



Department of Justice

ADDRESS

BY

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ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

THE NATIONAL BORDER CRIME CONFERENCE

3:00 P.M., E.S.T.

THURSDAY, APRIL 21, 1977

BARCELONA ROOM

SHERATON INN-AIRPORT

SAN DIEGO, CALIFORNIA

I am honored to participate in today's conference and to cooperate with the Attorney General of Mexico in a matter of great urgency to both our countries.

Mexico and the United States share a great friendship and enjoy a long common border. Like true friends, we also share some problems which require mutual solutions.

Border crime is such a problem; it affects each of our nations and demands an allied approach. Enforcement is not a one-way street, and crime does not respect nationalities. The victims of border crime are both U.S. and Mexican residents. So are the offenders.

The Attorney General and I have had productive discussions this morning. They were in keeping with the same cooperative spirit that began with Rosalynn Carter's visit to Mexico City in December and which continued in February when President Lopez-Portillo became the first head of state to confer with the new American President. We expect these important dialogues to continue along many fronts.

But today's meeting represents more than friendship between two great nations. We witness similar cooperation as signified by the joint efforts of four state Attorneys General representing both of our major political parties. Among our border states, the four states have demonstrated their determination to develop initiatives. I pledge the support of our federal government in these efforts, and where necessary, federal leadership. It is the federal government

which has the basic responsibility for border security, and it has been our federal government which, in the past, has led the efforts to preserve border security. Regretfully, such past efforts have not been sufficient.

No new administration can eradicate such complex and persistent problems as these in 90 days. Indeed, some persons think these problems are insoluble and must be expected to exist as long as our nations share a border.

We cannot promise to do the impossible. However, we can and must resolve ourselves to a good faith effort, addressed to the realities as we understand them.

At its highest levels, the government of the United States is facing this challenge -- not in blind optimism but rather with realistic hope.

Our meeting today will assist our effort. I and other federal and state officials will take back with us what we learn here. Likewise, I want to share with you some of our thoughts to date.

Even prior to his inauguration, President Carter stated publicly that the problem of undocumented aliens would be a major priority of the new administration. He has kept his word and asked several members of his cabinet, including myself, to assess the problem and make recommendations.

Even assessing the problem has been difficult. We know that millions of aliens are in the United States unlawfully, but we do not know how many. We know that the number of

undocumented aliens is growing rapidly, but we cannot determine at what rate.

Last year, 875,000 undocumented aliens were apprehended nationally, compared to 138,000 in 1966. They included 781,000 Mexican nationals. About 338,000 were apprehended at the border and 191,000 more were caught within 72 hours of entry there.

Solutions are even more elusive than a diagnosis of the problem. It seems that there is no single prescription to remedy this complex condition. Some of the proposals offered in the past would probably be ineffective; some would be inhumane; others would cost too much. Complicated considerations are involved. They range from law enforcement questions, to labor issues, to foreign policy matters, to questions of justice.

Within the next few days, the Cabinet Committee, of which I am a member, will submit its recommendations to the President. The key recommendation will likely be a bill to prohibit the employment of undocumented aliens. Most undocumented aliens come to this country seeking work, and they find it all too readily. The lure must be removed.

The specific bill must include a mechanism for providing a defense to employers. Such a defense will be based on some legally prescribed indication of the prospective employee's citizenship. By making one simple check of the job applicant's document, the employer would be in conformity with the law.

Proof of citizenship can be furnished without creating a single, so-called "national identifier." Existing systems -- such as Social Security cards, drivers' licenses, or birth certificates -- can be used. Social security cards, issued with stricter standards, can be proof of citizenship.

There is no precise measurement of the number of domestic workers displaced by undocumented aliens, but the indications are that the number is substantial. Those hurt most in the U.S. labor market are the unskilled and underemployed. Illegal workers also tend to undercut wages and working conditions.

We will explore ways to utilize the domestic labor force more fully while studying whether a limited number of workers might be imported under some conditions. Existing wage and labor laws to be met by employers also must be tightened and better enforced.

We will recommend legalizing the resident status of many undocumented aliens who have built up substantial equities during extended residence in this country. They would be persons who have, in effect, been woven into the nation's economic and social fabric. Their equity in U.S. society would be based upon their longtime residence or upon such steps as marrying and rearing families or establishing homes. We are talking, in short, about persons who have led productive, law-abiding lives.

Mass deportations would be inhumane and impracticable. Many aliens now in this country illegally would probably leave voluntarily if legislation were passed to make jobs less freely available to them.

Most undocumented aliens come from Mexico, but the problem is by no means limited to that one country. Discussions should be undertaken with some 10 to 15 countries for improved enforcement programs to reduce the flow of illegal migrants into the United States.

In addition to the steps I have mentioned, we are considering ways to reduce illegal immigration by making the border more secure. We hope to expand the number of Border Patrolmen and other Immigration and Naturalization Service personnel. We expect to provide new equipment to assist them.

Yet, we know there is no practicable combination of personnel and machinery which can deter all men and women from crossing the border when they have such heavy incentives. But stopping an unlawful entrant from coming in and working is better than deterring employers or deporting the employees. Here, as much as anywhere, the United States needs Mexico's cooperation.

Improved border security should reduce the number of offenders coming into this country -- including youth and adult gangs, burglars, robbers, and those carrying narcotics.

To combat a variety of crime, greater cooperation is needed among federal agencies and between the federal government and state and local enforcement agencies. Some promising steps already have been taken.

As part of our new Justice Department efforts, we are studying the feasibility of converting the Drug Enforcement Administration into a division of the Federal Bureau of Investigation.

The FBI is the world's finest investigative agency. We want to determine the impact its great reservoir of skills might have on the narcotics problem -- a problem that is among the most serious facing our nation.

The basic federal goals will continue to be the drying up of narcotics at their sources and the disruption of major trafficking rings. We are obtaining excellent cooperation from Mexican authorities.

The United States provides funds and equipment to assist the Mexican government's poppy eradication program. DEA agents work closely with their Mexican counterparts and share crucial intelligence.

About 80 per cent of the heroin entering this country originates in Mexico. The Mexican government has worked resolutely to locate poppy fields and apprehend distributors.

We are dedicated to strong enforcement against the major traffickers and financiers of all drugs -- including heroin, cocaine, marijuana, and a variety of pills. At the same time, we must give new priority to reducing the demand for drugs through prevention and treatment programs.

Making progress on all of these fronts -- undocumented aliens, narcotics, and other types of border crime -- will be difficult and time-consuming. More effective programs must be developed to reduce the amount of goods smuggled out of this country. Particular emphasis is needed on stopping the flow of illicit firearms into Mexico, where they are used for a

variety of illegal purposes. The firearms are often in exchange for drugs.

We must make certain that all Mexican nationals apprehended in this country are treated humanely, and that their rights are protected.

We must point toward the day when so many Mexican nationals will not attempt, in large numbers, to leave their homeland to seek work elsewhere. No country wants to lose its citizens, no matter what the circumstances.

All of us must realize that the future of our two nations is linked together in many ways. This is particularly true in the border area, where there are close ties of culture and business.

It is in our mutual interest to foster beneficial efforts while reducing those things that are counter-productive for all. A number of positive new beginnings are being fashioned. Let us work together to continue that trend.

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