly reduce the number of visas available to other relatives of citizens and permanent resident aliens. This "crowding out" could become controversial. Admissions of immediate relatives of U.S. citizens have increased significantly: 106,000 in FY 1976 to 156,000 in FY 1981. These numbers will continue to grow, particularly if the legalization program is enacted.

If immediate relatives of U.S. citizens are brought within an overall cap, provision should be made for some greater flexibility than is provided in the Simpson-Mazzoli bill. First, some provision could be made for periodic review, perhaps every 3 years, of the overall numbers. An advisory commission on immigration has been considered in the past. Second, visas not used within the expanded independent category could be made available for family reunification. This could also dampen the opposition of ethnic groups and organized labor to the expanded independent immigrant category.

The creation of separate relative and independent immigrant classes, and the near doubling of independent immigrant admissions would diminish the role of family reunification, but expand admissions of needed workers and investors. It is argued that expanded admission of the new "seed" immigrants will benefit the economy.

RECOMMENDATION

That the Administration express some reservations concerning an overall cap, and suggest means of providing needed flexibility, (e.g., provide periodic review of the overall numbers, and permit unused independent visas to be available for relative immigrants.

11. Overall Cap: Numbers.

The Administration bill would raise the ceiling on numerically limited immigration from 270,000 to 310,000 to accommodate the proposed increase in the country ceilings for Mexico and Canada without affecting the number of visas available to immigrants from other countries. The Simpson-Mazzoli bill increased the country ceilings for Mexico and Canada but provided no corresponding increase in the overall cap.

OPTIONS

Administration Bill

Increase the overall ceiling by 40,000 to accommodate the increased admissions of Mexican and Canadian immigrants.

Simpson-Mazzoli Bill

No increase in the overall ceiling to accommodate increased admissions of Mexican and Canadian immigrants.

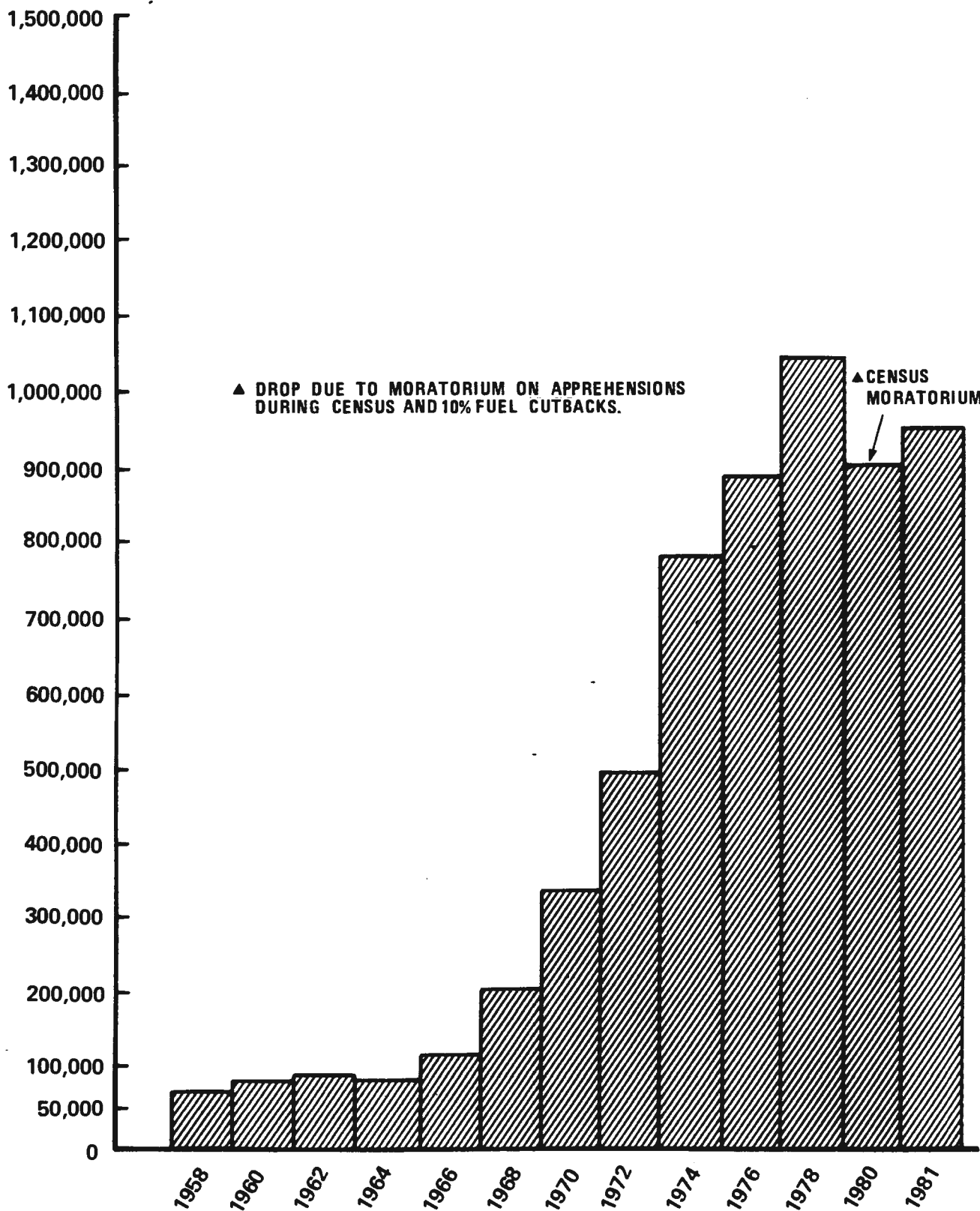
ANALYSIS

Both bills would increase the country ceilings for Mexico and Canada from 20,000 to 40,000 and permit the unused visas of either country to be available to immigrants of the other country in the following year. Some have argued that exceptional treatment for Canada and Mexico signals regression to the discriminatory national origins quotas of the 1920's. Increasing the overall ceiling would at least avoid reducing immigration from other countries and would thus dampen criticism and appear less unfair.

RECOMMENDATION

That the Administration support increasing the overall ceiling by 40,000 to accommodate the increased admissions from Canada and Mexico.

ILLEGAL ALIEN APPREHENSIONS

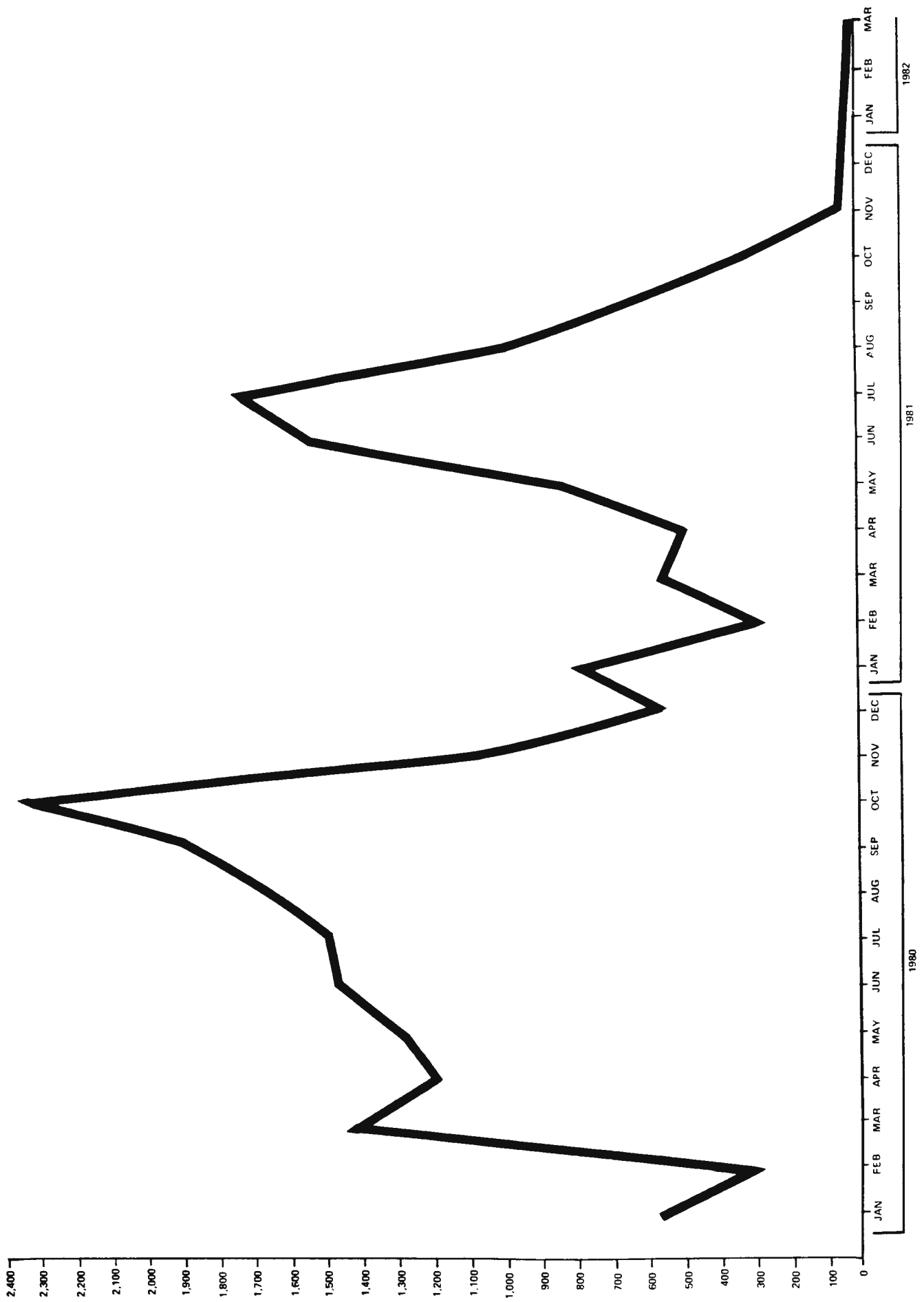


HAITIANS - EXCLUDABLE ARRIVALS

JANUARY 1980 - JANUARY 1982

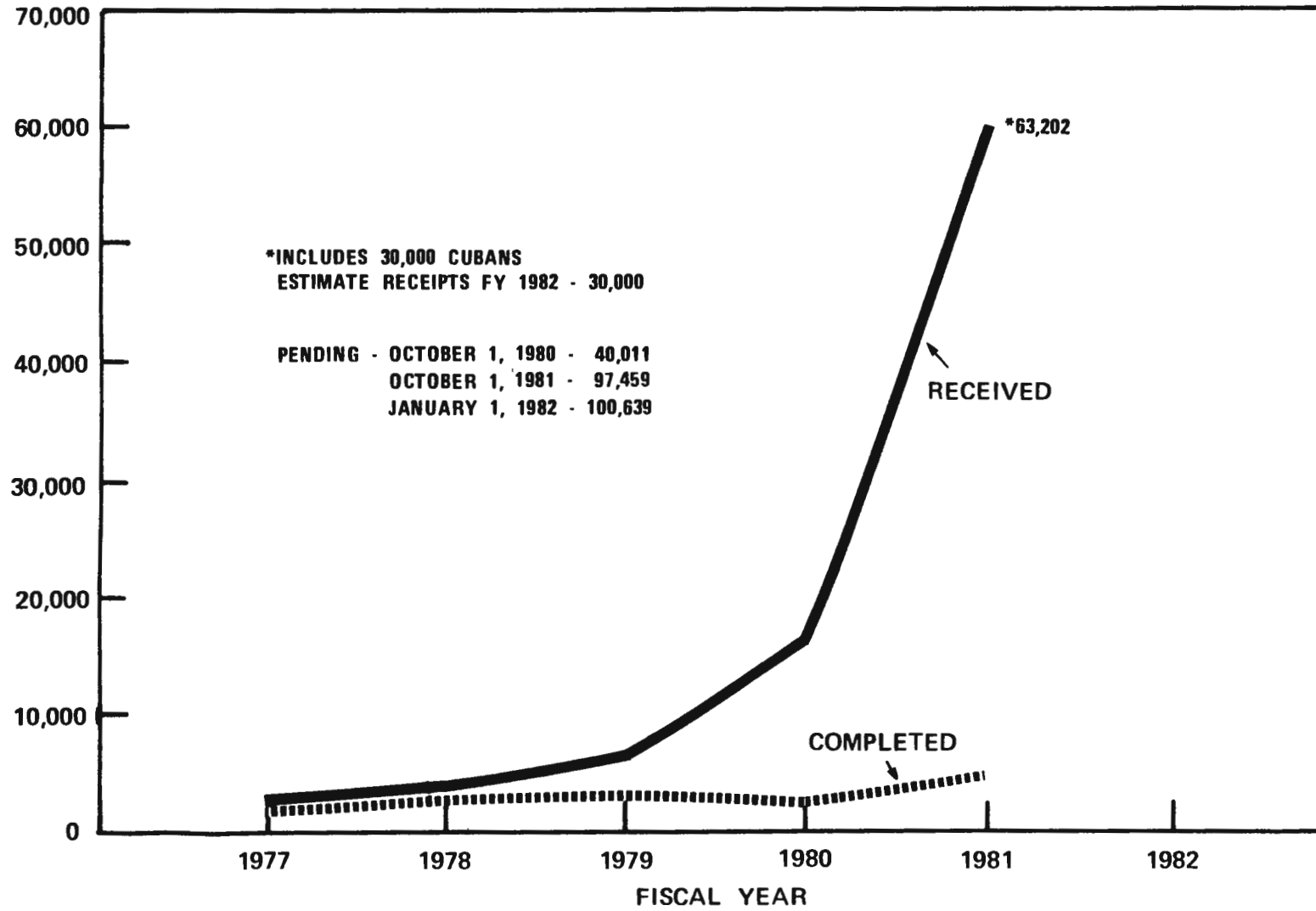
JANUARY 1980 - JANUARY 1982

CHART B



ASYLUM APPLICATIONS

CHART C



Immediate relatives
of U.S. citizens :

unrestricted

unrestricted

Special immigrants :

unrestricted

unrestricted

Preference categories :

(1) (unmarried adult sons and daughters of citizens)	20% of 270,000	A1 (same)	15% of (325,000 minus imm. rel. in prior year) + unused in A4
(2) (spouses + unmarried sons and daughters of perm. res.)	26% of 270,000 + unused in (1)	A2 (excl. adult sons and daughters)	65% of (325,000 minus imm. rel.) + unused in A1
(4) (married adult sons and daughters of citizens)	10% of 270,000 + unused in (1),(2)	A3 (same)	10% of (325,000 minus imm. rel.) + unused in A1, A2
(5) (brothers and sisters of adult citizens)	24% of 270,000 + unused in (1),(2),(4)	A4 (existing 5th pref. backlog)	10% of (325,000 minus imm. rel.) + unused in A1 --A3
(3) (exceptional ability in arts, sciences + prof'ns)	10% of 270,000	B1 (exceptional ability)	up to 100,000 minus spec. immigrants
(6) (needed workers)	10% of 270,000	B2 (needed skilled workers)	(not needed by B1)
		B3 (investors)	(not needed by B1, B2) / not to exceed 10% /
		B4 (needed unskilled workers)	(not needed by B1-B3)
Nonpreference	not needed by (1)-(6)	Nonpreference (needed workers)	(not needed by B1-B4)

Per country ceiling :

imm. rel. and spec. imm.: preference immigrants	unrestricted 20,000 per country	unrestricted 20,000 (40,000 + unused, for Mexico and Canada) minus excess of immediate relatives and spec. imm. over 20,000 in prior yr
ratio of family to independents	[none]	3.25 to 1

Labor certification

case by case no training requirement	nationwide labor market analysis training requirement
---	--

D

THE WHITE HOUSE


WASHINGTON

BRIEFING PAPER

April 15, 1982

MEETING WITH INDEPENDENT REGULATORY GROUP

DATE: April 16, 1982
LOCATION: Cabinet Room
TIME: 3:30 (for 10 minutes)

FROM: Craig Fuller 

I. PURPOSE

To help inaugurate the first meeting of Presidentially appointed chairmen of each of the independent regulatory agencies.

II. BACKGROUND

To afford these Presidential appointees, each with unique areas of responsibility, an informal opportunity to exchange thoughts and ideas and to have an occasion to engage in a brief discussion with the President. It also provides the President with a forum to re-assert his agenda, his Administration's goals in the regulatory arena and to promote the team concept.

III. PARTICIPANTS

List attached

IV. PRESS PLAN

Photo opportunity

V. SEQUENCE OF EVENTS

Loren Smith, Chairman of the Administrative Conference of the U.S., will make opening remarks and introduce the participants. When you arrive you will be greeted by Loren Smith and introduced to the chairmen. You will then make a few brief remarks (talking points attached) and depart. Ed Meese will then make a few brief remarks to the group.

Attachment #2: Chairmen of Independent Regulatory Agencies

Hon. Paul A. Volcker
Chairman
Board of Governors
of the Federal Reserve System
20th Street and Constitution Avenue, N.W.
Washington, D.C. 20551

Hon. Dan McKinnon
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

Hon. Philip McBride Johnson
Chairman
Commodity Futures Trading Commission
2033 K Street, N.W.
Washington, D.C. 20581

Hon. Nancy Harvey Steorts
Chairman
Consumer Product Safety Commission
1111 18th Street, N.W.
Washington, D.C. 20207

Hon. Mark S. Fowler
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Hon. Richard T. Pratt
Chairman
Federal Home Loan Bank Board
1700 G Street, N.W.
Washington, D.C. 20552

Hon. Alan Green, Jr.
Chairman
Federal Maritime Commission
1100 L Street, N.W.
Washington, D.C. 20573

Hon. C. M. Butler III
Chairman
Federal Energy Regulatory Commission
Washington, D.C. 20426

Hon. James C. Miller III
Chairman
Federal Trade Commission
Sixth Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Hon. Reese H. Taylor, Jr.
Chairman
Interstate Commerce Commission
12th Street and Constitution Avenue, N.W.
Washington, D.C. 20423

Hon. John R. Van de Water
Chairman
National Labor Relations Board
1717 Pennsylvania Avenue, N.W.
Washington, D.C. 20570

Hon. Nunzio J. Palladino, Jr.
Chairman
Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

Hon. John S. R. Shad
Chairman
Securities and Exchange Commission
500 North Capitol Street
Washington, D.C. 20549

Hon. Cathie Shattuck
Acting Chairman
Equal Employment Opportunity Commission
2401 E Street, N.W.
Washington, D.C. 20506

Hon. Loren Smith
Chairman
Administrative Conference of the U.S.
2120 L Street, N.W.
Suite 500
Washington, D.C. 20037

(Rohrabacher/AB)
April 15, 1982
3:30 p.m.

DROPBY MEETING OF INDEPENDENT REGULATORY GROUP
APRIL 16, 1982

- Welcome to the White House. During the election, one of the things that always brought a good response out on the campaign trail was the suggestion that we had to reduce the country's regulatory burden. I think Vice President Bush is doing a fantastic job, making good on that promise.

- Part of reducing that burden is to make sure the regulation that is necessary is done efficiently. I've always believed that we should limit what the Government does, but the flip side of the equation is that whatever the government does it should do well.

- Consistent with this thought, we've asked Loren Smith to bring you together to see if opening up new avenues of communication can provide innovative ideas on how to improve the service you render.

- Some of you may be surprised to find that your problems are carbon copies of the difficulties being overcome in other departments and agencies. When I was Governor of California, I was always amazed when at national conferences -- usually during casual conversation -- a fellow governor would describe how he had solved a problem that had us stymied back home.

-- Most of you are aware that six Cabinet Councils have been set up to make sure the concentrated effort of the Executive Branch is focused on the problems with which we are dealing. The system is working well. It's providing us with a broad range of expertise and cutting down costly delays. And it's all based on the idea that we should have maximum communication between concerned parties.

-- I can assure you the White House has no intention of dominating your agenda. We simply wanted to be the catalyst to bringing you together. I'm sure everyone will profit by this sharing of experience.

-- I'd like to thank each of you for your commitment. By maintaining your personal involvement, you will maintain the vitality of the council. We here at the White House want to help in every way we can.

-- Good luck. And thanks again for coming.

E

SEQUENCE OF EVENTS
Eagles Receptions
April 16, 1982
4:30 p.m. and
6:00 p.m.

FROM:

MUFFIE BRANDON

Muffie Brandon

RECEPTION I

- 4:15 p.m. Buses begin to arrive the Southwest Gate and guests enter the Diplomatic Reception Room. Guests may be led by Social Aides up the Grand Staircase to the State Floor where there will be refreshments in the State Dining Room and the East Room.
- 4:35 p.m. Social Aides will begin to see that all guests are gathered in the East Room for the arrival of THE PRESIDENT AND MRS. REAGAN.
- 4:45 p.m. PRESIDENT AND MRS. REAGAN arrive the State Floor via the elevator, proceed down the Cross Hall, and are announced into the East Room with full Honors.
- They continue to the platform and THE PRESIDENT makes brief remarks.
- Following THE PRESIDENT'S remarks, THE PRESIDENT AND MRS. REAGAN mix and mingle briefly with the guests, then proceed down the Cross Hall and to the Private Residence.
- 5:15 p.m. Guests begin to be led down the Grand Staircase to board their buses by Social Aides.
- 5:30 p.m. All guests will have departed.

PAGE 2

RECEPTION II

- 5:50 p.m. Buses begin to arrive the SouthWest Gate and guests enter the Diplomatic Reception Room. As soon as the State Floor is ready for the guests, they are led by Social Aides up the Grand Staircase to the State Floor where there are refreshments in the State Dining Room and the East Room.
- 6:05 p.m. Social Aides begin to see that all guests gather in the East Room to await the arrival of PRESIDENT AND MRS. REAGAN.
- 6:15 p.m. PRESIDENT AND MRS. REAGAN arrive the State Floor via the elevator and proceed down the Cross Hall; they are announced into the East Room to full Honors. THE PRESIDENT AND MRS. REAGAN continue to the platform, and THE PRESIDENT makes brief remarks.
- Following THE PRESIDENT'S remarks, THE PRESIDENT AND MRS. REAGAN mix and mingle briefly with the guests, then depart the East Room and depart to the Private Residence.
- 6:45 p.m. Guests may begin to board the buses out the Diplomatic Reception Room.
- 7:00 p.m. All guests will have departed.

THE WHITE HOUSE

WASHINGTON

April 15, 1982

MEMORANDUM FOR THE PRESIDENT

FROM: ED ROLLINS

*PR.
SR ER.*

SUBJECT: ATTENDANCE AT REPUBLICAN EAGLES RECEPTIONS
FRIDAY, APRIL 16, 1982
THE WHITE HOUSE

I. PURPOSE

The receptions are being held to express appreciation for the generous and steadfast support which the Republican Eagles have given the Republican Party.

II. BACKGROUND

The Republican Eagles is a group made up of the major financial contributors to the Republican National Committee. Each member has donated at least \$10,000 to the Party during the past year. The Republican National Committee sponsors four meetings a year for the Eagles; two in Washington, and two on the West Coast. Due to space limitations, the group has been divided in half, and there will be two receptions on Friday. One half of the group will attend a reception from 4:30p.m. to 5:30p.m., and the other half will be at the White House from 6:00p.m. to 7:00p.m.

III. PARTICIPANTS

A. GUESTS

150-200 Republican Eagles at each reception

B. STAFF CONTACT

Morgan Mason

IV. PRESS PLAN

Closed Press (tentative)

V. SEQUENCE OF EVENTS (BOTH EVENTS)

The President enters the reception (which is in progress), and works his way through the crowd to the podium.

The President makes brief remarks.

The President concludes remarks, works his way back through the crowd, and departs.

TALKING POINTS

- Express appreciation for all that the Eagles have done for the Republican Party.
- Assure them that the Administration is not about to abandon its Economic Program, and retreat back to failed policies of the past.
- Stress the importance of this year's elections, and implore them to continue the vital role which they have played in past Republican successes.

(Parvin/AB)
April 13, 1982
2:00 p.m.

REMARKS: EAGLE RECEPTIONS
APRIL 16, 1982

Thank you and welcome. I always look forward to these Eagle receptions and being among good friends. And you're always so well-behaved. Someone recently showed me a passage that described Andrew Jackson's inaugural reception: "People poured into the White House through windows as well as doors, upset waiters carrying trays of food, broke china and glassware, overturned tables, brushed bric-a-brac from the mantles, spilled whiskey and chicken, and squirted tobacco juice on the carpets. . ." Well, those are Democrats for you.

And let me say that if they could, many Democrats today would like to tear up the tax program we have in place, upset our plans to strengthen the national defense and overturn the progress we've made in returning the government to the people. I can assure you we won't stand for that.

We need the tax program to get this economy going and to keep it going. Without it, the Federal Government would simply lap up more and more of the people's income the way a thirsty dog laps up water. Now our critics have tried to portray the tax package as one designed for the rich, but that is not true; the package is designed for all hard-working Americans who ask only to enjoy the fruits of their own labor and initiative. Self-advancement is how this country became great, and no apology is necessary for the American people's desire to become prosperous.

Making sure the doors of opportunity are open for the ambitious does not mean closing them on the poor. Let me give you a few examples of the level of human services that we're providing in the 1983 budget while some critics accuse us of throwing people out in the snow. About 3.4 million American households will receive subsidized housing assistance at the beginning of 1983. By the end of 1985, under our proposals, 400,000 more households will be added to the list.

Nearly 7 million separate loans or awards will be available for students in higher education through Federal assistance programs; that means that better than one out of every two students has the opportunity for assistance.

The Federal Government will subsidize approximately 95 million meals per day or 14 percent of all meals served in the United States.

Through Medicare and Medicaid the Federal Government will pay for the medical care of 99 percent of those Americans over age 65 and a total of 20 percent of our population -- approximately 47 million aged, disabled, and needy people.

And 28 percent of all Federal spending will go to the elderly, an average of \$7,850 per senior citizen in payments and service. So don't you believe those stories that we are doing heaven knows what to the needy of the Nation.

While the Federal Government has been assuming an ever larger role in our daily lives, it has devoted a smaller and smaller portion of its resources to the one area for which it is clearly and solely responsible -- our national defense.

Nothing tells the story half so well as our changing budget priorities. In 1962, President Kennedy's budget called for defense spending that amounted to 44 percent of the national budget. Even with our increases, defense spending this year will only be 29 percent of the overall budget.

In the last 10 years, Federal spending has increased more than 300 percent. Medicaid and Medicare have gone up by more than 500 percent. And food stamps, in 15 years, have increased by 16,000 percent. And while this was going on, our soldiers were cannibalizing equipment for spare parts and the readiness of our armed forces began to decline.

You are hearing a lot of calls for compromise on the defense aspect of our budget proposal. But we cannot and will not accept any reduction that would divert us from the basic path of rebuilding our defenses. For a Commander-in-Chief to ignore a foreign power's military build-up is nothing less than negligence of duty. Having said that, it is possible there are things that can be done without hurting our basic defense needs. And, if there's a way to strengthen our military, while at the same time cutting back here or there, well, as they used to say, I'm all ears.

Let me say a word of heartfelt appreciation for the support you've given us over the past year. You know our critics and many in the media are saying some pretty rough things about what we're trying to accomplish here. But as long as we have friends like you -- friends who provide encouraging words and

Page 4

enthusiastic support -- we will fulfill our hopes for America.

Thank you and God bless you.