

"Congress Clears Overhaul of Immigration Law"

(Excerpted from *Congressional Quarterly Almanac*, 1986)

Legislation Synopsis

- On October 17, 1986, Congress approved legislation that transformed U.S. immigration laws. The legislation known as the Immigration Reform and Control Act or Simpson Mazzoli Act allowed for:
 - Fines and in extreme cases jail terms for employers who knowingly hired illegal immigrants
 - Amnesty to be bestowed on any illegal aliens able to prove that they had lived continuously in the United States for four years, on or before January 1, 1982.
- The sanction against employers was instituted to help close a loophole in U.S. immigration law, which while previously stating that it was illegal to enter or work in the country without proper papers, did **not** make it illegal for employers to hire "undocumented workers."

Legislation Provisions

1. Employer Sanctions

- It is unlawful for any person to knowingly hire, recruit or refer for a fee any alien not authorized to work in the United States.
- All employers must verify newly hired people by examining a U.S. passport, a certificate of U.S. citizenship, a certificate of naturalization or a resident alien card.

2. Legalization

- Temporary resident status will be provided for aliens who have resided continuously in the United States since before January 1, 1982, and those who could not be excluded for reasons specified in the immigration law.

Background

- S 1200 was the first comprehensive overhaul of U.S. immigration laws since the McCarran-Walter Act of 1952.
- Compromise fostered the bipartisan support needed for the bill to pass the House and Senate.

Approval

- Congress passed the Immigration Reform and Control Act in October 1986.
- President Reagan signed the bill on November 6, 1986

How did they Vote? Key Individuals- Key States

Immigration Reform and Control Act of 1986 (S.1200)

Senate Votes	September 1985	House Votes	October 1986
Pete Wilson (R) CA	Yes	Barbara Boxer (D)	Yes
Alan Cranston (D) CA	No	Leon Panetta (D)	Yes
Barry Goldwater (R)AZ	No	John McCain (R)	No
Pete Domenici (D) NM	No	Manuel Lujan (R)	No
Phil Gramm (R) TX	No	Tom Delay (R)	No
Paul Laxalt (R) NV	Yes	Harry Reid (D)	No
Al Gore (D) Tenn	Yes	Richard Cheney(R)	Yes

Source: CQ Weekly

- In the House, a 'Yes' vote was seen as supporting President Reagan, and a 'No' vote was seen as not supporting the President. Some key Senators and Representatives from the border states of California, New Mexico, Arizona, and Texas are included above, as well as other individuals such as future Vice Presidents Al Gore, and Richard Cheney.

Immigration Background, Documents, and Questions

Background Information:

Since its founding, the United States has always been a key destination for the world's immigrants. Indeed, the United States has been home to people coming from Europe, initially, and later Asia, Africa, the Middle East, and Latin America. And through the process of naturalization and citizenship, many of these immigrants melt into one people, Americans. However, in the latter half of the 20th century, there has been an increase in the number of immigrants, which has then made it more and more difficult for immigrants to become American citizens.

Stemming back to 1965, President Lyndon B. Johnson urged the passing of a two-hemisphere policy, where the government established "annual ceilings of 170,000 visas for all immigrants from the Eastern Hemisphere and 120,000 visas from the Western Hemisphere," exempting the immigration of children and parents of U.S. citizens.¹ Becoming effective in 1968, shifts in immigration from Europe to Latin America and Asia occurred, "with an increase of 127 percent from Asia and 61 percent from Latin America from 1968 to 1980."² There was also an increase in those seeking asylum, such as Cold War refugees from Cuba, Vietnam, Laos, and Cambodia after 1975, and from Iran after 1979. With regards to Latin America, "Congress applied a ceiling of 20,000 per year on Mexico and other Western Hemisphere nations after 1976," which contributed "to a growing waiting list for visas and an increasing influx of illegals seeking employment."³

Although Presidents Richard Nixon, Gerald Ford, and Jimmy Carter had "failed to act successfully on any of the issues" the election of Ronald Reagan in 1981, brought forth action in the field of immigration reform.⁴ According to Peter Robinson, a former Reagan speechwriter, "It was in Ronald Reagan's bones — it was part of his understanding of America — that the country was fundamentally open to those who wanted to join us here."⁵ Even during a 1984 televised debate with Democratic presidential nominee, Walter Mondale, Reagan believe[d] in the idea of amnesty for those who have put down roots and lived here, even though some time back they may have entered illegally.⁶ Ronald Reagan put together a task force, lead by Frank Hodsoll, in hopes of resolving the immigration crisis. The task force studied all past and current legislation, regarding immigration reform, as well as observed the effects of immigration on the economy, and other sectors. After much work, Ronald Reagan and his team finally came up with the Immigration Reform and Control Act (IRCA) of 1986. The act made it unlawful to "hire, ... recruit, or refer for a fee for U.S. employment any alien knowing that such person is unauthorized to work," and required employers to attest an "employee's work status has been verified by examination of a passport, birth certificate, social security card, alien documentation papers, or other proof."⁷ The act also granted amnesty to not only seasonal agricultural illegal

¹ Thomas Maddux, "Ronald Reagan and the Task Force on Immigration," *Pacific Historical Review* 74.2 (2005): 200, accessed September 22, 2011 <<http://www.jstor.org/stable/10.1525/phr.2005.74.2.195>>

² *Ibid*

³ *Ibid*, 201.

⁴ *Ibid*

⁵ NPR Staff, "A Reagan Legacy: Amnesty For Illegal Immigrants." *NPR*, July 4, 2010. <http://www.npr.org/templates/story/story.php?storyId=128303672> (accessed September 22, 2011).

⁶ *Ibid*

⁷ <http://thomas.loc.gov/cgi-bin/bdquery/z?d099:SN01200:@@@D&summ2=3&>

immigrants, but to illegal immigrants who entered the United States before January 1, 1982 and had resided there continuously.

Supporting Documents:

Background Information:

- 1) At the time of LBJ's 1965 immigration reform, what regions of the globe were immigrants coming from? How was it a change from earlier decades?
- 2) How did the sudden arrival of immigrants affect the United States? Was it good or bad?
- 3) Why do you think Reagan's view on immigrants is so significant?

Document 1: President Lyndon B. Johnson's Remarks at the Signing of the Immigration Bill (October 3, 1965)

[<http://www.lbjlib.utexas.edu/Johnson/archives.hom/speeches.hom/651003.asp>]

- 1) In what ways, according to Johnson's speech, did the old immigration system hurt immigrants, and even America?
- 2) Why do you think Johnson specifically mentioned the immigration status of Cubans? What kind of help, specifically, is Johnson planning to give Cuban immigrants?

Document 2: Marcela Sanchez Letter

- 1) Based on the letter, what kind of person is Marcela? In what ways is Marcela similar to you, and your family? In what ways is Marcela different?
- 2) What is the problem, in Marcela's point of view?
- 3) What does Marcela believe to be the "key" solution to her family's problem?

Document 3: Immigration Reform and Control Act of 1986

[<http://thomas.loc.gov/cgi-bin/bdquery/z?d099:SN01200:@@@D&summ2=3&>]

- 1) Glancing over the bill, what areas of immigration did congress focus on?
- 2) What were some of the solutions, evident in the document, to control illegal immigration?
- 3) Do you think that Ronald Reagan's 1986 Immigration Reform and Control Act helped, or enacted more constraints on immigrants?

Document 4: Statement on United States Immigration and Refugee Policy (July 30, 1981)

[http://www.reagan.utexas.edu/search/speeches/speech_srch.html]

- 1) What do you think Reagan feels about immigrants? Does it confirm, or contradict, his earlier beliefs, as stated by Peter Robinson?
- 2) According to the President, what actions has he taken to deal with the immigration problem?
- 3) What are the two groups of people that Ronald Reagan's immigration reform is trying to balance?