

'We've Lost Control of Our Borders'

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Body

After several false starts, President Reagan has finally proposed his immigration reform. But the package is so disappointing one wonders what took so long. Key features are seriously flawed, almost ludicrously in the matter of regulating immigrant labor. Congress will not find it helpful in drafting legislation. And it displays an Administration so irresolute that it raises doubts about whether whatever Congress enacts will be fairly and vigorously enforced. Editorial discusses President Reagan's proposed immigration reforms and expresses disappointment in key features regulating immigrant labor

Some facts are faced squarely. We have, as Attorney General Smith concedes, "lost control of our borders." Uncounted millions cross our porous borders in search of a better life. Like prior immigrants, many enrich our land with industry. But their numbers are so great that they also strain community resources and threaten the jobs and well-being of those who preceded them.

Another bow to reality is Mr. Smith's concession that millions of illegals are here to stay and that some system has to be found to legitimize and integrate them.

But if the borders can't be closed, the key to control is jobs. A law that prohibits the employment of illegal aliens is a recognized necessity. But it will be a new mockery if Congress, like the Administration, flees from sufficient punishment for violators and from a realistic, fair way to detect violations.

Employers cannot be held accountable for whom they hire without a reliable way of verifying the immigration status - whether that be a forgery-proof Social Security card or some less expensive tool. An expert immigration commission recognized that fact, as did a White House task force. But for diverse reasons, including a misplaced concern over this extra measure of business regulation, the

Reagan Cabinet rejected the idea. The emptiness of the proposed sanctions against employers is further betrayed by the proposed maximum penalty of \$1,000 for each illegal hire - a mild cost of acquiring workers at many thousands below scale. Moreover, Mr. Smith would let employers avoid penalty altogether if they merely ask for such easily forged instruments as a driver's license and paper Social Security card.

By posing a costly and ominous-sounding "national identity card" as the only alternative, the Administration stacks the deck. Less expensive techniques are available, including a computer system of telephone verification. The President's concern for

"our values of individual privacy and freedom" is welcome, but out of context. Forgery-proof identification need not invade privacy; but the lack of it could cost legal aliens their livelihoods. Cynical employers can easily mask their discrimination against

Hispanics and other minorities by claiming uncertainty about immigration status. Some sympathy is warranted for anyone who must wrestle with this vexing problem. All the issues - the nature and strength of border patrols, the

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intercepting of unwanted immigrants at sea, the standards for choosing refugees, the utility of an "experiment" in temporary guest worker employment - are mined with controversy and expense.

But it is hard to sympathize with an effort that failed so clearly on a central point. And if a dozen Cabinet officials can't reach accord on sound recommendations, what hope for 500 members of Congress?

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