

Message to the Congress Transmitting Proposed Legislation on Illegal Immigration July 27, 1993

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the "Expedited Exclusion and Alien Smuggling Enhanced Penalties Act of 1993." This legislative proposal is designed to address the growing abuse of our legal immigration and political asylum systems by illegal aliens holding fraudulent documents and by alien smugglers. Also transmitted is a section-by-section analysis. The proposal is part of a larger Administration initiative that I announced on June 18, 1993, to combat the illegal entry and smuggling of aliens into the United States.

The use of fraudulent documents by aliens seeking to enter the United States has increased dramatically. This proposal would expedite the exclusion and return of certain undocumented and fraudulently documented aliens who clearly are ineligible for admission to the United States, while ensuring that persons who have legitimate asylum claims receive full and fair hearings. In addition, the bill would increase the ability of the Immigration and Naturalization Service (INS) to prosecute alien smugglers and enhance the penalties for alien smuggling.

The expedited exclusion procedures would apply to an alien who, for example: (1) attempted to use a fraudulent passport to enter the United States; (2) came to the United States by commercial airplane and did not present a visa upon arrival; or (3) was encountered by the Coast Guard on the high seas and brought to the United States. To apply for asylum, these aliens first would have to establish that they had a credible fear either of persecution in the country from which they had departed or of return to persecution. If an asylum officer determined that the alien had such a credible fear, the alien then could apply for asylum. If the alien did not have the requisite fear of persecution, the alien would be subject to an immediate order of exclusion barring him or her from entering the United States. The bill would limit judicial review of such an exclusion order.

Alien smuggling has become an increasingly pervasive problem, as seen in the current wave of Chinese aliens being brought to the shores

of this country by unscrupulous criminal organizations. These organizations seek to profit both from transporting these aliens and from their labors once in this country. The number of alien smugglers arrested in the past 3 years has tripled, and the number of smugglers convicted has doubled.

Alien smuggling not only violates our criminal and immigration laws, but it also takes a terrible toll on the lives of the aliens illegally brought into this country. Many of these individuals transfer their entire life savings and pledge thousands of additional dollars to smugglers. These aliens are often placed in deplorable conditions amounting to indentured servitude until they can pay the debts incurred for their passage to America. Moreover, organized criminal syndicates are becoming more frequently associated with this highly profitable traffic in human cargo.

The bill's criminal provisions are vital to help apprehend offenders and deter future criminal activity in this area. Under this proposal, the maximum penalty imposed against certain smugglers would be increased from 5 to 10 years in prison for each individual smuggled. Since clandestine means of investigation are often needed to build cases against alien smuggling rings, the bill would authorize INS to conduct wiretaps for alien smuggling investigations.

Finally, the Racketeer Influenced and Corrupt Organizations statute would be amended so its penalty and forfeiture provisions could be used against alien smuggling organizations. The proposal also would expand the ability of law enforcement personnel to forfeit the proceeds of illegal alien smuggling, such as cash and bank accounts.

In addition to this bill, our efforts to combat alien smuggling include strengthening law enforcement efforts and attacking smuggling operations at the source. The Federal Government already has begun interdicting and redirecting smuggling ships, where feasible, in transit to the United States. INS is detaining aliens who enter the United States in conjunction with criminal smuggling activities. The Department of Justice, consistent with due process and exist-

July 27 / Administration of William J. Clinton, 1993

ing laws, is expediting the adjudication of entry claims raised by migrants who are the victims of organized criminal smuggling schemes.

All of these actions, taken together, signal the United States abhorrence of the trafficking in human beings for profit and our determination to combat this illegal activity. At the same time,

they reaffirm our Nation's commitment to safeguarding the protection of bona fide refugees.

I urge the prompt and favorable consideration of this legislative proposal by the Congress.

WILLIAM J. CLINTON

The White House,
July 27, 1993.

Exchange With Reporters Prior to a Meeting With Midwestern Governors July 27, 1993

Disaster Assistance and Economic Program

Q. Mr. President, do you have any problem with Senator Boren's idea for a budget summit?

The President. Let me make a statement, first of all, about what we're here for.

I want to welcome the Governors from the States afflicted by the floods to Washington, and I'm very encouraged by the work they've been doing here today. Of course, we hope the legislation will pass the House today, and if it does then when it moves on to the Senate it is our intention, as I indicated when I was in St. Louis, based on Mr. Panetta's figures, to ask that the relief package be increased by another \$1.1 billion which will take us to just slightly above \$4 billion. And of course, we're still collecting damage estimates. It may get worse because it's still going on in some places. But I'm very hopeful that we can push this through and work this through. And of course, there are a lot of other issues the Governors want to talk about and deal with that we're going to try to help them on some. I'm encouraged by that.

In terms of the other question you asked me, go back to 1990. You know, I will say again, that the strongest reaction I got yesterday in Chicago with that highly bipartisan crowd was when I said we need to make a decision and go on with other things.

If you look at what happened in 1990, there was this sort of delay. If you delay it a couple of months you're going to have less deficit reduction, higher interest rates, more fragility and uncertainty in the economy, more consumer confidence going down. We have been working on this.

We have other things to do. The American people want us to solve the health care crisis, deal with welfare reform, to pass a crime bill. We have a whole range of other issues out there. The Congress is strangled from doing anything else until we put this budget issue behind us. So the time has come to act. We just need to move and go on and almost everything else that needs to be done, I hope and believe we'll have bipartisan support and we'll meet the needs of this country. Nobody wants to reduce the deficit because—the reason it got so bad as it did is that there were tough decisions required to turn it around. And I think to delay it while we nibble around the edges would be a serious error.

NOTE: The exchange began at 1:54 p.m. in the Cabinet Room at the White House. A tape was not available for verification of the content of these remarks.

Remarks on the Anniversary of the Americans with Disabilities Act July 27, 1993

It is great to see all of you. You know, I heard Tom's speech outside, and I want to say,

first of all, how grateful I am, as an American, to Tom Harkin and Steny Hoyer and all of