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# What Is the Immigration Reform and Control Act of 1986?



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**Question:** What Is the Immigration Reform and Control Act of 1986?

**Answer:**

Known also as the Simpson-Mazzoli Act for its legislative sponsors, the Immigration Reform and Control Act (IRCA) of 1986 was passed by Congress as an attempt to control illegal immigration into the United States.

The legislation passed the U.S. Senate on a 63-24 vote and the House 238-173 in October 1986. President Reagan signed it into law shortly after on Nov. 6.

The federal law had provisions that restricted the hiring of illegal immigrants in the workplace and also allowed illegal immigrants already in the country to stay here legal and avoid deportation.

Among them:

- Requiring employers to stipulate that their employees had legal immigration status.
- Making it illegal for an employer to knowingly hire an illegal immigrant.
- Creating a [guest worker plan](#) for certain seasonal agricultural workers.
- Increasing enforcement personnel on the U.S. borders.
- Legalizing the illegal immigrants who entered the country before Jan. 1, 1982 and had been U.S. residents continuously since then, in exchange for back taxes, fines and an admission of entering the country illegally.

Rep. Romano Mazzoli, D-Ken., and Sen. Alan Simpson, R-Wyo., sponsored the bill in Congress and steered its passage. "Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship," Reagan said upon signing the bill into law.

The president couldn't have been much more mistaken. People on all sides of the immigration argument agree that the 1986 Reform Act was a failure: it didn't keep illegal workers out of the workplace, it didn't deal with at least 2 million undocumented immigrants who ignored the law or were ineligible to come forward, and most of all, it didn't stop the flow of illegal immigrants into the country.

On the contrary, most conservative analysts, among them members of [the Tea Party](#), say that the 1986 law is an example of how amnesty provisions for illegal immigrants encourage more of them to come.

Even Simpson and Mazzoli have said, years later, that the law didn't do what they hoped it would. Within 20 years, [the number of illegal immigrants living in the United States had at least doubled](#).

Instead of curbing abuses in the workplace, the law actually enabled them. Researchers found that some employers engaged in discriminatory profiling and stopped hiring people who looked like immigrants – Hispanics, Latinos, Asians – to avoid any potential penalties under the law.

Other companies enlisted subcontractors as a way to insulate themselves from hiring illegal immigrant workers. The companies then could blame the middlemen for abuses and violations.

One of the failings in the bill was not getting wider participation. The law didn't deal with all the illegal immigrants already in the country and didn't reach out more effectively to those who were eligible. Because the law had the Jan. 1982 cutoff date, tens of thousands of undocumented residents were not covered. Thousands of others who might

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have participated were unaware of the law. In the end, only about 3 million illegal immigrants participated and became legal residents.

The failings of the 1986 law were often cited by critics of [comprehensive immigration reform](#) during the 2012 election campaign and the congressional negotiations in 2013. Opponents of the reform plan charge that it contains another amnesty provision by granting illegal immigrants a path to citizenship and is sure to encourage more illegal immigrants to come here, just as its predecessor did a quarter-century ago.

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