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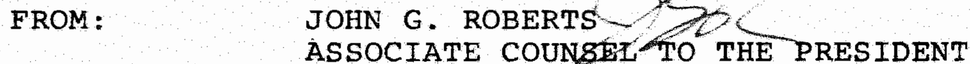
THE WHITE HOUSE

WASHINGTON

September 26, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET



FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Testimony of Alan Nelson on H.R. 3080 Before Subcommittee on Immigration, Refugees and International Law

Counsel's Office has reviewed the above-referenced testimony, and finds no objection to it from a legal perspective. On page 5, lines 3 and 18, "principal" should be "principle." Words appear to be missing in the first sentence after the bullet items on page 9. The last sentence in the first bullet item on page 16 is not a sentence. Finally, the first sentence in the first bullet item under "Length of Program" on page 12 -- "This program will last for a period of not less than seven years, nor less than twenty-two years from date of enactment" -- must be wrong.

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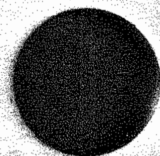
# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET



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**Name of Correspondent:** James Muir

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**Subject:** Testimony of Alan Nelson on H.R. 3080 before Subcommittee on Immigration, Refugees + International Law

| ROUTE TO: | | ACTION | | DISPOSITION | | |
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| Office/Agency | (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
| CUHOLL | | ORIGINATOR | 85/09/25 | | | 85/09/25 |
| | | Referral Note: | | | | |
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ACTION CODES:
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- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SPECIAL

September 25, 1985

**LEGISLATIVE REFERRAL MEMORANDUM**

TO: LEGISLATIVE LIAISON OFFICER

Department of Agriculture - Eric Mondres (447-7095)
Department of Labor - Seth Zinman (523-8201)
Department of State - Bill Farrah (632-0430)
Council of Economic Advisers

SUBJECT: Department of Justice/INS Testimony on the Temporary Worker Provisions of H.R. 3080

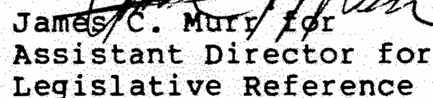
The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than 4:00 p.m. on Thursday, September 26, 1985.

Direct your questions to Branden Blum (395-3454), the legislative attorney in this office.

James C. Murr for
Assistant Director for
Legislative Reference

Enclosure




cc: F. Fielding
T. Treacy
S. Gates
R. Landis
B. Martin

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STATEMENT

OF

ALAN NELSON
COMMISSIONER
IMMIGRATION AND NATURALIZATION SERVICE

BEFORE

THE

SUBCOMMITTEE ON IMMIGRATION, REFUGEES,
AND INTERNATIONAL LAW
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES

CONCERNING

TEMPORARY WORKERS PROVISIONS OF
THE IMMIGRATION CONTROL AND LEGALIZATION AMENDMENTS ACT

ON

SEPTEMBER 30, 1985

SEPTEMBER 25, 1985

# DRAFT

Chairman Mazzoli and Members of the Subcommittee, I am pleased to testify again in support of immigration reform before this committee and to welcome the opportunity to comment specifically on the temporary agricultural worker provisions of H.R. 3080, the Immigration Control and Legalization Amendments Act of 1985.

Specifically, the other Administration witnesses and I will present a compromise proposal concerning agricultural workers which we believe is in the best interests of the American people, specifically including both organized labor and agriculture. This Administration compromise proposal constitutes a definite improvement over the existing use of illegal aliens currently displacing American workers. More important, acceptance of this compromise by all interested groups and adoption by Congress can resolve a difficult issue, avoid continued diversion from our main goal and achieve passage of needed immigration reform legislation.

The foreign worker Issue has been reviewed by this subcommittee and others in both Houses of Congress. Programs bringing foreign agricultural labor to the United States often have been more the subject of great passion than reasoned discussion. As we deal with this important element of agricultural workers, let us not lose sight of our main purpose - enactment of Immigration Reform Legislation. We must not be caught in the dilemma of "Being up to our necks in Alligators", (with agricultural issues) that we forget that our goal "is to drain the swamp" ( accomplishing meaningful immigration reform).

Organized labor should recognize the benefits of a seasonal worker program which is capped in a realistic manner, has a phase-down, provides worker

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protections and sunset provisions which will over time decrease perishable agriculture's dependence on illegal aliens. Further, it creates a smooth transition to a streamlined H-2 program which takes into account availability of willing and qualified American workers and precludes an adverse effect on wages and working conditions of American workers.

The effect of this is undeniable. Under this new system, American workers will be able to compete on an equal footing with those harvest workers admitted under this program, rather than with illegal aliens as is currently the case. The FICA/FUTA equivalent deduction will remove the competitive margin which now in reality gives an unfair advantage to illegal aliens.

For agricultural interests, the benefits are just as apparent. This is a recognition for a seasonal worker program which provides a certain, stable and available pool of workers for the harvesting of perishable crops. The difficulty of the conference committee during the last Congress and the "roller-coaster" of the Senate action on agricultural issues this year are indicative of the difficulty that agriculture has had and will have in achieving a permanent program. This is clearly the best opportunity for agriculture to get a seasonal worker program which will truly meet it's needs, as we proceed in producing long sought after Immigration Reform.

## Background

There has been a long history of alien labor in American agriculture, both

legal and illegal. Over many years, agriculture has developed a continued dependence on these foreign workers. The Conference Committee of the last session recognized the need to deal with this difficult and many sided issue. The House earlier considered and then passed the Panetta-Morrison Amendment establishing a program to meet the needs of growers of perishable commodities outside the context of the H-2 program. The Senate, this month when debating S.1200 passed a similar special program for the growers of perishable commodities. Our efforts have been directed to seek that critical balance between the needs of perishable agriculture and the rights of American workers and the ability of the Government to exercise the sovereign right of a nation to control who enters this country to work. These are not contradictory goals. We have worked to provide a careful balance of these interests into the compromise we are placing before you today.

In 1981, the Reagan Administration reviewed the needs of agricultural employers and the protection of United States workers as part of a Cabinet-level Task Force headed by former Attorney General Smith. The Task Force considered the recommendations of the Select Commission on Immigration and Refugee Policy to streamline the H-2 process. The Immigration reform bill submitted by the Administration also sought to establish a two-year experimental temporary worker program limited to 50,000 foreign agricultural workers annually. The purpose was to channel a segment of existing legal immigration into legal channels and thereby test another approach to supplying foreign labor.

At the time Senator Simpson and Chairman Mazzoli made the decision to rely on streamlining the existing H-2 program to meet needs in this area, the Administration prepared and promoted a model set of amendments that would serve

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dual goals of protecting United States workers from adverse impact while continuing to make available needed foreign labor.

In the summer of 1985 the Administration convened detailed internal discussions to improve the H-2 program and to agree upon a fair, balanced limited and workable program which would bring foreign workers legally into the United States to harvest perishable crops. The panel you see before you today, representing the Departments of Justice, Agriculture, Labor, and State, have participated in the formulation of the compromise program set forth below. This compromise has full Administration support.

The thrust of this Administration compromise proposal includes a linkage of three factors (1) making statutory changes concerning the current H-2 program (2) accepting a separate, limited and well regulated seasonal worker program only for perishable crops, which will phase into an H-2 program in an orderly manner and (3) assuring that no open field search warrant requirement will be imposed on Immigration law enforcement officers required to monitor these and other provisions of the Immigration and Nationality Act.

This compromise has several themes that are central to it's mission of creating a balanced and workable approach: The first is the recognition that a streamlined H-2 program provides the best long term mechanism for bringing needed foreign workers into the country. This program provides the essential labor market test which will assure that domestic labor is not denied the opportunity to work due to the admission of foreign workers. It is therefore essential that there be a means of creating a "bridge" between the Seasonal Worker Program and the H-2 program to allow natural flow of workers into the

H-2 program. As this program is improved, it will serve as the long term solution to the foreign worker question.

A second overriding principal is that the workers admitted to harvest perishable crops be truly temporary in nature and that they return to their home countries. This program must not be a new source of immigrants, but rather, a temporary non-immigrant worker program both in theory and in actual operation.

Both agriculture and the individual worker receive a benefit under this program. Therefore,it is essential that it not be subsidized by taxpayer dollars. A self-supporting funding mechanism is both practical and fair, without placing an unreasonable burden on either party, the government or the taxpayer.

Finally, the program should be designed to include appropriate safeguards to assure both that there is adequate labor for the farmer, and that the rights of the individual worker are protected. Simple fairness dictates that the necessary monitoring and control functions essential to prudent government administration of this program should be steadfastly maintained.

The Administration has carefully crafted the following Statement of Principals to meet these divergent and complex needs. The following provides the general outline of the compromise:

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STATEMENT OF PRINCIPLES - ADMINISTRATION

COMPROMISE AGRICULTURAL

WORKER PROPOSAL

Seasonal Worker Program

- The Administration supports the creation of a seasonal worker program to address the particular labor needs of growers of perishable commodities.

- Any workers admitted under such a program would be admitted only for the purpose of doing field harvest labor for truly perishable commodities.

- Migrant Seasonal Protection Act shall apply to any field harvest laborers admitted under such a program with regard to job disclosure, working conditions, housing, transportation and wage determination.

- Two years after the effective date of any such program, the Agricultural Worker Commission will set a cap on the total number of workers to be admitted in the subsequent year; on an annual basis thereafter, the statute will provide that the Commission lower the cap annually by not less than 5% nor more than 20%; the Commission would have the discretion to determine the precise percentage decline within that range and could, for one

year only, suspend the decline altogether if exceptional circumstances warranted such suspension.

- In setting the cap and subsequent rates of decline, the Commission will consider labor market conditions and the abundance of crops.

- State Department concerns with respect to the operation of such a program in foreign countries will be appropriately addressed.

## H-2 Program

- DOL, acting independently and in response to recommendations from the Agricultural Worker's Commission, will take meaningful steps to improve the H-2 program as a workable and acceptable means of meeting shortages in the domestic agricultural labor market.

- The Administration supports S. 1200's temporary worker reforms except that the Secretary of Labor will issue the regulations governing labor certification under this program after meaningful consultation with the Departments of Justice and Agriculture. Both the regulatory authority provision and the consultation requirement will be statutory.

## Search Warrant Provision

- The Administration strongly restates its opposition to the

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imposition of an open field search warrant requirement over immigration law enforcement officers.

## The Outline of Elements Elaborating upon the Above Statements

### H-2 Program

The Administration strongly supports the provisions of S.1200 and H.R.3080 which streamline and codify the current H-2 program for agricultural workers. We favor the specific language in S.1200 which is essentially that approved by the Conferees of the 98th Congress last year. We realize that the differences between the two Bills are minor and are confident that whatever differences exist between the two may be easily resolved in the 99th Congress. Accordingly, we recommend this committee adopt S.1200's H-2 reforms (Section 122) but also incorporate the following changes:

- The Secretary of Labor shall issue regulations implementing this Section, after formal consultation with the Secretary of Agriculture and the Attorney General.

- There will be statutory authority for this consultation process.

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- A memorandum of understanding between Department of Labor (DOL), Department of Agriculture (USDA) and Department of Justice( DOJ) will be in force which specifically outline the consultation process. It is agreed between the named departments that the memorandum will provide for meetings, the exchange of written proposals, and an opportunity for substantive comment on proposals prior to, and subsequent to, DOL's issuance of an Announcement of Proposed Rule, (ANPR) or Final Rule.

- DOL, acting independently and in response to recommendations from the Agricultural Workers Commission as included in S.1200, will take meaningful steps to improve the H-2 program as a workable and acceptable means of addressing shortages in the domestic agricultural labor market.

The Senate and House Bills provide that the Attorney General, in consultation with the Secretaries of Labor and Agriculture or approve all regulations implementing the program. The Administration recognizes and approves the intention of this legislative language intended to provide a balance between the interests of agricultural producers and workers in determining the specific procedures of the program. We believe, however, that it is consistent with sound administrative policy that the agency with statutory authority for a program as well as control of the staff and resources required for its operation, have the regulatory authority for the program's administration. The statute should therefore require the Secretary of Labor to consult with the Secretary of Agriculture and the Attorney General prior to the issuance of

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regulations governing the labor certification provisions of any temporary agricultural worker program.

This change in regulatory authority, along with the modifications and improvements made to the H-2 program in both House and Senate Bills should create a sound, workable, and durable program to meet the needs of most agricultural producers who cannot find needed workers in this country.

## Seasonal Worker Program for Perishable Crops

Producers of highly perishable commodities, many of whom have been dependent on undocumented workers, may have difficulty at first in making the transition to the streamlined H-2 program. This fact was recognized in both Houses last year by passage of a three-year Agricultural Labor Transition Program. The Conference version almost in total, was again introduced in H.R. 3080 and S.1200. There are concerns about the soundness and workability of a transition program, which provides temporary legal status to an unknown number of undocumented workers already here competing for a decreasing number of job opportunities for a three year period. We are concerned that such a program will sanction a surplus of labor and induce further illegal entry for the purpose of registering for the program. The magnet of jobs would run contrary to the spirit and substance of Congressional efforts to control illegal entry. Such transition program is rendered unnecessary if the compromise proposal is adopted.

In order to accommodate the needs of producers of perishable commodities during a period of transition from reliance on undocumented workers to availability of a domestic or H-2 labor force, the Administration favors a seasonal worker

program for perishable crops with strong worker protections and assurances that these workers will return home. Such a provisions will allow for legal entry of foreign field harvest workers in numbers corresponding to need, while not displacing American workers. Some of the elements of this program should include but are not limited to:

## Length of Stay Provisions

- A foreign worker's length of stay in the United States should be limited to 9 consecutive months.

- Each participating foreign worker is required to return to his home country for not less than a 6-month period before to returning to the United States under the program.

- No foreign workers can participate in the program for more than 5 calendar years. It is noted that these need not be consecutive calendar years.

## Cap on the Number of Eligible Workers

An essential element of a controlled program is a limitation on the overall number of workers admitted. Because of the uncertainty of an arbitrary setting of this number, the following method is proposed:

- For a period of two years following the effective date of the program there shall be no cap on the total of

number of workers participating.

- o An Agricultural Worker Commission, as created by S.1200, shall establish the numbers admitted based on market information, including the abundance and marketability of crops, historic labor needs, job orders by participating growers and other factors as determined by the Commission.

- o Two years after the effective date of the program, the Commission established by this legislation will establish a cap on the number of workers allowed to participate in this program. The Commission will determine on an annual basis the number of workers to be admitted for each successive year.

## Length of Program

From the onset, it is recognized that this program is designed to serve as a "Bridge" to a permanent and effective H-2 Program. Accordingly, we propose that:

- o This program will last for a period of not less than seven years, nor less than twenty-two years from date of enactment. On an annual basis after the initial cap is established, the statute will provide that the Commission lower the cap by not less than 5% nor more than 20%; the Commission would have the discretion to determine the precise percentage decline

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within that range and could, for one year only, suspend the decline altogether if exceptional circumstances warranted such suspension.

## Definition of Perishable Seasonal Workers

Consistent with current U.S.D.A. regulations we propose the following definitions:

- o The Secretary of Agriculture shall define the term "perishable" by regulation; said definition shall be the Perishable Agricultural Commodity Act (PACA) definition, and be clearly limited to field harvest labor for truly "perishable" commodities.

- o Growers of other than perishable commodities must use the H-2 program. It should be the goal of this legislation to continuously review and improve the workability of the H-2 program so that perishable commodity growers will shift to the H-2 program and/or reduce dependence on foreign workers.

## Recruitment

Recruitment of foreign workers under the program, must be done with effective controls. Therefore, we propose the following:

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- Recruitment emphasis for the first year of the program will focus on efforts to assimilate current domestic perishable commodity workers into the program. After a one year period, emphasis will shift to recruitment efforts within sending nations.

- Recruitment shall be conducted at dispersed locations within sending nations. No recruitment shall occur in the proximate area of the border ports of entry. Growers of perishable commodities may be required to pay a "transportation allowance" to be used for worker transportation to and from the sending country. This will be comparable in all ways possible to the housing allowance provision precluding cash payment of the allowance. Such allowance shall come from the 11% fee, or the Attorney General by regulation can require additional allowances only in the event that the fund is found insufficient to cover the cost of the program, including transportation.

- Recruiting through grower associations is encouraged. The Attorney General by regulation may specify that all recruiting of perishable commodities workers must be done through a recognized grower association if other recruiting arrangements are not satisfactory.

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Operational Considerations

To enhance the workability of this effort we feel the following operational aspects should be included:

- Associations must report and verify arrival and departure of all participating visa holders in this program.
- The Government will have the clear ability to audit and monitor the arrival and departure of program participants.
- In order to provide monitoring there shall be no search warrant requirement imposed on INS officers as a condition to entering open fields.
- There shall be no bar from participating in the H-2 program if Seasonal Worker Program Visas holders have fulfilled the terms and obligations of their seasonal worker program participation during the previous year. Transition by individuals and employers to the H-2 program should be encouraged by certified participants in the perishable program. We propose that both employers and workers be able to participate in both H-2 and perishable programs simultaneously.

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## Attorney General's Role and Responsibilities

- The Attorney General, with the involvement and assistance of the Departments of Labor and Agriculture, will develop regulations governing this program and will conduct a test of local labor markets. The Attorney General will, in a similar way, develop regulations governing the collection and dispersal of transportation payments and will review perishable commodity workers'wages to keep them comparable to wages paid in the H-2 program workers within that locality. As necessary, the Attorney General, with the assistance of the Departments of Labor and Agriculture, will develop regulations. To determine local labor needs and assure that foreign workers are not displacing willing, available, qualified American workers.

- The Attorney General will start-up this program in coordination with the establishment of employer sanctions. This will provide a six to nine month period to write and publish appropriate regulations.

## Protections that Workers will return to Sending Countries

It is critical to the success of this program and to overall Immigration control efforts that workers return to their countries. We recommend that Congress:

- o Set forth worker length of stay periods of nine months each year, a six month "repatriation" period and five year maximum participation as noted above.

- o The program shall provide for withholding deductions of 20% of the temporary agricultural employees' salary and transmittal of said amount to the home country. Whether a workers visa has expired, or not, he or she must leave the United State within 15 days of his last verifiable employment. Penalty for non compliance is:

  - A five year bar from the program,

  -Forfeit of the 20% withholding trust fund deposits, and

  -Deportation from the United States as provided for in the Immigration and Nationality Act.

Cost of Program

The cost of this program will be recovered through the an equivalent deduction of the FICA/FUTA allowance from each workers' wages. It is understood that this amount is approximately 11% of the paid wages. The monies will be placed in a pool managed by the Attorney General for the purposes of Administration, Enforcement and to pay Transportation costs. By being deleted from worker wages it will also equalize costs of employing U.S. residents and legally

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admitted temporary foreign labor.

## Other Provisions

- o The method of determining wages of seasonal workers under the terms of this program shall provide that wages are not lower than the minimum wage and shall meet all state and local wage laws.

- o All state and federal labor laws governing working conditions shall apply to holders of seasonal worker visas as issued under the terms of this program.

- o All certified employers under this program shall provide workmen's compensation protection to visa holders in a manner equivalent to that which would be provided an American worker in similar circumstances.

- o Aliens already qualifying as harvesters of perishable commodities will be preferred at the start of this program . After one year, when negotiations are concluded with foreign governments for participation in this program, this preference will be reviewed in light of international agreements related to this program. It is contemplated that successful perishable program workers will be offered the opportunity to parti-

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cipate in the perishable commodity workers program after successfully completing the first year.

- Union Membership and Labor Dispute Provision: A seasonal worker may join a union if he wishes. Other Department of Labor regulations related to labor disputes apply.

- A spouse or child of a seasonal agricultural worker is not entitled to a seasonal worker visa by virtue of such relationship, but may participate in the program if qualified.

The Administration favors establishment of a Commission on Agricultural Worker Programs as provided for in S.1200. We believe that such a Commission with responsible representatives of workers and growers is needed to study, review, and make recommendations to the Congress concerning the implementation of improvements needed in these programs. The Commission should be enpowered to determine, within parameters established in law, the precise percentage by which the admission of field workers for perishable crops would decline each year.

## State Department's Responsibilities

The State Department shares a major responsibility in the establishment of this program:

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o Within a year of enactment, the State Department shall conclude negotiations with foreign governments concerning the following matters.

-The role of foreign governments and others in referring workers for participation in this program.

-The need for a contract or treaty between governments concerning the implementation and operation of this program.

-Allocation of the number of available temporary worker slots among interested foreign countries.

-Procedures for handling payments to returning workers within their home countries.

o The State Department shall establish the process of visa issuance in the sending countries. As part of this process, efforts shall be pursued to develop machine readable visas and to obtain and install appropriate equipment.

o The State Department and INS shall work together in the development of a secure identifier for participants in the program. Similarity to existing identifying cards such as the alien registration card is acceptable.

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Additional Provisions of Agreement

We urge the Committee to remove the three year transitional agricultural worker program. We feel it to be duplicative of the perishable worker and H-2 provisions of this proposed program.

With approval of the compromise a transitional program simply becomes redundant and unnecessary.

Finally, I want to restate in the strongest terms the Administration's opposition to the imposition of an open-field search warrant requirement over immigration law enforcement officials. Immigration Service must have the means to ensure that the much needed reforms which will be enacted by this Congress become a reality. While being generous in the design of special programs to meet the needs of agricultural producers, we also believe it is sound policy to have an effective deterrent to those aliens who may still seek to work without authorization, and those employers who may be tempted to hire them.

Any immigration reform legislation which would require INS law enforcement officers to obtain a property description, prepare affidavits and then find a magistrate to issue a warrant on each and every occasion before they enter an open agricultural field for the purpose of interrogating persons as to their right to be in the United States, not only strains an already over burdened judicial system but contradicts the principal aspect of immigration reform, namely the control of illegal aliens in the work place.

Under current immigrations laws immigration officers are not premitted to enter

farm yards, farmhouses, barns, or other farm buildings without warrants. If the authorities suspect illegal aliens to be in those places, they can post an officer to secure the premises while they obtain a warrant. That is not possible in an "open field." Illegal workers can swiftly move from field to field, effectively frustrating enforcement of the employer sanctions provisions we are seeking to pass. The INS estimates that it takes four to six hours to process a routine warrant. When such a search warrant is finally secured, crews will frequently have moved to another location, rendering the warrant invalid. Countless resources will be wasted by attempts to rewrite affidavits and warrants under continually changing conditions.

The members of this subcommittee need not be reminded that there is no constitutional obstacle to INS maintaining their current procedures. The United States Supreme Court recently held that the entry of a Federal agent in an open field is not a "search" for purposes of the Fourth Amendment, which guarantees to the American people the right "to be secure in their persons, houses, papers, and effects," against unreasonable searches and seizures..." See Oliver v. United States, 52 U.S.L.W. 4425 (April 17, 1984), 104 S.Ct. 1735. The Fourth Amendment was certainly not intended to aid an employer or field boss in evading the nation's immigration laws, any more than it was intended to aid the cultivators of illegal drugs in evading the drug laws, which was the issue in the Oliver case. Finally, if this committee does not remove this damaging provision present in HR 3080, and elects to requires search warrants for "open fields" by the INS, a precedent would be set which could be used later to justify similar statutes, hamstringing other law enforcement efforts, including efforts against dangerous drugs, organized crime, and a whole spectrum of criminal activity.

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The Administration strongly restates its opposition to the imposition of an open field search warrant requirement over immigration law enforcement officers and urge removal of such a provision from H.R.3080.

Conclusion

The Administration has attempted to satisfy equally the concerns of organized labor and the agricultural industry in our compromise program for agricultural workers. We recognize the special needs of agriculture, as we recognize the need to move away from dependence on inexpensive and available foreign labor which brings down and adversely affects the wages of U.S. citizens.

We feel strongly that the compromise "Statement of Principles" and accompanying "Outline of Elements" present a fair and balanced approach at protecting the jobs of domestic workers while addressing the concerns of the producers of perishable agricultural commodities. After continued efforts over the past four years to pass badly needed immigration reform legislation absolutely necessary to deter illegal immigration, we feel the issue of agricultural labor in the new bill must be dealt with in a pragmatic, realistic manner. This Congress in order to enact immigration reform legislation, must work dilgently to avoid potential efforts at bringing down this vital legislation. We need to develop a realistic consensus that responds in a very specific way to the concerns of agriculture and labor while maximizing our law enforcement and regulatory concerns.

The Chairman and members of his subcommittee have shown great dedication to

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achieving immigration reform. We know that they will continue to so act in bringing to the full committee; the House floor and the Conference, an immigration bill including agricultural worker provisions which will receive broad based support on both sides of the aisle. We will continue to work with you toward this mutual goal.

All of the Administration witnesses are please to answer any question concerning our proposal.

ID # CU

# WHITE HOUSE
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**Name of Correspondent:** James C. Murr

☐ **MI Mail Report** **User Codes: (A)** ______ **(B)** ______ **(C)** ______

**Subject:** Revised Department of Justice (Reynolds) testimony discussing the anti-discrimination provisions contained in H. R. 3080, the Immigration Control and Legalization Amendments Act of 1985.

**ROUTE TO:** **ACTION** **DISPOSITION**

| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
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| CUHOLL | ORIGINATOR | 85/10/04 | | | / / |
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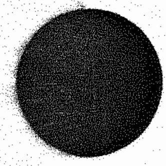
ID # CU

# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET



☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) / /

**Name of Correspondent:** Branden Blum

☐ **MI Mail Report** **User Codes:** (A) ____ (B) ____ (C) ____

**Subject:** DOJ testimony on H.R. 3080

| ROUTE TO: Office/Agency (Staff Name) | ACTION: Action Code | Tracking Date YY/MM/DD | DISPOSITION: Type of Response | Code | Completion Date YY/MM/DD |
|---|---|---|---|---|---|
| CuHall | ORIGINATOR | 85/10/04 | | | / / |
| | Referral Note: | | | | |
| Cune 18 | R | 85/10/04 | | S | 85/10/07 |
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NO NEED FOR RESPONSES

DES:
Referral C - Completed
S - Suspended

CORRESPONDENCE:
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te = Date of Outgoing

**Comments:**

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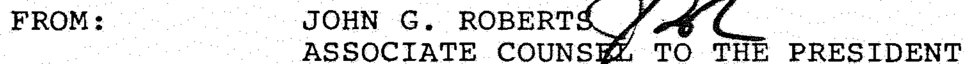
THE WHITE HOUSE

WASHINGTON

September 5, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET



FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Justice (Meese) Testimony on H.R. 3080, the Immigration Control and Legalization Amendments Act of 1985

Counsel's Office has reviewed the above-referenced testimony, and finds no objection to it from a legal perspective.

THE WHITE HOUSE

WASHINGTON

September 5, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: HHS Testimony on H.R. 3080, Immigration Control and Legalization Amendments Act of 1985

Counsel's Office has reviewed the above-referenced testimony, and finds no objection to it from a legal perspective.

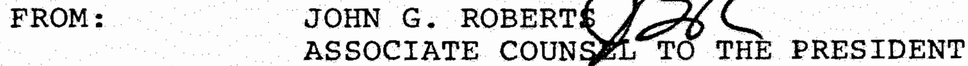
THE WHITE HOUSE

WASHINGTON

September 6, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

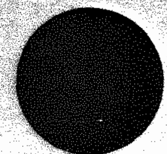
FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT



SUBJECT: DOS Draft Summary Statement and Testimony on H.R. 3080, the Immigration Control and Legalization Amendments Act of 1985

Counsel's Office has reviewed the above-referenced summary statement and testimony, and finds no objection to them from a legal perspective.

ID # ________________ CU



# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET

☐ **O - OUTGOING**
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☐ **I - INCOMING**
Date Correspondence Received (YY/MM/DD) ___/___/___

**Name of Correspondent:** James Munn

☐ **MI Mail Report** **User Codes: (A)** ________ **(B)** ________ **(C)** ________

**Subject:** DOS draft summary statement and testimony on H.R. 3080, the immigration Control and Legalization amendments act of 1985

**ROUTE TO:** **ACTION** **DISPOSITION**

| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
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ACTION CODES:
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- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
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**Comments:** ________________________________

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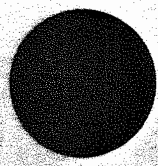

☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) / /

**Name of Correspondent:** James Muir

☐ **MI Mail Report** **User Codes:** (A) ______ (B) ______ (C) ______

**Subject:** Draft INS Testimony concerning the legalization provision contained in H.R 3080, the Immigration Control and Legalization Amendments Act of 1985

| **ROUTE TO:** | | **ACTION** | | **DISPOSITION** | | |
|---|---|---|---|---|---|---|
| Office/Agency | (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
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5/81

THE WHITE HOUSE

WASHINGTON

September 11, 1985

MEMORANDUM FOR THE FILES

FROM: JOHN G. ROBERTS

SUBJECT: Draft DOJ Report Concerning Possible Amendments During Senate Floor Consideration of S. 1200, Immigration Reform and Control Act of 1985

The attached was received by Counsel's Office at 2:40 p.m., and by me at 3:40 p.m. The incoming indicated that the letter would be cleared by noon unless objections were raised. It was, accordingly, OBE before we received it.

Attachment

ID # CU

# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) / /

**Name of Correspondent:** James C. Miller

☐ **MI Mail Report** **User Codes:** (A) ______ (B) ______ (C) ______

**Subject:** Draft DOJ report concerning possible amendments during Senate floor consideration of S1200, the Immigration Reform & Control Act of 1985

| ROUTE TO: | ACTION | | DISPOSITION | | |
|---|---|---|---|---|---|
| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
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5/81

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

SPECIAL

September 11, 1985

**LEGISLATIVE REFERRAL MEMORANDUM**

**TO:** Department of Agriculture - Eric Mondres (447-7095)
Department of Health and Human Services - Frances White (245-7760)
Department of Labor - Bruce Cohen (523-8201)
Department of State - Bill Farrah (632-0430)
Department of Education - JoAnne Durako (732-2670)
Department of Commerce - Mike Levitt (377-3151)
Department of the Treasury - Carol Toth (566-8523)
National Security Council
Council of Economic Advisers

**SUBJECT:** Draft DOJ report concerning possible amendments during Senate floor consideration of S. 1200, the Immigration Reform and Control Act of 1985

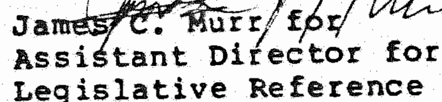
The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than

NOON TODAY, SEPTEMBER 11, 1985.

(NOTE: This is consistent with the Administration's position on S. 1200, and we will clear by NOON, unless we receive concerns before then.)

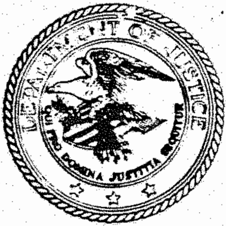
Direct your questions to Branden Blum (395-3454), the legislative attorney in this office.



James C. Murr for
Assistant Director for
Legislative Reference

Enclosure

cc: F. Fielding, J. Cooney, S. Gates, S. Elliff, P. Hanna, T. Treacy, B. White, A. Hoffman



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

DRAFT

Honorable Strom Thurmond
Chairman
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

DRAFT

Dear Mr. Chairman:

With Senate floor consideration of S. 1200, the Immigration Reform and Control Act of 1985, scheduled in the very near future, I take this opportunity to reiterate the Administration's strong support for comprehensive immigration reform. However, I also wish to advise you of our concern with regard to several anticipated amendments which, in our judgment, could seriously undermine the excellent reform vehicle reported by your Committee.

As a preliminary matter, I do want to express my appreciation for the priority you have attached to achieving necessary reform of this nation's immigration laws. Since the Administration first proposed such reforms in 1981, through your leadership and that of Senator Simpson, the Senate has twice passed fair and workable legislation by overwhelming, bipartisan margins. The serious problems which those bills sought to address have not diminished making the renewed effort represented by S. 1200, most welcome. As we have said in the past, failure to reform our immigration laws can only result in further illegal immigration, greater public frustration over the government's inability to control our borders, and perpetration of the negative social and economic effects of permitting a large shadow population to exist outside our laws.

Employer Sanctions

Clearly the cornerstone of immigration reform is the imposition of penalties on employers who knowingly hire aliens not authorized to work in the United States. Such sanctions remain the only credible means of substantially reducing illegal entry and visa abuse by individuals attracted by the exceptional employment opportunities available in this country. As long as the American job market remains open, illegal aliens will risk the dangers of illegal entry, the cost of smuggling or fraudulent visas and the likelihood of apprehension and deportation.

However, one amendment anticipated during floor action on S. 1200 would appear to be wholly inconsistent with our mutual goal of regaining control of this nation's immigration policy. The proposed amendment would mandate that immigration officers obtain search warrants before conducting open field area control operations. The courts have consistently held that warrantless entries onto open lands by law enforcement officers in the performance of their duties do not violate the Fourth Amendment as, by their very nature, such lands argue against an expectation of privacy. (See Oliver v. U.S., 104 S. Ct. 1735 (1984). Adoption of the proposed amendment would make the INS the only law enforcement agency precluded from entering "open fields" and would give rise to a host of unique enforcement problems not the least of which is the ease with which aliens can abscond during the time it takes to secure a warrant.

Another likely amendment which relates to employer sanctions would seek to establish a new cause of action for "unfair immigration--related employment practices" cognizable in a new office in the Department of Justice. The amendment would, for the first time, establish "alienage" as the basis for an action under our civil rights laws and would significantly expand the existing bar against employment discrimination based on national orgin. The premise for these additions to existing law--a premise we reject--is that employer sanctions will result in dramatically increased employment discrimination.

In fact, S. 1200 addresses a most pernicious form of employment discrimination that currently exists where employers knowingly hire easily exploitable illegal aliens in preference to American citizens and permanent resident aliens. Additionally, permitting high levels of continued illegal immigration is itself inhumane and discriminatory. It discriminates against American minorities and the young, some of whom are displaced from their jobs by illegal aliens. It also results in discrimination against those overseas who wait, often for years, to immigrate here legally.

Nevertheless, the concern that employer sanctions could result in discriminatory hiring practices persists and S. 1200 appropriately provides for careful monitoring of sanctions implementation by both the Executive Branch and the General Accounting Office. Any new pattern of employment discrimination which should arise would be noted in the regular reports required by the legislation and necessary remedies, beyond those already provided by federal, state and local law, could easily be fashioned by the Congress. To anticipate discrimination by establishing a new agency-sized bureaucracy, complete with provisions providing for a private right of action, and attorneys' fees, is inappropriate. Any perceived need to expand the coverage of Title VII should only be contemplated within the EEOC context where the basic structure and expertise already reside.

Legalization

The Administration continues to believe that a balanced legalization program is an integral part of comprehensive immigration reform. We have neither the resources nor the inclination to deport millions of individuals who have demonstrated a commitment to this country through their long-term residence as productive members of their communities. At the same time, a legalization program must not be so generous that it attracts additional illegal migration. It must also be fair to Americans who bear the burden of additional social service costs and to legal immigrants who wait patiently in line overseas, often for years, to obtain legal immigrant visas.

S.1200 strikes the appropriate balance by establishing a legalization date of January 1, 1980, and strictly limiting the public assistance benefits available to newly legalized aliens. Additionally, the bill takes the reasonable position, shared in principle by the Select Commission on Immigration and Refugee Policy, that the effective date of legalization would be postponed until the new enforcement measures have been made effective but no later than three years after enactment.

One anticipated floor amendment which could seriously disrupt the balance achieved in S. 1200 would provide for 100% federal reimbursement for state and local welfare costs. Such full federal reimbursement offers no incentive for local governments to control welfare costs or to discourage welfare dependency. It also ignores the fact that new legal residents will be subject to state and local taxes as well as otherwise contribute to their local communities. We fervently hope the Senate will reject the proposed amendment and retain the capped block grant approach set forth in S. 1200. Such an approach appropriately recognizes that legalization is a shared federal, state and local responsibility and limits federal budget exposure.

H-2 and Seasonal Worker Programs

Another issue is the appropriate mix of programs to assist agricultural interests which have become dependent on migratory labor. In that regard, please find attached a Statement of Principles agreed to by the affected agencies in the Administration which we believe should provide the framework for the temporary admission of foreign workers for agricultural employment while at the same time insuring that American workers are not adversely affected.

In conclusion, I would reiterate the Administration's strong commitment to work with the Congress in the bipartisan spirit which has characterized the immigration debate to achieve passage of balanced reform that significantly advances the national interest and commands the support of the American people.

The Office of Management and Budget has advised that the submission of these views is in accord with the President's Program.

Sincerely,

EDWIN MEESE III
Attorney General

# STATEMENT OF PRINCIPLES

## Seasonal Worker Program

The Administration supports a seasonal worker program that would contain the following provisions:

- Any workers admitted under such a program would be admitted only for the purpose of doing field harvest labor for truly perishable commodities.
- MSPA shall apply to any such field harvest laborers admitted under such a program with regard to job disclosure, working conditions, housing, transportation and wage determination.
- Two years after the effective date of the legislation, the Agricultural Worker Commission will set a cap on the total number of workers to be admitted in the subsequent year; on an annual basis thereafter, the statute will provide that the Commission lower the cap by not less than 5% nor more than 20%; the Commission would have the discretion to determine the precise percentage decline within that range and could, for one year only suspend the decline altogether if exceptional circumstances warranted such suspension.
- In setting the cap and subsequent rates of decline, the commission will consider labor market conditions and the abundance of crops.
- State Department concerns with respect to the operation of such a program in foreign countries will be appropriately addressed.

## H-2 Program

- DOL, acting independently and in response to recommendations from the Agricultural Workers' Commission, will take meaningful steps to improve the H-2 program as a workable and acceptable means of meeting shortages in the domestic agricultural labor market.
- The Administration supports S.1200's temporary worker reforms except that the Secretary of Labor will issue the regulations governing labor certification under this program after meaningful consultation with the Departments of Justice and Agriculture. Both the regulatory authority provision and the consultation requirement will be statutory.

## Search Warrant Provision

- The Administration strongly restates its opposition to the imposition of an open field search warrant requirement over immigration law enforcement officers.

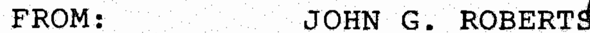
THE WHITE HOUSE

WASHINGTON

August 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS



SUBJECT: DOJ Draft Report on S. 1108, a Bill to Amend the Immigration and Nationality Act to Provide for the Temporary Admission to the United States of Bus Drivers

OMB has asked for our views by August 26 on a draft Justice report on S. 1108, a bill to provide for the temporary admission into the United States of bus drivers. Apparently some bus drivers on established routes crossing the Canadian border in New York and Vermont have experienced some difficulty in gaining entry into the country for the American portion of their routes. This bill would extend the benefits of "crewman" status under the immigration laws to bus drivers.

Justice opposes the bill, noting that it is open-ended and that "crewman" is a term of art in immigration law properly restricted to ship and air crew. Justice also notes that the affected bus drivers should be subject to the normal labor certification procedures. I see no reason to object to the draft report.

Attachment

THE WHITE HOUSE

WASHINGTON

August 19, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING F3/RAH
COUNSEL TO THE PRESIDENT

SUBJECT: DOJ Draft Report on S. 1108, a Bill to Amend the Immigration and Nationality Act to Provide for the Temporary Admission to the United States of Bus Drivers

Counsel's Office has reviewed the above-referenced draft report, and finds no objection to it from a legal perspective.

FFF:JGR:aea 8/19/85
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 19, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: DOJ Draft Report on S. 1108, a Bill to Amend the Immigration and Nationality Act to Provide for the Temporary Admission to the United States of Bus Drivers

Counsel's Office has reviewed the above-referenced draft report, and finds no objection to it from a legal perspective.

FFF:JGR:aea 8/19/85
cc: FFFielding
JGRoberts
Subj
Chron

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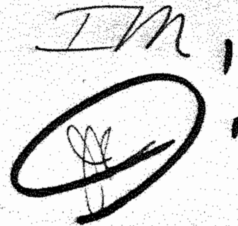

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# CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING

☐ H - INTERNAL

☐ I - INCOMING

Date Correspondence Received (YY/MM/DD) / /

**Name of Correspondent:** James C. Miller

☐ **MI Mail Report** **User Codes:** (A) ______ (B) ______ (C) ______

**Subject:** DOJ draft report on S1108, a bill to amend the Immigration and Nationality Act to provide for the temporary admission to the United States of bus drivers

**ROUTE TO:** **ACTION** **DISPOSITION**

| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
|---|---|---|---|---|---|
| CUHALL | ORIGINATOR | 85/08/06 | TR | | / / |
| | Referral Note: | | | | |
| CUAT 18 | D | 85/08/07 TR | | S | 85/08/26 TR |
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5/81

# EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

August 5, 1985

**LEGISLATIVE REFERRAL MEMORANDUM**

**TO:** Department of State
National Security Council
Department of Transportation
Department of Commerce
Department of Labor

335070 ca

**SUBJECT:** DOJ draft report on S. 1108, a bill to amend the Immigration and Nationality Act to provide for the temporary admission to the United States of bus drivers

**The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.**

**Please provide us with your views no later than**

Monday, August 26, 1985.

**Direct your questions to Branden Blum (395-3454), the legislative attorney in this office.**

**James C. Murr for**
**Assistant Director for**
**Legislative Reference**

**Enclosure**

cc: J. Cooney
T. Treacy
K. Schwartz
F. Fielding
S. Gates

U.S. Department of Justice

Office of Legislative and Intergovernmental Affairs

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Office of the Assistant Attorney General

*Washington, D.C. 20530*

**DRAFT**

Honorable Strom Thurmond
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Department of Justice on S. 1108, a bill to provide for the admission of the operators of motor common carriers of passengers. The Department of Justice recommends against enactment of this legislation.

This bill would amend the Immigration and Nationality Act to allow the operators of common carriers of passengers, such as buses, to enter the United States and travel from point to point in the United States, picking up and discharging passengers. Section 101(a)(10) of the Immigration and Nationality Act, 8 U.S.C. 1101(a)(10) is revised to include an "operator of a motor common carrier of passengers" within the definition of "crewman".

Section 101(a)(15)(D) of the Act, 8 U.S.C. 1101(a)(15)(D), is amended to add "operators of motor common carriers" to the category of "crewman" eligible to obtain a nonimmigrant crew visa. Other sections are revised to incorporate this new category.

On its face, this bill will apply to any "motor common carrier" operating a route in the United States. The term is not restricted to U.S. carriers, and would presumably apply to both foreign and domestic carriers who operate bus lines into the United States. The term is not restricted to carriers presently in operation, so it would apply to carriers which may come into operation at some time in the future. The category is not confined to carriers operating from contiguous foreign countries. While the carrier may make "intermittent stops", this element is undefined, and apparently is basically at the discretion of the carrier, as the stops are "prescribed by the schedule established by the carrier".

The Department of Justice is troubled by redefining the term "crewman" to include bus drivers. The term "crewman" has a specific meaning in the immigration law, and has been narrowly defined to apply to persons serving on board vessels and aircraft. In addition, "crewmen" as such are treated very differently from other aliens who come to the United States, because Congress has historically viewed "crewmen" as aliens who have had unrestricted access to the United States. "Crewmen" may be removed without a deportation hearing, and are ineligible to adjust their status. Given the narrow applicability of this term, it appears unwarranted and unwise to unnecessarily expand this category to include bus drivers.

Finally, this bill applies without apparent restriction to all drivers of all motor common carriers of passengers. It is our understanding however, that this bill is actually aimed at a small number of drivers operating on existing Canadian-United States bus routes in New York and Vermont. These drivers have been the subject of various administrative accommodations, which will not be continued, since these drivers are subject to normal labor certification requirements. The Department does not consider it advisable to revise the immigration laws to deal with this situation. In effect, this bill amounts to a private relief bill.

The Office of Management and Budget has advised this Department that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

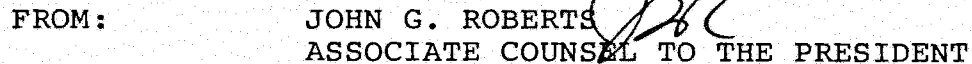
Phillip D. Brady
Acting Assistant Attorney General

THE WHITE HOUSE

WASHINGTON

July 24, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET



FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Draft Immigration and Naturalization Service Testimony Concerning Immigration Related Marriage Fraud

Counsel's Office has reviewed the above-referenced testimony, and finds no objection to it from a legal perspective.

ID # ________________ CU

# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING

☐ H - INTERNAL

☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) ___/___/___

**Name of Correspondent:** James Miur

☐ **MI Mail Report** **User Codes: (A)** ______ **(B)** ______ **(C)** ______

**Subject:** Draft Immigration and Naturalization Service testimony concerning immigration related marriage fraud

## ROUTE TO: ACTION DISPOSITION

| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
|---|---|---|---|---|---|
| CUHOLL | ORIGINATOR | 85/07/23 | | | / / |
| Referral Note: | | | | | |
| CUAT 18 | R | 85/07/23 | | S | 85/07/24 |
| Referral Note: COB | | | | | |
| | | / / | | | / / |
| Referral Note: | | | | | |
| | | / / | | | / / |
| Referral Note: | | | | | |
| | | / / | | | / / |
| Referral Note: | | | | | |

ACTION CODES:
- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:
- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:
- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

**Comments:** ________________________________

Keep this worksheet attached to the original incoming letter.
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5/81

ID # ______________ CU

# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) __ / __ / __

**Name of Correspondent:** Branden Blum

☐ **MI Mail Report** **User Codes:** (A) ______ (B) ______ (C) ______

**Subject:** Testimony of Alan Nelson re: Immigration-related marriage and Fiance Fraud

**ROUTE TO:** **ACTION** **DISPOSITION**

| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
|---|---|---|---|---|---|
| CUHOLL | ORIGINATOR | 85/07/23 | | | / / |
| | Referral Note: | | | | |
| CUAT 18 | R | 85/07/23 | | S | 85/07/24 |
| | Referral Note: | | | | |
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THE WHITE HOUSE

WASHINGTON

July 25, 1985

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

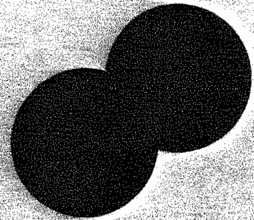
SUBJECT: DOS Testimony Concerning Immigration Related Marriage Fraud

Counsel's Office has reviewed the above-referenced testimony, and finds no objection to it from a legal perspective.

ID # ______________ CU

# WHITE HOUSE
# CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) ___/___/___



**Name of Correspondent:** James C Miller

☐ **MI Mail Report** **User Codes:** (A) ______ (B) ______ (C) ______

**Subject:** DOS Testimony concerning immigration related marriage fraud

| ROUTE TO: | ACTION | | DISPOSITION | | |
|---|---|---|---|---|---|
| Office/Agency (Staff Name) | Action Code | Tracking Date YY/MM/DD | Type of Response | Code | Completion Date YY/MM/DD |
| CUHOLL | ORIGINATOR | 85/07/25 | | | / / |
| Referral Note: | | | | | |
| CUAT 18 | R | 85/07/25 | | S | 85/07/25 3PM |
| Referral Note: | | | | | |
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