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IMMIGRATION 1981: THE U.S. DEBATE

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October 1981
WP-81-129

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FOREWORD

Sharply reduced rates of population and industrial growth have been projected for many of the developed nations in the 1980s. In economies that rely primarily on market mechanisms to redirect capital and labor from surplus to deficit areas, the problems of adjustment may be slow and socially costly. In the more centralized economies, increasing difficulties in determining investment allocations and inducing sectoral redistributions of a nearly constant or diminishing labor force may arise. The socioeconomic problems that flow from such changes in labor demands and supplies form the contextual background of the Manpower Analysis Task, which is striving to develop methods for analyzing and projecting the impacts of international, national, and regional population dynamics on labor supply, demand, and productivity in the more-developed nations.

Immigration has become a cause for concern in the U.S. because of the large number of people who move into the country each year. Quotas are difficult to impose since immigrants enter without official documents and are able to find employment. This paper briefly reviews existing immigration laws and presents the recommendations of a governmental commission that was formed to analyze the problem and propose reforms in immigration and refugee policy in the U.S.

Publications in the Manpower Analysis Task series are listed at the end of this paper.

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ABSTRACT

In 1978 the U.S. Congress created the Select Commission on Immigration and Refugee Policy (SCIRP) to review the country's immigration policy and to recommend actions that should be taken by the government regarding immigration. After two years of study, the commission recommended more enforcement of immigration laws, amnesty for current undocumented aliens, and a reassessment of the refugee problem. This paper reviews SCIRP's findings and discusses several proposals presented by President Reagan in 1981.

CONTENTS

1. INTRODUCTION, 1
 2. BACKGROUND, 3
 3. LEGAL IMMIGRATION, 9
 4. REFUGEES, 12
 5. UNDOCUMENTED/ILLEGAL IMMIGRATION, 15
 6. PROSPECTS FOR ACTION, 21
 7. THE REAGAN PROPOSALS, 25
- APPENDIX A, 28
- APPENDIX B, 31
- REFERENCES, 34

IMMIGRATION 1981: THE U.S. DEBATE

1. INTRODUCTION

Immigration to the U.S. is believed to be out of control. Instead of the 450,000 immigrants anticipated in 1980, the U.S. admitted 808,000 legal immigrants, refugees, and special entrants and tolerated the entrance of an unknown number of undocumented workers (perhaps 500,000). Total immigration, perhaps 1.3 million, is at an all-time high, exceeding the previous high of 880,000 per year between 1901 and 1910 (Bouvier 1981). The Select Commission on Immigration and Refugee Policy (SCIRP) was created by Congress in 1978 and given two years to develop an immigration remedy. Its March 1981 report contains 67 recommendations meant to reassert *control* over immigration (SCIRP 1981).

The U.S. is a nation of immigrants. Despite our immigrant heritage, Americans are opposed to more immigration. The Roger Poll of June 1980 found that 91% of all Americans support an "all out effort" to stop illegal immigration and 80% want to reduce the number of legal immigrants and refugees accepted each year. SCIRP believes that the U.S. can admit more immigrants *if* illegal immigration is stopped. Its major recommendation is that the U.S. "close the back door to undocumented/illegal migration [and open] the front door a little more to accommodate legal migration" (SCIRP 1981:3).

In a world of nation-states, all countries must make three immigration decisions:

1. How many immigrants to admit
2. From where
3. In what status

All sovereign nations claim the right to control entry over their borders, making immigration a privilege extended to a few individuals, not a basic human right available to all persons. (Appendix A). Most countries proscribe or limit severely the settler immigration familiar to Americans. More than half of the million or so "settler immigrants" admitted to all 164 countries of the world each year come to the U.S. Unlike most nations, the U.S. treats all countries equally when issuing visas under a six-tier preference system that governs the admission of our 270,000 planned immigrants. Also unique is our reluctance to separate the right to work from the right to continued residence in the U.S. The U.S. has very few (30,000) legal temporary (H-2) workers who are expected to leave as soon as their (seasonal) jobs end. In contrast, European nations have used temporary alien workers for 5 to 10% of their work forces (Martin 1980).

SCIRP's 453 page report is a "liberal" response to restrictionist pressures. If its proposals are adopted, *total* immigration to the U.S. would decrease but the documented share of that total would rise. SCIRP recommends more enforcement of immigration laws, amnesty for undocumented aliens now in the U.S., a 67% increase in quota immigrants for 5 years, no upper limit on total immigration (quota admissions, exempt relatives, and refugees), and a new international approach to vexing refugee problems.

The thrust of the SCIRP report is the need for *enforcement* to reassert control over immigration. SCIRP voted (14-2) to fine U.S. employers who knowingly hire undocumented aliens and narrowly recommended (8-7) a "more reliable" mechanism to identify persons authorized to work in the U.S. (e.g., a counterfeit-proof social security card). SCIRP also recommended (14-1) increased enforcement of existing labor standards legislation.

Adoption of the enforcement recommendations will presumably help curb illegal immigration. But what about the 4 to 6 million undocumented persons currently living in the U.S.? SCIRP recommended a one-time amnesty that would permit all aliens who were in the U.S. before January 1, 1980 to become legal immigrants *after* the new enforcement mechanisms were in place, and Congress would decide the details of the amnesty program.

Even though candidate Reagan promised to "document the undocumented workers and make them legal" and President Reagan told Walter Cronkite he was "very intrigued" by a proposal to grant temporary work visas to Mexicans, SCIRP voted 14-2 *against* recommending a large-scale temporary worker program to prevent future undocumented immigration. By the same margin, SCIRP recommended that the small (but numerically unrestricted) H-2 program that admits temporary foreign workers for temporary U.S. jobs be continued but argued that U.S. employers should be weaned from dependence on H-2 workers.

SCIRP's recommendations range from a call for "better understanding of international migration" to a "visa waiver for tourists and business travelers from selected countries". A quick review of immigration law and SCIRP responsibilities will help put the recommendations in context. The best way to outline the recommendations is to discuss their impacts on the three major groups of immigrants coming to the U.S.: legal immigrants, refugees, and undocumented immigrants. The final section of this paper discusses prospects for immigration reform proposals.

2. BACKGROUND

The Select Commission on Immigration and Refugee Policy was established by Public Law 95-412 on October 5, 1978 "to study and evaluate... existing laws, policies, and procedures governing the admission of immigrants and refugees to the U.S." SCIRP was asked specifically "to conduct a study and analysis" of immigration on, *inter alia*,

- a. Social, economic, and political conditions in the U.S.
- b. Demographic trends
- c. Present and projected unemployment in the U.S.

SCIRP was established after Congress repeatedly failed to approve sanctions on employers who knowingly hired undocumented aliens in the early 1970s, after both Presidents Ford and Carter organized interagency task forces to study immigration issues, and after President Carter's August 1977 enforcement and amnesty proposals to curb illegal immigration died in Congress. SCIRP Commissioners know that most immigration reform proposals do not survive the crossfire of opposition from interest groups.

Reforming immigration policy is never easy. Despite an immigrant heritage and the belief that the U.S. has always welcomed the world's tired and poor, U.S. immigration policy has discouraged the entry of aliens in the past (Appendix A). Between 1775 and 1875, however, the U.S. did encourage immigration. Immigration law grew out of an ever lengthening list of excluded "undesirables" in the 1880s--from prostitutes and convicts to lunatics and idiots, and in 1885 contract laborers. Current immigration law excludes more than 30 classes of undesirable aliens, including homosexuals and security risks. SCIRP's predecessor, the 1907 Immigration Commission headed by Senator William Dillingham*, demanded the first quantitative restrictions to keep immigrants out of the U.S.** The temporary Quota Law of 1921 limited immigration from any country to 3% of the foreign born persons from that country living in the U.S. in 1890. In 1924, the Immigration Act Origins Law set an annual quota for each country of 2% of a nationality's U.S. residents in 1920 and restricted total annual immigration to 150,000 people. Western Hemisphere nations were exempt from the quota.

*The biased report of the Dillingham Commission, issued in 1911, blamed immigrants for depressed wages, industrial accidents, unemployment, and economic recession. Isaac Horwich's 1912 book, *Immigrants and Labor*, exposed many of the Commission's errors and biases.

**A third element of immigration law, "facilitated entry", e.g., for relatives and refugees, appeared after quantitative restrictions took effect. Congress exempted political offenders from the 1875 exclusion of criminals and agreed that refugees from religious persecution did not have to pass the 1917 literacy test.

In 1952, the current Immigration and Nationality Act (INA) was enacted over President Truman's veto. The INA reaffirmed national origin quotas. Liberal amendments in 1965 eliminated national origin quotas in favor of a seven-tier system of family and skill preferences to rank would-be immigrants from each country. These amendments strengthened provisions that protected American workers from immigrant competition. Needed immigrants had to show that American workers were not available to fill a vacant job and that his employment would not adversely affect U.S. wages and working conditions.

The 1965 amendments replaced national origin quotas with a 20,000 person per country limit on quota immigrants from Eastern Hemisphere nations and an annual ceiling of 170,000. Western Hemisphere immigration was quantitatively restricted for the first time. Western Hemisphere nations were given 120,000 immigrant slots but no country limits or preference system. In 1976, the INA was amended to extend the preference system and a 20,000 person per country limit to the Western Hemisphere; in 1978, hemisphere quotas were replaced by a single worldwide quota of 290,000. The 1980 Refugee Act put seventh preference refugees under a separate 50,000 ceiling but left 270,000 slots for relatives and needed workers.

Current immigration law has three basic goals: encourage the unification of families, treat all countries equally when issuing immigration visas, and restrict immigration to the U.S. In addition, the U.S. accepts refugees, excludes undesirable aliens, and facilitates the admission of workers with skills needed in the U.S. The U.S. has no explicit population size or distribution goals, hence immigration policy is not related to overall population or economic targets.

SCIRP faced the task of reforming an immigration law that was humanitarian in spirit (favoring the admission of refugees and relatives of U.S. residents) but increasingly utilitarian in practice, since undocumented immigration delivered large numbers of alien workers to U.S. employers. The 16 commissioners chosen for this job included four Cabinet secretaries (Justice, Health

and Human Services, Labor, and State); eight members of Congress; and four public members. SCIRP's chairman was the Reverend Theodore Hesburgh of Notre Dame University.

SCIRP commissioners were divided on whether more research was needed or whether the commission's first priority was to build a consensus based on past research and reform proposals. Because the commissioners failed to agree, SCIRP simultaneously pursued research, public hearings, and public relation strategies. The research included 22 studies of how immigrants and refugees already in the U.S. in the mid-1970s fared economically and politically as well as a series of 24 consultations with experts addressing topics that ranged from illegal immigration to refugee issues. Regional public hearings were held in 12 cities across the country and attracted 700 witnesses. Public relations involved attempts to confer with a variety of interest groups.

The commission's research and public hearings yielded a 916 page staff report and nine appendix volumes, which do not expand the information base significantly. Instead, they provide a general review of the evolution of U.S. immigration law, an overview of current problems, and analyses of the experiences of particular immigrant groups. If the country is waiting for definitive research to produce a rational or easy solution to vexing immigration problems, it must wait longer.

The research issue deserves elaboration. SCIRP commissioners were told frequently that they could not make unpopular control and enforcement recommendations until they could quantify the benefits and costs of current migration patterns. A few commissioners wanted to begin a multi-year longitudinal study of *legal* immigrants because research on illegal aliens did not promise precise results.*

*These commissioners blocked research on illegal immigration, a sentiment reflected in the staff report: "Early in its deliberations the Commission decided not to spend money on what would be a fruitless effort to count the number of illegal aliens" (SCIRP 1981:xiii). However, most commissioners wanted research on *impacts*, not numbers.

However, the majority stressed that SCIRP's research must focus on the impacts of undocumented aliens even if it were difficult to conduct such research.* This majority was willing to accept less rigorous answers to relevant questions, but the debate over rigor and relevance resulted in a stand-off and no substantive research.

What kind of research on undocumented aliens would be useful? Three basic research strategies are available. *Legal immigrants* can be studied and the results extrapolated to the undocumented population, e.g., study the economic progress of documented immigrants and assume that undocumented entrants with the same education, age, and location are making similar progress despite their status. This extrapolation strategy promises results of unknown reliability.

Alternatively, undocumented aliens who have worked in the U.S. can be interviewed after they return to their home country, where they can talk about their U.S. experiences without fear. These *sending country* studies have an acknowledged bias--they include only aliens who have returned. An additional problem is that sending country studies say far more about the characteristics of individuals than the impacts of undocumented aliens in the U.S.

A third research strategy is to study undocumented aliens in the U.S. *Local area studies* may include both apprehended and unapprehended aliens. The advantage of a local approach is that the data from aliens can be checked against other location-specific parameters. Several commissioners endorsed the idea of local area studies to determine socioeconomic impacts in cities known to contain large numbers of undocumented immigrants (e.g., Houston, Los Angeles, New York). These local area studies would examine the structure and growth of local industries, changes in local workforces, and labor market indicators such as wage levels and dispersion, hiring and turnover patterns, and unionization. *Not finding any local impacts attributable to undocumented aliens would also be significant.*

*A \$1 million study of illegal aliens begun in 1978 did not even yield data. The project was supposed to interview 100,000 illegal aliens but produced no useful data (Dickey 1978).

In addition to local area studies, many academics urged a replication of the 1975 North-Houston study of *aliens apprehended* in the U.S. (North and Houston 1975). Those urging replication believed that another sample of aliens would show the "maturation" of illegal aliens in the U.S.--more women, more aliens from urban areas, and more alien workers in urban U.S. labor markets. A stratified sample would permit researchers to isolate aliens caught before they found a U.S. job, aliens apprehended after at least two weeks of work in the U.S., and aliens in the U.S. at least two years.

Apprehension identifies persons who are in the U.S. illegally. The problem with apprehended alien studies is that persons apprehended may not be representative of the entire illegal alien population. If this population were considered a room of unknown size and shape, the apprehended alien sample would be a window--of known dimensions--that would permit a look at the whole population. However, it would not be possible to determine whether a particular window or sample would be a peephole or a picture window. If a *series* of apprehended alien studies could lead to uniform conclusions on alien characteristics and impacts, it may be assumed that the underlying phenomenon is similar in urban areas in the U.S.

Immigration research will always be controversial. Scientific inquiry requires theory, data, and hypothesis testing, but there is no theory that tells us how fast the population should increase. Immigration data are scanty and unreliable. More research cannot answer specific questions precisely, e.g., how much will the GNP, the unemployment rate, and average hourly earnings change if one million additional immigrants are admitted. But research can document trends and permit qualitative answers to questions of interest--what impacts will current migration patterns have, how do migrant impacts change over time and with varying local conditions? Immigration reform decisions will require value judgments, but these judgments can be informed by research.

3. LEGAL IMMIGRATION

The INA quotas anticipate the arrival of 270,000 immigrants each year (Table 1). These 270,000 are admitted after each immigrant clears three hurdles. First, does the immigrant qualify for admission under one of the size preferences? Second, is there a preference quota slot free (e.g., 54,000 slots are available to unmarried adult sons and daughters of U.S. citizens--the first preference--and 27,000 slots are available to immigrants of exceptional ability and their dependents--the third preference). Finally, is one of each nation's 20,000 quota slots available to the would-be immigrant?*

SCIRP recommends that the system of country and preference quotas be retained but the worldwide quota be raised to 350,000. This "modest increase" in immigration "can advance U.S. interests without harming U.S. workers". The proposed 350,000 quota would separate immigrants into two distinct channels (Table 2). One group would continue the tradition of family unification and assign each family unification and assign each family unification category some unspecified percentage of the 350,000 quota. The second channel would admit independent immigrants--aliens with no qualifying family ties but with exceptional ability or money to invest in the U.S. SCIRP could not agree whether these "new seed" immigrants should be admitted only if each had a job offer from a U.S. employer and would not affect natives adversely (7 votes) or if they should be admitted without an individual test unless the Secretary of Labor declared that their admission adversely affected U.S. workers (7 votes). SCIRP also failed to agree on whether the 54,000 slots now available to "needed permanent workers" should be increased or decreased.

Current U.S. immigration law exempts parents, spouses, and minor children of adult U.S. citizens from all quotas. In most years, 100,000 to 150,000 quota-exempt immigrants are admitted.

*The would-be immigrant must not belong to one of the 33 classes of excludable aliens.

Table 1. Current visa allocation system.

Numerically Exempt Immigrants

Immediate relatives of U.S. citizens

- Spouses
- Children
- Parents (of U.S. citizens at least 21 years of age)

Special immigrants

- Certain ministers of religion
- Certain former employees of the U.S. government abroad
- Certain persons who lost U.S. citizenship

Numerically Limited Immigrants (270,000)

<u>Preference</u>	<u>Groups Include</u>	<u>Percentage & Number of Visas</u>
First	Unmarried sons and daughters of U.S. citizens and their children	20% or 54,000
Second	Spouses and unmarried sons and daughters of permanent resident aliens	26% or 70,000
Third	Members of the professions of exceptional ability and their spouses and children	10% or 27,000
Fourth	Married sons and daughters of U.S. citizens, their spouses and children	10% or 27,000*
Fifth	Brothers and sisters of U.S. citizens (at least 21 years of age) and their spouses and children	24% or 64,800*
Sixth	Workers in skilled or unskilled occupations in which laborers are in short supply in the United States, their spouses and children	10% or 27,000
Non-preference	Other qualified applicants	Any numbers not used above*

*Numbers not used in higher preferences may be used in these categories.

Table 2. Immigrant visa allocation system proposed by the SCIRP staff.

<i>I. Family Reunification</i>		250,000
	<u>Immediate relatives of U.S. citizens*</u>	
	Spouses	
	Unmarried sons and daughters	
	Parents of adult U.S. citizens	
	Grandparents of adult U.S. citizens	
	<u>Other close relatives</u>	
	Group 1:	175,000
	Spouses and minor, unmarried children of permanent resident aliens	
	Group 2:	
	Adult, unmarried sons and daughters of permanent resident aliens	20% 15,000
	Married sons and daughters of U.S. citizens	30% 22,500
	Brothers and sisters of adult U.S. citizens	45% 33,750
	Parents (over age 60, all of whose children live in the United States) of permanent resident aliens	3,750 5%
<i>II. Independent Immigrants</i>		100,000
	Special immigrants*	
	Immigrants with special qualifications:	
	immigrants of exceptional merit	3,000
	investors	2,000
	Other independent immigrants	95,000
	TOTAL	<u><u>350,000</u></u>

*Numerically exempt

SCIRP recommended quota exemptions for unmarried adult sons and daughters of adult U.S. citizens (14-2), grandparents of adult U.S. citizens (13-3), and brothers and sisters of adult U.S. citizens (9-7). These additional exemptions and the naturalization of recent immigrants and refugees could increase the annual exempt flow of immigrants to 200,000 or more.

Would-be immigrants from some countries face waiting lists of five years or more, encouraging illegal entry. To reduce these waiting lists, SCIRP recommended (12-4) that an additional 100,000 slots be added to the new 350,000 worldwide quota for five years, increasing quota immigration 67%. If all these SCIRP recommendations were adopted, permanent or "settler" immigration could be expected to average 650,000 annually for the first five years and 550,000 thereafter. This 550,000 would not be a firm ceiling on the annual admission of immigrants and refugees. Despite strong pleas from environmental and population groups, only Senator Alan Simpson (a Republican from Wyoming) voted to impose an absolute ceiling on immigrant admissions.

4. REFUGEES

U.S. refugee policy was changed by the Refugee Act of 1980. The U.S. defines a refugee as a person outside his or her country of nationality or country of normal residence and unable or unwilling to return "because of a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." Under this Act, the U.S. "plans" to admit 50,000 refugees each year. The actual refugee quota, however, is determined each year by the President in consultation with Congress. The refugee quotas for 1980 were 232,000 and are 217,000 for 1981.

SCIRP voted 11-3 to continue the process of having the President, in consultation with Congress, set an annual refugee quota that considers both geographic and individual factors. The dissenting commissioners argued that these consultations are only *pro forma*. Since three "emergency admissions" occur for every "planned" refugee, these dissenters believe that the President controls a virtually unchanged refugee admissions policy.

The Refugee Act of 1980 was in force when Cuban boat people began streaming into southern Florida in the summer of 1980. Confusion reigned, as President Carter first welcomed the refugees "with open arms" and later ordered the impoundment of private boats used to transport Cubans to the U.S. In 1980, 125,000 Cubans and 15,000 Haitians arrived in the U.S. and sought asylum.

Most of the Cubans were resettled with friends or relatives in the U.S. However, the private boats bringing Cuban refugees to the U.S. were forced to accommodate an estimate of 24,000 "criminals" expelled by Fidel Castro. Many of these persons had committed only political offenses, but at least 3500 were common criminals and "social misfits" who remain in jail or at a detention center in Fort Chaffee, Arkansas. Cuba refused to accept the return of these 3500 and the federal government could not find another place in the U.S. to house them. These Cubans aroused considerable local opposition. Frank White, the Republican candidate for governor of Arkansas, credits his victory in November 1980 in part to local resentment of the federal government's handling of Cubans in Fort Chaffee.

The U.S. had never experienced waves of persons seeking mass asylum before. The Carter Administration did not want to permit the Cubans and Haitians to claim refugee status immediately for fear of "rewarding" illegal entry or encouraging further "push outs." The Administration was also aware that officially defined refugees were entitled to federally paid welfare, health, and training assistance for up to three years. Instead of having refugee status, therefore, the Cubans and Haitians became "special entrants" with indefinite parole status and were made eligible for half of the normal refugee benefits.

Push-outs and mass asylum requests figure prominently in SCIRP. The commissioners voted 12-3 to "deter the illegal migration of those who are not likely to meet the criteria for acceptance" (SCIRP 1981:165). SCIRP urged that the U.S. process requests for asylum individually and expeditiously and "not hesitate to deport those persons who come to U.S. shores--even

when they come in large numbers--who do not meet the established criteria" (SCIRP 1981:165). To expedite these deportation reviews, SCIRP recommended (13-1) the development of "group profiles" to determine probable eligibility for asylum, even though every individual must continue to prove his or her own eligibility.

The disparate treatment of Cubans and Haitians turned SCIRP's attention to charges of racial bias in U.S. refugee policy. Some Black leaders argued that Haitians were subject to closer scrutiny than Cubans who arrived illegally in southern Florida. The Immigration and Naturalization Service (INS) was criticized for first granting and then withdrawing work permits for Haitians awaiting asylum investigations and for attempting to close Haitian deportation hearings to the public. SCIRP recommended (12-3) that an interagency body be established to make contingency plans to deal with future push outs and mass asylum requests more systematically.

Once in the U.S., refugees must be resettled and integrated. Since 1975, the U.S. has accepted almost one million refugees, half from Indochina. Traditionally, the federal government admits refugees, and voluntary associations (especially church groups) resettle them in conjunction with state and local governments. The expansion of social welfare programs, the large number of refugees, and the tendency of refugees to settle in a few areas has encouraged the federal government to step up its refugee assistance efforts. The Refugee Act of 1980 allows the federal government to reimburse voluntary agencies for the costs of resettling refugees, \$525 for each Indochinese refugee and \$365 for European, African, and Middle Eastern refugees.

SCIRP recommended (11-3) that state and local governments help plan for refugee resettlement and that federal "impact aid" be considered for communities with concentrations of refugees. Federal policies now attempt (unsuccessfully) to disperse refugees; SCIRP recommends that refugees be encouraged to cluster in particular areas, since

1. They will anyway
2. More experienced refugees can ease the integration of newcomers

3. It is cheaper to provide special education and training assistance to concentrations of refugees

SCIRP recommended that refugee resettlement be geared to the achievement of self-sufficiency and that cash assistance be terminated for refugees "who refuse appropriate job offers." Although history has proved most such fears groundless, SCIRP apparently believes that many of the Indochinese may become part of the permanent welfare class.*

The clustering of refugees concentrates their economic benefits and costs. If refugees help revive declining neighborhoods and keep mobile industries from leaving an area, local economies benefit. If, on the other hand, unskilled refugees compete with disadvantaged residents for jobs and require costly education and social services, local economies suffer. No conclusive evidence is available to demonstrate that local communities are generally helped or hurt by an infusion of refugees.

5. UNDOCUMENTED/ILLEGAL IMMIGRATION

Undocumented/illegal immigration was SCIRP's *raison d'être* and the issue that defied resolution. SCIRP's sounding of public opinion found that:

The message is clear--most U.S. citizens believe that the half-open door of undocumented/illegal migration should be closed (SCIRP 1981:35).

Despite the clear message, few observers believe SCIRP's enforcement and amnesty package will be enacted immediately.

The number of undocumented aliens in the U.S. is unknown. Partial evidence for the belief that an "uncontrolled hemorrhage of people" is flooding into the U.S. comes from apprehension statistics. Since 1970, the INS has apprehended more than 8

*California has almost 2/3 of the Indochinese refugees. The deputy director of California's health agency, Joe Diaz, believes that many of the refugees will be dependent on welfare assistance indefinitely (Lindsay 1981a).

million undocumented persons in the U.S. (Table 3). Most aliens are caught away from the worksite, and the decline in the percentage of workers among apprehended aliens in the 1970s reflects an INS deemphasis of worksite inspections, not jobless aliens. INS worksite inspections were halted in March 1980 to encourage undocumented aliens to cooperate with census workers. Note that industrial worker apprehensions outnumbered those of farm workers in 10 of the 11 years listed in Table 3.

SCIRP reviewed the research on numbers and characteristics of undocumented/illegal aliens and discovered five "common findings" (p.36):

- A review of "other studies" led the Census Bureau to estimate that in 1978 about 3.5 to 5.0 million aliens may have been in the U.S. without documents. Less than half were Mexican (see Appendix B).
- Young single males are most likely to attempt surreptitious entry across U.S. borders (entry without inspection). Persons using false documents or violating terms of their legal entry are more diverse.
- Almost all undocumented immigrants are attracted by U.S. jobs that pay relatively high wages, often 5 to 10 times the earnings the alien could expect at home.
- Most undocumented aliens in the U.S. earn at least the minimum wage. Many earn up to twice the minimum, i.e., \$6 to \$7 per hour.
- There is no meaningful "average length of stay" in the U.S. Some undocumented immigrants do seasonal agricultural and construction work and leave the U.S. for 2 to 3 months each year. However, a growing proportion are expected to settle permanently in the U.S., a trend anticipated by experience with migrant labor in other countries.

SCIRP also reviewed the *impacts* of undocumented aliens on wages and unemployment, social service costs, and their "overall effect on U.S. society," finding almost "no consensus" among researchers (SCIRP 1981:37). The commission noted that opinions on job displacement range from zero (no displacement) to one (every undocumented alien displaces one American). Similarly, SCIRP reports that some economists believe the presence of unskilled laborers without documents helps *increase* the wages of

Table 3. Undocumented aliens apprehended by type of U.S. employment, 1970-1980.

Fiscal Year	AGRICULTURAL WORKERS			INDUSTRIAL AND OTHER WORKERS			TOTALS		
	Border Patrol	Invest.	Total	Border Patrol	Invest.	Total	Total Workers	Total Apprehensions	Workers as percent of apprehendees
1970	51,655	4,254	55,909	12,928	60,844	73,772	129,681	324,444	40.0
1971	73,399	5,314	78,713	13,924	62,145	76,069	154,782	397,517	38.9
1972	80,922	4,873	85,795	18,339	79,869	98,208	184,003	478,708	38.4
1973	99,384	6,342	105,726	23,547	102,370	125,917	231,643	647,512	35.8
1974	112,107	4,964	117,071	24,472	99,833	124,305	241,376	780,991	30.9
1975	110,184	4,742	114,926	26,797	108,665	135,462	250,388	756,819	33.1
1976	116,735	6,085	122,820	25,531	110,734	136,265	259,085	866,433	29.9
1977	94,665	14,381	109,046	24,763	114,528	139,291	248,337	1,033,427	24.0
1978	95,021	12,551	107,572	38,812	87,019	125,831	233,403	1,047,687	22.3
1979	102,482	11,013	113,495	31,177	89,074	120,251	233,746	1,069,400	21.9
1980	51,291	6,914	58,205	17,641	66,185	83,826	142,031	910,361	15.6

Note: Border Patrol indicates border patrol apprehensions and Invest. indicates investigation apprehensions.

Source: INS form G-23.18 for the years cited and North (1981).

skilled workers but depresses the wages offered to young and unskilled Americans. The commission report adopts a middle position on both issues, arguing that undocumented aliens depress wages and increase unemployment to an unknown extent.

SCIRP adopts a firmer position on the social service impacts of undocumented aliens, agreeing with those who say that "illegal aliens do not place a substantial burden on social services" (SCIRP 1981:38). SCIRP sides with those who argue that undocumented workers have payroll taxes deducted from their paychecks, but they avoid the work and social service agencies that provide benefits for fear of being apprehended. North's tabulation of taxes-paid/benefits-received data from ten studies supports the SCIRP position (Table 4), although his own 1981 study of 580 aliens found that half of the 147 illegal aliens who qualified for unemployment insurance in California sought benefits and 35% collected (North 1981).

SCIRP believes that illegal immigration must be curbed because "illegality breeds illegality." Mexican and American "coyotes" smuggle aliens across the border in a business so profitable "it rivals the smuggling of narcotics," but carries a much lower probability of apprehension and punishment (Crewdson 1980). A smuggling ring can smuggle 500 aliens weekly and charge each \$500 to be brought into the U.S., generating \$12 million annually. In 1979, the INS arrested 18,500 aliens smugglers. Only a third of the 6000 prosecuted were convicted.

Aliens present without documents are returned if apprehended. However, in 38 states there is no penalty for an employer to hire an alien who is known to be without documents.* Undocumented aliens, like other U.S. workers, are protected by labor standard laws. Aliens, whether aware of their rights or victims of systems they do not understand, do not complain when their employers break wage and working condition laws.

*The Farm Labor Contractors Act requires a farmer or crew leader to determine the status of workers before hiring them.

Table 4. Incidence of tax reductions and social services utilization among selected surveys of undocumented/illegal immigration.

Author	Studied Population	Percent with social security deductions	Percent with income tax deductions	Percent with received un-employment insurance	Percent with received welfare	Sample Size
Avante Systems/ Cultural Research Associates	apprehended and unapprehended illegal aliens in Edinburg/McAllen, Texas	51.9	39.4	3.0	1.0	300
Bustamente*	Mexican illegal immigrants	55.5	61.8	unknown	3.2	521
CENIET*	repatriated Mexican illegal immigrants	46.0	51.3	2.5***		2,176
Cuthbert & Stevens	legal and illegal Mexican migrants employed in Hood River, Oregon	44.0***		0.0	0.0	93
Keely, et al.	unapprehended Haitians and Dominicans in New York City	57.0 77.0	65.0 82.0	13.0 29.0	0.0 6.0	54 17
North/Houston	apprehended illegal alien workers	77.3	73.2	3.9	0.5	793
Orange County	unapprehended illegal aliens in Orange County, California	88.0	70.0	not asked	2.8	177
Pultras	repatriated migrants from Costa Rica and El Salvador, most of whom were illegal	69.7 45.2	55.7 18.5	7.3 1.2	2.2 1.2	314 259
Van Aradol, et al.	unapprehended illegal aliens who were clients of One Stop Migration Services in Los Angeles, California	not asked	not asked	not asked	12.4	2,905
Villalpando	apprehended illegal aliens in Chula Vista Detention Center, CA.	81.0***		not asked	not asked	177
Range of Responses		44% - 89%	19% - 82%	0% - 29%	0% - 12%	
Median in range		57%	62%	4%	2%	

Source: Avante Systems, Inc. and Cultural Research Associates, An Appendix to a Survey of the Undocumented Population in the Texas Border -- The Edinburg/McAllen Survey (San Antonio: Cultural Research Associates, November 1978); Richard W. Cuthbert and Joe B. Stevens, Economic Incentives Facing Mexican Migrant Workers at Hood River, Oregon (Corvallis: Oregon State University, January 1980); Charles B. Keely, et al., Profiles of Undocumented Aliens in New York City: Haitians and Dominicans (Staten Island: Center for Migration Studies, 1978); David S. North and Marlon F. Houston, The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study (Washington: Linton & Company, Inc., March 1976); Task Force on Medical Care for Illegal Aliens, The Economic Impact of Undocumented Immigrants on Public Health Services in Orange County (Orange County: March 1978); Guy Poitras, The U.S. Experience of Return Migrants from Costa Rica and El Salvador (San Antonio: Trinity University, August 1980); Maurice D. Van Aradol, Jr., et al., Non-apprehended and Apprehended Undocumented Residents in the Los Angeles Labor Market: An Exploratory Study (Los Angeles: University of Southern California, May 1979); and Manuel Villalpando, Impact of Illegal Aliens on the County of San Diego (San Diego: Human Resources Agency, January 1977).

- * As cited in Harry E. Cross and James A. Sandos, The Impact of Undocumented Medicar Workers on the United States (Washington: Battelle Memorial Institute, November 1979), p.28 and 34.
- ** Income transfer benefits generally.
- *** Taxes generally.

Rational aliens may be just as docile as their helpless brethren if they anticipate a short stay in the U.S. and fear that a complaint will encourage their employer to turn them in to the INS. The rational alien who knows that he should be paid \$3.35 hourly instead of \$3 knows that the extra 35 cents over 1000 more hours is worth \$350. However, if the complaint leads to apprehension, the alien worker loses wages, may have to pay a \$300 to \$400 smuggling fee to get back into the U.S., and must find another U.S. job. The border patrol's partial enforcement (which encourages the smuggling business) and the fact that employers suffer no penalties for even knowingly hiring undocumented aliens sustains a system that delivers docile aliens to U.S. employers. SCIRP believes that this cycle of lawbreaking is illegal immigration's most pernicious impact, since it breeds disregard for other U.S. laws.

Would a "guestworker program" curb pressures to enter the U.S. illegally? SCIRP "carefully weighed" the arguments for and against guestworker programs:

Most Commissioners have concluded (14-2) that the Commission should not recommend the introduction of a large-scale temporary worker program (SCIRP 1981:45).

Several commissioners, including Labor Secretary Marshall and Public Member Otero, included even stronger arguments against guestworker programs in supplemental statements. SCIRP voted (14-2) to "streamline" the current H-2 program that admits temporary alien workers for temporary U.S. jobs. SCIRP recommends that the Department of Labor speedup the certification process and that employers of H-2s be required to forward the payroll taxes they now save to the Treasury. Although SCIRP wants "to end the dependence of any industry on a constant supply of H-2 workers [it] does not exclude a slight expansion of the program" (SCIRP 1981:226).

Instead of guestworkers, SCIRP recommends enforcement to keep out illegal entrants but also recommends an amnesty for persons who arrived in the U.S. before January 1, 1980 without documents. The enforcement package includes "better border and interior controls" and "economic deterrents in the workplace," e.g., more

and better trained border patrol officers and equipment, crack-downs on alien smugglers and visa abusers, civil and possibly criminal penalties for employers who knowingly hire undocumented aliens (14-2), the development of a "more reliable" mechanism to separate legal workers from undocumented aliens (8-7), and of wage and working condition laws. *After* these enforcement measures are in place, SCIRP recommends a one-time amnesty program that would permit undocumented aliens to request immigrant status. The details of the amnesty program are left to Congress, but SCIRP estimates that 2.7 million persons may qualify if all persons in the U.S. at least two years have their status legalized.

Will border enforcement, employer sanctions, and identification cards stop undocumented immigration? No one can give an unequivocal answer. Most immigration specialists believe that this three-pronged enforcement strategy will sharply reduce such immigration. For example only 350 officers patrol the 2000 mile Mexican border, one for every six miles. But most of the Mexican border is a "self-policing" desert--60% of all apprehensions are made along 60 miles of the border (the lower Rio Grande Valley and around El Paso, Texas and Chula Vista, California). Similarly, fines and identification may not stop the hiring of undocumented migrants, but penalties of \$500 to \$1000 per migrants hired reduce economic incentives that now make some employers prefer aliens. Immigration enforcement will never be completely successful; the policy question is what level of failure the U.S. is willing to tolerate.

6. PROSPECTS FOR ACTION

Senator Edward Kennedy called the SCIRP report "the most significant and thoughtful study of American immigration law in three decades," an assessment apparently "shared by many specialists in the field" (Pear 1981). Despite this generally favorable reception, 12 of the 16 commissioners issued supplementary dissenting opinions, including Chairman Hesburgh's regret that SCIRP failed to endorse an identification card system and commissioner Ochi's denouncement of the report as a "sham."

Legal and undocumented/illegal immigrants are responsible for about half of today's net population growth in the U.S. If SCIRP's immigration and enforcement recommendations were accepted and net undocumented immigration were reduced to 100,000 annually, the U.S. population would increase from 227 million today to a peak of 281 million in 2025. By 2030, over 12% of the U.S. population would consist of either immigrants or those descended from immigrants who arrived after 1980. If legal immigration were increased but enforcement efforts failed--thus permitting a net annual undocumented immigration of 500,000--the U.S. population would peak at 306 million in 2035. Immigrants and their descendants would then comprise 20% of the expanded population.

The problem of population size is compounded by the dominance of Hispanics among current and future immigrants. Hispanics now comprise 6.5% and Blacks 12% of the U.S. population. Mexico replaced Germany as the most important single source of immigrants in 1961, sending 15% of the *legal* immigrants admitted to the U.S. between 1971 and 1978. If legal immigration is increased and undocumented immigration continues, more than 14% of the U.S. population will be Hispanic by 2035. Since the Black share of the population is relatively constant, Hispanics will outnumber Blacks within 40 years.

American Blacks suffer economic disadvantages but do not threaten the cultural or language separatism sometimes ascribed to Hispanics. Senator Alan Simpson, chairman of the Senate Subcommittee on Immigration, fears that the dominance of Hispanics among today's immigrants could lead to divisive language and cultural clashes (Lindsay 1981b). According to Simpson, about 85% of the immigrants entering the U.S. in 1981 speak Spanish. Since Spanish-speaking immigrants allegedly assimilate at a slower pace than other immigrants, it is feared that Hispanics may provoke an "American Quebec" in the Southwest.

The Reagan Administration established an Inter-Agency Task Force to review the report of the Carter-established SCIRP. Congress held unusual joint House-Senate hearings on the SCIRP report in early May. Most of the early reactions to SCIRP's general

recommendations were favorable. However, it is becoming clear that SCIRP achieved its favorable reception by avoiding specific answers to persisting questions.

The most troublesome problem remains undocumented immigration. Reagan's interest and reports that the U.S. and Mexico made a "great deal of progress" during Lopez Portillo's June 1981 visit to Washington have prompted widespread speculation that Reagan will ask Congress to approve a "pilot guestworker program," which would admit 50,000 Mexicans annually to look for U.S. jobs.

Mexico has not formally requested the establishment of a guestworker program. The Washington meeting ended without any public announcements on migration, although one report argued that the pilot program will go ahead because "Portillo did not rule out Mexican support for a guestworker program, which is the most that the U.S. had hoped for at this stage."* Another report said that "Portillo and his aides gave no reaction to the proposals" (Weisman 1981). Whether Mexico agrees or not, some of President Reagan's advisors prefer a large-scale program that would admit 500,000 to 900,000 Mexicans annually but feel that Congress must first be persuaded to endorse the concept in the pilot program before it can tackle the question of numbers.

SCIRP proposes tough enforcement measures and generous increased immigration and amnesty responses to solve the "out-of-control" problem. The enforcement recommendations are anathema to some interest groups (Hispanics, civil libertarians, employers).**

**The Economist*, June 13, 1981 p.21.

**The Hispanic response is especially important, since most legal and illegal immigrants speak Spanish. The U.S. Hispanic community has two policy choices: work to convert illegal into legal immigration but not reduce numbers in the interest of solidarity (or because more immigrants will increase Hispanic political power) or restrict immigration because of fears that immigrants will retard the economic mobility of Hispanics already here. The Hispanic community is divided. Most Hispanic leaders do not want to endorse enforcement measures alone.

Increased legal immigration is opposed by population and environmental groups. These powerful interest groups cannot seem to forge a consensus or rally around the SCIRP package.

Each "immigration item" is subject to a benefit-cost analysis. Since many items such as employer sanctions and identification cards run counter to American tradition, debate shifts from a particular immigration item to discussions of the (unknown) effects of current arrangements. The result is policy stasis. There is a widespread feeling that "something must be done" but that there is no consensus on what to do.* The employers, benefitting from large-scale immigration, fight to keep their cheap labor. The Americans who lose are not able to quantify the impact of immigrants on their own economic well-being nor are they organized to present their complaints.

Despite these conflicts, a clarion call for action was sounded recently by the U.S. Senate. A July 1981 telegram to President Reagan signed by 51 Senators, including Marjority Leader Baker and Minority Leader Byrd, demanded action to develop a "strong and fair immigration system which can be effectively enforced." According to the telegram, "Uncontrolled legal immigration is creating additional burdens for the American people and is kindling a growing resentment which threatens our historic generosity toward immigrants. At the same moment, illegal immigration is continuing to escalate and is creating what the Attorney General has called a 'fugitive class' living outside society's laws and its protection." The signing Senators noted that internal and external pressures deny the U.S. "the continued luxury of making easy short-term decisions which merely delay needed solutions."

*Despite plans to release recommendations in early June, the Cabinet repeatedly failed to endorse the Task Force report, allegedly because of opposition to a "tamper proof" Social Security card (Cannon 1981).

7. THE REAGAN PROPOSALS

In July 1981, four years after President Carter announced *his* immigration reform proposals, President Reagan released a reform package meant to reassert control over immigration. The Reagan package represents "a policy that will be fair to our own citizens while it opens the door of opportunity for those who seek a new life in America."

The Reagan proposals endorse many of SCIRP's recommendations. Reagan proposed that employers of four or more workers would face civil fines of \$500 to \$1000 if they knowingly hired undocumented aliens. Because of opposition to a uniform, counterfeit-proof identity card the Reagan proposals would require American employers to ask all job applicants for an INS document, which establishes a person's right to work in the U.S. *or* any two pieces of official identification: a birth certificate, driver's license, Social Security card, or Selective Service registration card. The employer would be required to sign a statement saying that he saw the job applicant's identification and the applicant would have to certify that he is entitled to work in the U.S.

The Reagan proposals would permit aliens who arrived without documents in the U.S. before January 1, 1980 eligibility to apply for a new status: temporary U.S. resident. A temporary resident could work in the U.S. but not sponsor the legal admission of family members or relatives under the quota system. Temporary residents would pay income and payroll taxes but would be barred from Medicaid, welfare, and other social service programs. Every three years, an alien could have his temporary residence status renewed. Ten years after the certified date of undocumented entry (e.g., 1986 for aliens who arrived in 1976) and after a proficiency in English was obtained, temporary residents could apply for permanent resident alien status and seek to bring in relatives under the quota system. (SCIRP recommended amnesty for resident undocumented aliens but left the details to Congress.)

Employer sanctions and limited amnesty are meant to deter undocumented entrants. President Reagan also proposed more border and interior enforcement, a doubling of the annual immigration

quotas for Canadians and Mexicans (now 20,000 each),* and diplomatic efforts that encourage Mexico and other U.S. neighbors to help curb undocumented immigration. (SCIRP also endorsed the need for more enforcement and international cooperation, but recommended that the *worldwide* immigration quota be raised.)

Under the Reagan proposals the Cuban and Haitian "boat people" now in the U.S. would be eligible for a temporary U.S. resident status that would permit them to become permanent resident aliens after only five years. The shorter wait would be justified because of past U.S. generosity to Cuban refugees. However, boats carrying Cubans and Haitians to the U.S. would be interdicted on the high seas. Caribbean boat people landing on U.S. shores would be detained indefinitely in newly created detention centers. SCIRP also urged a tough stance against Caribbean economic refugees, but recommended a continuation of the current procedure that requires the INS to determine the validity of each person's request for asylum.

Instead of expanding the current H-2 program, President Reagan proposed a two-year experimental guestwork program that would let 50,000 Mexicans come to the U.S. for 9 to 12 months each year. Each state would determine what occupations and areas needed foreign workers, and each state would request enough aliens to meet these labor needs. The Department of Labor would sum up all the requests and give each state its *pro rata* share of the 50,000. The Mexican guestworkers would be confined to occupations in states requesting them. These guestworkers would have to be paid at least the U.S. minimum wage and would be covered by health insurance, but they would not be eligible for Social Security or unemployment insurances. SCIRP, however, argued in its 1981 report that additional alien workers were not needed in the U.S.

Initial reaction to the Reagan proposals has been mixed. Hispanic groups say that the new temporary U.S. resident status is "government sanctioned serfdom," not amnesty. Hispanics also object to the employer sanction proposal, arguing that

*This presumably raises the worldwide quota of immigrants of the U.S. from 270,000 to 310,000 per year.

employers will refuse to hire Hispanic workers to protect themselves from fines. Employers object to their "immigration cop" status, arguing that the federal government should police U.S. borders effectively. Organized labor says that 50,000 guest-workers are unneeded when the U.S. has over 7 million unemployed and expects to reduce public service employment and welfare benefits. Farmers fear that legal status and only 50,000 "free agent" guestworkers means that their current workers will abandon the fields and not be replaced.

Immigration is considered the "toughest issue tackled by the Reagan Administration. Within the administration, libertarians oppose employer sanctions that turn employers into immigration agents. Law and order conservatives want immigration laws enforced. Pragmatic politicians see immigration as a no-win issue and wonder why President Reagan put his popularity on the line so soon. The Reagan proposals now go to a divided Congress, the body that traditionally sets immigration policy.

Despite the mixed reaction, some version of the Reagan proposals will probably be enacted. Every immigration study since 1970 has recommended more enforcement and some form of amnesty for undocumented aliens presently in the U.S., a fact that leads most observers to predict enforcement and amnesty. Similarly, the fact that studies of the Social Security system uniformly recommend some combination of raising the retirement age and cutting benefits lends credence to the conviction that these recommendations will be accepted at some time. The question in both instances is when, not if.

The U.S. is a nation of immigrants uneasy about more immigration. Immigration is an issue that generates tension but defies an easy solution. Tension is reflected in the psychological feeling that the U.S. should curb immigration, as have other countries. The reality is that immigration is at an all-time high. If the U.S. cannot grope its way toward a consensus, it risks extreme (probably restrictionist) action. Neither SCIRP nor President Reagan has conveyed the sense of urgency needed to enact an immigration reform package.

APPENDIX A: Outline of U.S. Immigration Policy,
1783-1980.

- 1783: George Washington proclaims that the "bosom of the American is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions, whom we shall welcome to a participation of all our rights and privileges
- 1819: For the first time, the U.S. government begins to count immigrants
- 1864: Congress passes law legalizing importing of contract laborers
- 1875: The first federal restriction on immigration prohibits prostitutes and convicts
- 1882: Congress curbs Chinese immigration
Congress excludes convicts, lunatics, idiots and persons likely to become public charges, and places a head tax on each immigrant
- 1885: Legislation prohibits the admission of contract laborers
- 1891: Ellis Island is opened as an immigrant processing center
- 1903: List of excluded immigrants expands to include polygamists and political radicals such as anarchists
- 1906: Naturalization Act makes knowledge of English a requirement
- 1907: Congress establishes Dillingham Immigration Commission
Head tax on immigrants is increased; added to the excluded list are those with physical or mental defects that may affect their ability to earn a living, those with tuberculosis and children unaccompanied by parents
Gentlemen's agreement between U.S. and Japan restricts Japanese immigration

- 1917: Congress requires literacy in some language for those immigrants over 16 years of age, except in cases of religious persecution, and bans virtually all immigration from Asia
- 1921: Quotas are established limiting the number of immigrants of each nationality to three percent of the number of foreign-born persons of that nationality living in the United States in 1910. Limit on European immigration set at about 350,000
- 1924: National Origins Law (Johnson-Reed Act) sets temporary annual quotas at two percent of nationality's U.S. population as determined in 1890 census and sets an upward limit of 150,000 upon immigration in any one year from non-Western Hemisphere countries
- 1929: Quotas of 1924 permanently set to be apportioned according to each nationality's proportion of the total U.S. population as determined in 1920 census
- 1939: Congress defeats refugee bill to rescue 20,000 children from Nazi Germany despite willingness of American families to sponsor them, on the grounds that the children would exceed the German quota
- 1942: Bilateral agreements with Mexico, British Honduras, Barbados and Jamaica for entry of temporary foreign laborers to work in the United States -- bracero program
- 1943: Chinese Exclusion Laws are repealed
- 1946: Congress passes War Brides Act, facilitating immigration of foreign-born wives, husbands and children of U.S. armed forces personnel
- 1948: Congress passes Displaced Persons Act (amended in 1950), enabling 400,000 refugees to enter the United States
- 1950: Internal Security Act increases grounds for exclusion and deportation of subversives; aliens required to report their addresses annually
- 1952: Immigration and Nationality Act of 1952 (McCarran-Walter Act):
-- reaffirms national origins system giving each nation a quota equal to its proportion of the U.S. population in 1920
-- limits immigration from Eastern Hemisphere to about 150,000; immigration from Western Hemisphere remains unrestricted
-- establishes preferences for skilled workers and relatives of U.S. citizens; and tightens security and screening standards and procedure
- 1953: Refugee Relief Act admits over 200,000 refugees outside existing quotas
- 1957: Refugee-Escapee Act defines refugee-escapee as any alien who has fled from any Communist country or from the Middle East because of persecution or the fear of persecution on account of race, religion or political opinion

- 1960: Cuban refugee program is established
- 1964: United States ends bracero program
- 1965: Immigration and Nationality Act Amendments of 1965:
-- abolish the national origins system
-- establish an annual ceiling of 170,000 for the Eastern Hemisphere with a 20,000 per country limit; immigrant visas distributed according to a seven-category preference system, favoring close relatives of U.S. citizens and permanent resident aliens, those with needed occupational skills and refugees
-- establish an annual ceiling of 120,000 for the Western Hemisphere with no preference system or per-country limit
- 1975: Indochinese Refugee Resettlement Program begins
- 1976: Immigration and Nationality Act amendments of 1976:
-- extend the 20,000 per-country limit and the seven-category preference system to the Western Hemisphere
-- maintain the separate annual ceilings of 170,000 for the Western Hemisphere
- 1978: Immigration and Nationality Act Amendments of 1978 combine the ceilings for both hemispheres into a worldwide total of 290,000, with the same seven-category preference system and 20,000 per-country limit uniformly applied
- 1978: Congress establishes the Select Commission on Immigration and Refugee Policy
Congress passes a law excluding and deporting Nazi persecutors
- 1980: Refugee Act establishes clear criteria and procedures for admission of refugees

APPENDIX B: Undocumented Alien Population

<u>Estimate (in mill.)</u>	<u>Year</u>	<u>Source and year</u>
1.6 (Mexican-origin population only)	1970	Goldberg, Howard, 1974. "Estimates of Emigration from Mexico and Illegal Entry into the United States, 1960-1970, by the Residual Method", unpublished graduate research paper, Center for Population Research, Georgetown University, Washington, D.C., 1974.
1.0	1972	INS Commissioner Raymond Farrell, Appropriation Hearings, 1972.
1.0 to 2.0	1973	House Committee on the Judiciary Report, 93-108, dated April 5, 1973.
3.9 (Ages 18-44)	1973	Lancaster, Clarice and Frederick J. Scheuren, 1978. "Counting the Uncountable Illegals: Some Initial Statistical Speculations Employing Capture-Récapture Techniques", 1977 Proceedings of the Social Statistics Section, Part I, p.530-535, American Statistical Association, 1978.
4.0 to 7.0 (but could be as high as 12.0)	1974	Attorney General Statement in October 1974.
4.0 to 12.0	1975	Immigration and Naturalization Commissioner, Leonard F. Chapman, 1975.
8.2	1975	Lesko Associates, 1975. Final Report: Basic Data and Guidance Required to

<u>Estimate (in mill.)</u>	<u>Year</u>	<u>Source and Year</u>
		Implement a Major Illegal Alien Study During Fiscal Year 1976, prepared for Office of Planning and Evaluation, U.S. Immigration and Naturalization Service, Washington, D.C., October 1975.
0.6 to 4.7	1975	Robinson, J. Gregory, 1979. "Estimating the Approximate Size of the Illegal Alien Population in the United States by the Comparative Trend Analysis of Age-Specific Death Rates", unpublished paper presented at the annual meeting of the Population Association of America, Philadelphia, Pennsylvania, April 26-28, 1979.
0.4 to 1.2 (increase in Mexican-origin population since 1970)	1975	Heer, David M., 1979. "What is the Annual Net Flow of Undocumented Mexican Immigrants to the United States?", Demography, Vol. 16, No.13, August 1979, p.417-423.
6.0 to 8.0	1976	House Committee on the Judiciary quoting immigration and Naturalization Service, 1976.
6.0	1976	Guss, Edward Jon, 1977. "Even If You're on the Right Track, You'll Get Run Over If Just You Sit There", I and N Reporter, Vol. 25, No.4, Spring 1977, p. 52.
6.0	1976	Chapman, Leonard F., 1976. Statement before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, United States Senate, 94th Congress, Second Session, Washington, D.C., March 17, 1976.
0.5 to 1.2 (Mexican-origin population only)	1977	Mexico, Centro Nacional De Informacion y Estadisticas del Trabajo, 1976. El Volumen de la Migracion de Mexicanos no Documentados a los Estados Unidos: Nuevas Hipotesis, by Manual Garcia y Driego, December 1979.
0.7 to 2.2 (Mexican-origin population only)	1977	Reestimation of Mexican Border Survey, 1979, by U.S. Bureau of the Census.
3.0 to 6.0	1978	Castillo, Leonel, 1978. Statement before the House Select Committee on Population, House of Representatives, 95th Congress, Second Session, Washington, D.C., April 6, 1978, p.497-515.

<u>Estimate (in mill.)</u>	<u>Year</u>	<u>Source and Year</u>
0.4 (Mexican nationals over 15 years of age working or looking for work, without regard to legal status)	1978-1979	Mexico, Centro Nacional de Informacion y Estadisticas del Trabajo, 1979. Los Trabajadores Mexicanos en los Estados Unidos: Primeros Resultados de La Encuesta Nacional de Emigracion, by Carlos H. Zazueta and Rodolfo Corona, December 1979.
2.0 to 12.0 (although emerging consensus seems to be 3.0 to 6.0)	1979	House Select Committee on Population Report, 1979.
3.5. to 5.0	1978	Staff members of the Bureau of Census, 1980. Based on review of studies noted above (*). Prepared at the request of the Select Commission on Immigration and Refugee Policy.

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