

Immigration Reform and Control Act of 1986

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The **Immigration Reform and Control Act (Simpson-Mazzoli Act (IRCA)**, Pub. L. No. 99-603, 100 Stat. 3359 (Nov. 6, 1986) (signed by President Ronald Reagan) is a US law passed to reduce illegal immigration to the United States, which was perceived as a problem for the U.S. economy.

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Legislative background and description

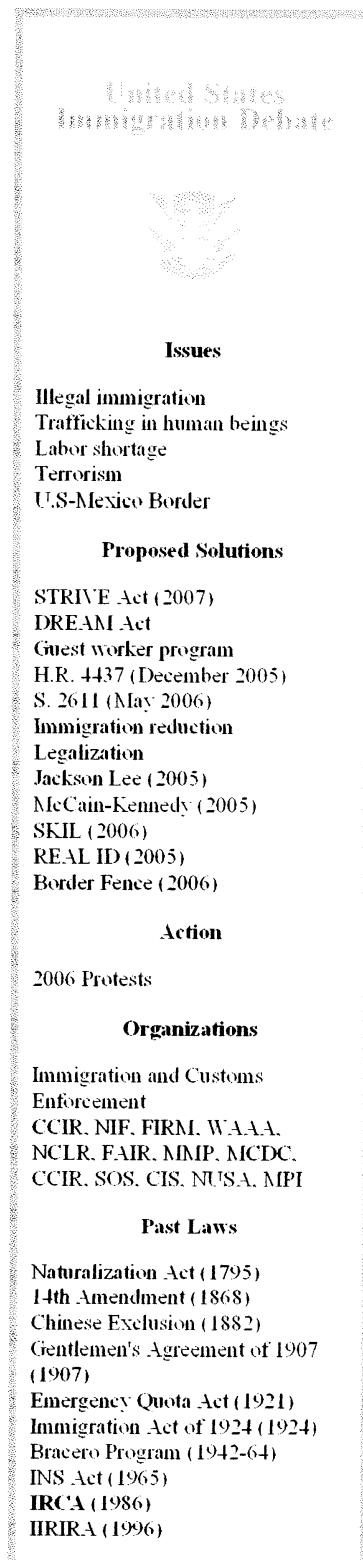
Legal rationale

The law criminalized the act of knowingly hiring an illegal immigrant and established financial and other penalties for those employing illegal aliens, under the theory that low prospects for employment would reduce illegal immigration.

These sanctions would only apply to employers that had more than three employees and that did not make a sufficient effort to determine the legal status of the worker. IRCA also established a provision that if "wide-spread" discrimination was caused through employer-sanctions, according to a three year report by the General Accounting Office (now the Government Accountability Office) (GAO), then the sanctions would be repealed. The GAO found discrimination in 10% of cases studied, and the employment sanctions were not repealed.

Legal amnesty

The law established a one-year amnesty program for illegal immigrants who had already worked and lived in the U.S. since January 1982. Those eligible could apply for regularization of status and eventually full citizenship. The law also mandated the intensification of Border Patrol activities including the auditing of employer I-9 forms. Over 2.7 million



illegal aliens and others not qualifying for visas were legalized under the 1986 IRCA amnesty.

Critics of the Act

The legislation is frequently cited by opponents of illegal immigration as a failure in that, for each illegal alien granted amnesty under the plan, approximately four new ones have since replaced them. This assertion is based on the estimate that 2.7 million illegal aliens were legalized and the current estimate of illegal aliens in the United States is over 12 million.^[1]

Critics point to the IRCA of 1986 as proof in their view that amnesty is not the solution for the large number of illegal immigrants currently in the United States.

Another criticism is what may be referred to as "daisy chain" migration. An immigrant who has been legalized can file a petition for a relative (CIS Form I-130) so that his or her family can immigrate to the United States.

References

- [^] Ohlemacher, Steven. "Number of Illegal Immigrants Hits 12M (<http://www.breitbart.com/news/2006/03/07/D8G6U2KO8.html>)", Associated Press, March 7, 2006. Retrieved on November 19, 2006. (in English)

See also

- Immigration
- Foreign Worker Visa
- Alan Simpson
- Romano L. Mazzoli
- Labor economics

External links

- Text of Act (<http://www.oig.lsc.gov/legis/irca86.htm>)
- [1] (<http://thomas.loc.gov/cgi-bin/bdquery/z?d099:SN01200:@@L&summ2=m&TOM:/bss/d099query.html>) Summary of the Bill from "Thomas" for the Library of Congress.)
- [2] (<http://thomas.loc.gov/cgi-bin/bdquery/z?d099:SN01200:@@@S|TOM:/bss/d099query.html>) (Detailed legislative history of Simpson-Mazzoli from introduction to Presidential signature, also from "Thomas" for the Library of Congress.)
- Statement on Signing the Immigration Reform and Control Act of 1986 (<http://www.reagan.utexas.edu/archives/speeches/1986/110686b.htm>)
- [3] (<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/14/AR2006091401179.html>) (September 2006 article by Mazzoli and Simpson revisiting the legislation in the current political climate.)
- "Independent Task Force on Immigration and America's Future" (<http://www.migrationpolicy.org/events/050906.php>) Migration Policy Institute

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