

IMMIGRATION WORKING GROUP

January 7, 1998

Call Dan Marcus
re: APA

- Central Americans
TPS and NACARA Regulations (Presumption of Extreme Hardship)

- ✓ Public Charge
Status Update

2-3 mo. to do the reg.
memo from INS next
week

- Section 377
Status Update

(makes cash/non-cash
distinction for departure)

change in
registr. date

- Haitians
Progress Update Re: Employment Authorizations

- INS Immigration and Naturalization Benefits Processing Status Report
Report Update (Jack Lew letter)

- H2A
Status Update

one
week
to get
verification
memo from
Bob

Monday mtg.

w/a public charge mtg

James C.

Mania E.

Dan Marcus

Elena

Bob

Q: how most quickly
to do this

Laura

Stuart Andersen
not happy w/
H-1B regs

IMMIGRATION WORKING GROUP

December 7, 1998

- Central Americans
TPS and NACARA Regulations
- Public Charge
Deportation and Other Issues
- Haitians
Status of Implementing Regulations and Administrative Process
- Irish Deportees
- H2A Next Steps

Part of TPS for POTUS

Consider seriously
NACARA regulations

NACARA talking point

measures to
address the
inequities

vague
enough

signing
statement
language (?)

Broderick

Lamar Smith's person ~~is~~ indicated that it would be
awkward to grant TPS for only two of the four countries.

Pres. not to commit to TPS decision

Stay continues

Working on a comprehensive response.

in memo

→ Danger of saying too much in this area ←

(NSC recommends against + ...)
(indicating a commitment to do more)

② Public Charge

Reg says that Medicaid/Food Stamps not
subject to Matter of B.

look for a legal
line to draw
btwn TANF &
Medicaid

States
would need to designate state-run state program
or
state-run medical program
(Medicaid)

No state has designated
any of these programs
as state public benefits.

→ If we do a proposed reg. / could do prosecutorial discretion
in the interim.

③ Haitians

need a big roll out in ~~2~~ 1 1/2 weeks.

ETA before Friday

④

AGENDA
Immigration Working Group
November 5

ME - only Honduras (?)

State wants to announce something sooner rather than later.

Mrs. Gore
 going to Honduras
 Tues/Wed.
 back Thursday

Cuban/Haitians

Hondurans
 Status of TPS/DED proposals

Public Charge
 Status of DOJ analysis

San Diego
 Update

• Section 377
 Update

• Haitians

Status of implementing regs, district guidance, and administrative process

• Salvadorans/Guatemalans
 Update

• Naturalization
 Backlog reduction update

• H2A
 Next steps

(ask Berman and others what they are willing to give up)
 AG proposal for border labor facilitation.

INS regs: ~~in~~ on the fee (H1B)

We need to evaluate distinctions among countries.
 (Honduras; Nic; El Sal; Guat.)

INS mtg.
 w/State
 Dept. This
 afternoon.

(State inclined to do TPS for Hond/Nicaraguans
 (not Sal/Guat) one year (?) NSC
 Scott asked State & Don's to try to figure it out.
 State recomm. to DOJ tomorrow.
 Back: informal stoppage of deportation in
 to the region.

(1st Letter to Guterres has gone out.) SB checking
 on status of Ros-Lenithan Letter.
 Chuck ask Justice to come over & brief.
 Satisfied that they have explored all admin. options.

info down to Florida to let them know
 what the situation is.

Steven M. Mertens

11/05/98 10:43:15 AM

Record Type: Record

To: Julie A. Fernandes/OPD/EOP

cc:

Subject: Immigration meeting

Julie: For the naturalization part of the agenda you can pass out the first INS report with data from August. We have meet with INS and the report is being revised (larger charts, bullet narrative explaining charts and reengineering milestones/accomplishments at the end). Thank the group for their comments (Chris Sale provided some).

Accomplishments:

- Immigration Services Division up and running
- Backlog reduction teams in place and backlog reduction plans/goals established for each office.
- Productivity improvements (not shown in report) include a 20K increase in monthly naturalization completions since August from 63K to over 80K -- January goal 99K completions -- 1999 goal 1.5 million completions.
- In September target cities completed more applications than were received -- first time in years.

DPC, OMB and Justice plan to meet with INS monthly following the issuance of the report to review progress and problems to ensure this process stays on track.

We will keep this group apprised of the results of these reviews.

EXECUTIVE OFFICE OF THE PRESIDENT
Office of Management and Budget
TCJS Division
Justice/GSA Branch

FAX COVER SHEET

TO:

Willie

FAX NUMBER: *65581*

PHONE NUMBER:

FROM:

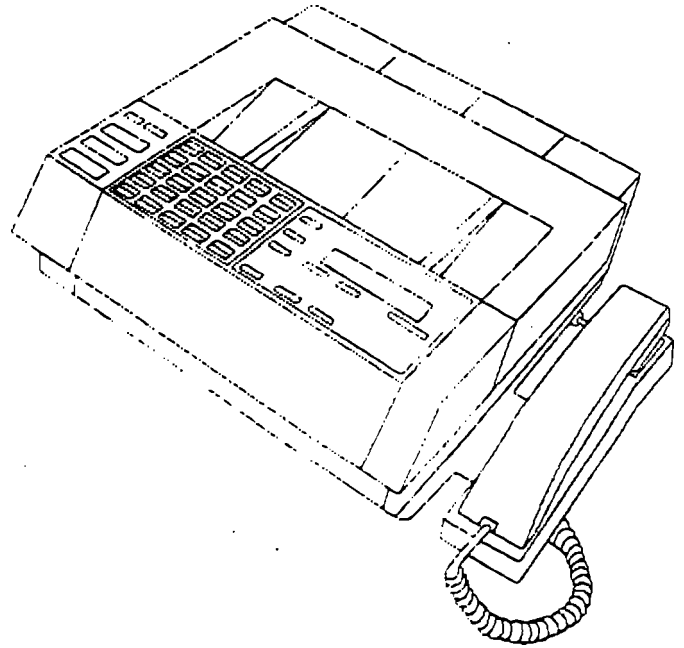
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PHONE NUMBER: 202/395-

FAX NUMBER: 202/395-0850

COMMENTS:

RJ



Date:

Time:

Number of Pages (including this page) _

If you do not receive all the pages, please call as soon as possible.



Immigration in the National Interest

October 15, 1998

IMMIGRATION PROVISIONS INCLUDED AND OMITTED IN OMNIBUS APPROPRIATIONS BILL

Dear Colleague:

There are several major immigration provisions – some good, some bad, some ugly, depending on your point of view – that are likely to be included and others that were omitted from the Omnibus Appropriations Bill:

INCLUDED

1. **Section 110 – The implementation of the automated entry-exit system to identify illegal aliens and deter drug smugglers and terrorists at land and sea ports will be delayed until March 30, 2001. Also added is the requirement that the system implemented "not significantly disrupt trade, tourism or other legitimate cross border traffic" at the land ports. (Senate had repealed.)**
2. **Haitians – Permanent residence (amnesty) will be given to 50,000 + Haitians. (Senate and White House provision.)**
3. **H-1B Visa Program – Adds H.R. 3736 as passed by the House that would temporarily increase the annual quota on H-1B temporary visas for foreign professionals from 65,000 to 115,000 this year and next year and 107,500 in 2001. H.R. 3736 requires that "H-1B dependent" firms attest that they will not replace laid-off Americans with H-1B aliens and have taken good faith steps to recruit Americans before petitioning for H-1B aliens. Establishes a \$500 fee per alien, the proceeds of which will go towards scholarship assistance and federal job training services and other uses.**
4. **Driver's License Anti-Fraud Standards – In order to deter the use of fraudulent documents used to obtain government benefits and jobs, Section 656 of the 1996 Act provided that the federal government would not accept for identification purposes driver's licenses issued or renewed on or after October 1, 2000, unless they met certain requirements. The driver's license must contain: (1) a social security number that could be visually or electronically read unless otherwise verified, and (2) security features designed to limit tampering, counterfeiting and use by imposters. The omnibus bill provides that no appropriated funds may be used by the National Highway Transportation Safety Administration to issue final standards implementing Section 656. (Provision was in neither body's appropriations bill and had passed no committee in either body.)**

OMITTED

1. **INS Reorganization – The Leadership had approved the addition of H.R. 4264 to the omnibus bill. H.R. 4264 separates the INS into two agencies within the Department of Justice, one for enforcement and one for service. The Administration opposed the inclusion of reorganization in the omnibus bill. (House provision.)**
2. **Agricultural Guest Worker Program – The Senate-passed Commerce, Justice, State appropriations bill included a provision creating a new agricultural guest worker program. The Senate program was unlimited in both duration and the number of aliens who could receive visas in any given year. The House Judiciary Committee's Subcommittee on Immigration and Claims approved H.R. 3410, which created a two year pilot guest worker program with 20,000 visas available in each year. The Administration threatened to veto both measures. (Senate provision.)**

If you have any questions regarding these provisions, please contact George Fishman, Chief Counsel, Subcommittee on Immigration and Claims, at x5-3727.

Sincerely,

Lamar

Lamar Smith
Chairman, Subcommittee on Immigration
and Claims

Immigration Issues

Lott/Gingrich list: 245(i); Sec. 110; H-2A; INS Reform; Haitians

Administration added: Nats §; Sec. 377 (registry); Hondurans

1. Haitians

10/8

No Haitian language in Treasury/Postal conference report. The conference report will likely pass the House and go to the Senate tomorrow (Thursday). Kennedy and Graham are getting people together to filibuster.

10/9

Reid was expecting a long filibuster. Lott not bringing T/P to the Senate floor b/c of fear of filibuster. Lott trying to get this on the omnibus. Speaker's office sent a letter to the AG asking her to certify that the estimates on the number of Haitians that would be eligible (48,000) is correct. DOJ is trying to get the DAG or Sutin to sign a letter.

2. Irish

10/8

No SAP. Chuck Brain killed it. Trying to get a hold in the Senate. Jim Steinberg (NSC) wants an inter-agency meeting on this.

10/9

Passed the Senate last night by unanimous consent.

3. INS Reform

10/8

We have amendments. Sen/House folks to call leadership (Lott)

10/8

All fell apart last night. Yesterday afternoon, Rogers offered Abraham Sec. 100 relief (exemption for the Northern border; delay implementation) in exchange for his support on restructuring. Mexican embassy is going crazy. This is a deal between Rogers and Abraham. Peter: this is not on the table. Will try to get the Administration bill as a substitute. Longer implementation time; service/enforcement joined.

4. H2A

10/8

We have back-up proposal -- demonstrations programs. Barbara and EK have. Thursday afternoon wage meeting; Friday afternoon Hill meeting.

10/9

Tentative deal? 5 yr. pilot; 60K-100K workers.

5. Religious Persecution

10/8

We still oppose.

10/9

Passed the Senate last night.

6. Nats \$

10/8

Rogers wants to give us half. What about the \$166 million?

10/9

Hispanic caucus talked to the appropriators. They were concerned that the money wasn't real. Colgate (DOJ) has communicated to the appropriators that the money is real.

7. Section 377

10/8

Peter has language. Will try to stick it onto something.

10/9

No new info

8. VAWA and 245(i)

10/8

DOJ is working to get this provision supported. We did not support wholesale reinstatement of 245(i).

10/9

Peter is trying to get this on something.

9. H-1B

10/8

Deal? To the floor on Thursday.

10/9

Possible Democratic hold on the bill.

10. Section 110

10/8

2 ½ year delay in implementation. Requirement that we implement after 2 ½ years.

10/9

Deal between Rogers and Abraham to exempt the northern border and delay implementation.

Clara J. Shin
10/06/98 10:58:16 AM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject:

In preparation for the immigration working group meeting this Thursday, could you provide me with a brief update on the following issues on which you are working (by the end of tomorrow would be great):

1. H1B Visas

we have a bit of floor on Thursday
Legislative update. Do we have a better sense of how expansion will work? (Fernandes/Rouse).

Agenda. Any specific items/proposals to discuss?
(Fernandes/Rouse).

2. H2A

mtg. on recruitment proposal and wage ideas on w/PT.
Legislative update. Was there a meeting between DPC/DOL/Jacoby? (Fernandes/Rouse)

Agenda. Any specific items/proposals to discuss?
(Fernandes/Rouse).

not last mtg w/ Hill discussed ideas for recruitment meeting (W) re: recruit proposal + wage ideas

3. 377

Any new info re: whether Graham/Wyden or Smith.
Was there a rally last/this week? (Fernandes) — (?)

Julie -- did you have a conversation with Gene re: registry idea?

(Fernandes)

Agenda. Any specific items/proposals to discuss?

talked to Peter re: H-1B. He does not think it is possible to attach. Looking toward the CR.

4. Haitians

Is there anything new to report? (Busby)

5. Salvadorans/Guatemalans/Hondurans

Still on T/P. If Smith/Hyde compromise, may drop "extreme hardship"
Hondurans. Was there a NSC/DPC/DOJ meeting? (Busby) — No

NACARA regs. Were they put out? (OMB) — ok in a week (Oct. 12th)

Agenda. Any specific items/proposals to discuss?

amnesty statement

6. Benefits:

San Diego. Did PA get back to us? (OMB)

Shaw Bill. Legislative Update. (OMB) — ok

VAWA. AYUDA follow-up. (Fernandes) — Spoke to Orly. No specifics re: offer

Agenda. Any specific items/proposals to discuss?

will send attn to INS re: clarification.

245(i) for battered immig women ?

7. **INS Reform**

Any comments re: reporting forms? (OMB)

Agenda. Any specific items/proposals to discuss?

Rogers is back in favor of pushing this on CTS (or the CK)

8. **I9 Memo**

Memo status? (INS)

Agenda. Any specific items/proposals to discuss?

Griffith says this is now a leadership issue.

9. **Expedited Removal.**

Anything new? (Busby) —

G. staff says that negotiations w/ the WH on H2A and INS reform

Thanks in advance!

Message Sent To:

Julie A. Fernandes/OPD/EOP
BUSBY_S @ A1 @ CD @ VAXGTWY
Cecilia E. Rouse/OPD/EOP
Patricia E. Romani/OMB/EOP
Janet L. Graves/OMB/EOP
Adrienne C. Erbach/OMB/EOP
Myrta Sale/OMB/EOP

draft from Fraser - Need to double back to him w/ Qs. No items to discuss

Immigration Working Group
October 1, 1998

Priority (#1)
This cannot be on the Ag.
bill.

1.

H1B Visas

- Legislative Update

PT: we need to call Lamar.
You can tell your leadership
that we will veto

H2A Agricultural Guestworker Program

- Legislative Update

EB3 got called by Becerra on Thurs.
Spr mty. Rep. leaders @ Lamar

3.

Section 377

- Legislative Update
- DOJ/INS Update
- Policy Options Memo Status

Alan spoke to Peter. Peter is gloomy.

Man'a called Becerra. Can he help us legislatively.

We have to coordinate AG's response

Plans to deal w/ those who were
"front-desked" (?) - They can walk in and
get adjudicated

Rally next week
on § 377. (Becerra)

Can we bring down the temp. on this (?)

Have we given up on finding

change registry - technical amendment
on H-1B

4.

Haitians

- Legislative Update
- Treasury Postal Letter?

Amnesty or
what Sal/Great
got.

5.

Benefits

- A. Public Charge
 - Memo Status
- B. San Diego
 - DPC Update
- C. VAWA/Battered Immigrant Women
 - INS Update

Yes from
DOJ

D. Shaw bill

INS Reform

- Monitoring Update
- Naturalization
 - Update (any changes?)

UC proposal
being circulated.
May be a hold.
Know more from mty.

F/S going to San Diego on Oct. 9 to talk on
staff level. No new rumors re: letters.

Pennsylvania may be coming to us w/
a Q on notifications.

8.

Amnesty for Salvadorans, Guatemalans, and Hondurans

(what is turn-around
date from OIRA)

9.

Expedited Removal/Alien Smuggling

- NSC Update

Weekly
seems like
off the table
that

10.

I-9 Memorandum

- Update

[INS comments to DoJ
by next Thursday]

11.

Hondurans

NSC:
We need to do more for Hondurans than we have done.

5000 - 10,000 applied for asylum prior to Dec. 31, 1995

old suspension rules for these.

Need legislation to do this.

NSC setting
up mty.

Drop this
in to the Omnibus
tomorrow

need
inter-agency
agreement on
this.

PJ: strong message to Smith this afternoon re: veto H-2A
(no matter where it goes)
BUT can't say anything
unless we're strong.

(OR)

EK: should we keep them guessing (?)

ME: we should alert Labor and Hispanic caucus
about this

PJ: to talk to Martha about this. Strong signals to appropriators
that this is an additional complication.

Separate mtg. on this

Labor folks / AG folks / later tonight
(Carter) or tomorrow am

Peter / Maria / EK / USDA / Labor / Public Liaison / Karen T.

Martha
Klinton



U.S. Department of Justice
Immigration and Naturalization Service

425 I Street NW.
Washington, DC 20536

SEP 29 1998

MEMORANDUM FOR MARY ANN WYRSCH
DEPUTY COMMISSIONER

FROM: William R. Yates *WR Yates*
Acting Deputy Executive Associate Commissioner
Office of Field Operations
Immigration Services Division

SUBJECT: Organization and Staffing Profile of the Naturalization Program in the Key Cities

Purpose

The purpose of this memorandum is to furnish your office with organizational and staffing information relative to the naturalization program in the key cities of Miami, Chicago, New York, Los Angeles, and San Francisco. This information is provided so that you may respond to INS' Office of Management and Budget (OMB) Examiner, Steven Mertens, concerning the naturalization staffing models utilized in the key cities.

Background

The data provided in this report is based on staffing data as of the end of the last pay period (September 26), and represent a snap-shot of total on-board strength.¹ At the District Office level, I have broken out the supervisory and non-supervisory staff dedicated specifically to the naturalization program. Because suboffices are generally too thinly staffed to have positions totally dedicated to one program, unless otherwise specified, their staffing is represented in this report as percentages of time spent; i.e., 60 percent of manager's time.

Key Cities Staffing Models

NEW YORK

The New York District Office Naturalization program is managed by Section Chief,

¹On board-strength is composed of full-time permanent, term, and temporary positions.

Rose Chapman. She supervises nine supervisory teams which are entirely dedicated to the naturalization program. There are four teams in the New York District Office, four Teams in the Garden City Naturalization Office and one team in the Brooklyn Naturalization Office. Each of the teams is led by a Supervisory District Adjudications Officer (SDAO). Together, the nine teams consist of 95 employees (9 SDAOs, 61 DAOs, and 25 support personnel).

MIAMI

The Miami District consists of a District Office in Miami and suboffices in Orlando, Tampa, and Jacksonville. The Miami District Naturalization program is managed by Section Chief, Elaine Watson. She manages 11 supervisory teams headed led SDAOs. There is a total of 104 employees dedicated to naturalization (11 SDAOs, 66 DAOs, and 27 support personnel).

The Orlando suboffice is supervised by Michael Pittman. Mr. Pittman devotes all of his time to supervising the naturalization program. He supervises seven employees, whose time is also exclusively dedicated to the naturalization program (5 DAOs and 2 support personnel).

The Tampa suboffice relatively small and with one SDAO does not work exclusively in the naturalization program. However, Tampa does have six employees under the SDAO who spend all of their time on naturalization (3 DAOs and 3 support personnel).

The Jacksonville suboffice is also a small office with an SDAO who must spread his time throughout the benefits program. Jacksonville does dedicate four employees exclusively to the naturalization program (2 DAOs and 2 support personnel).

CHICAGO

The Chicago District includes suboffices in Milwaukee and Indianapolis, in addition to the main office in Chicago. The Naturalization program in Chicago is managed by the Deputy Assistant District Director for Examinations (DADDE), Ruth Dorochoff. DADDE Dorochoff manages four supervisory teams assigned full-time adjudicative/support responsibilities in the Naturalization program. The Teams, led by four SDAOs, consist of 62 personnel (4 SDAOs, 33 DAOs, and 25 support personnel).

The Milwaukee suboffice is led by an SDAO who does not work exclusively in the naturalization program. Under him, however, he has six employees dedicated to the Naturalization program (2 DAOs and 4 support personnel).

Likewise, the Indianapolis suboffice is led by an SDAO who is not exclusively dedicated to the Naturalization program. Under him, however, are four employees who are employed in the program (2 DAOs and 2 support personnel).

LOS ANGELES

The Naturalization program in Los Angeles is managed by Deputy Assistant District Director Paul Pierre and four Section Chiefs. Three of Section Chiefs are located in the suboffices of El Monte, Laguna/Westminster, and Bellflower, the other Section Chief is located in the Los Angeles District Office. The four Section Chiefs manage a total of 17 supervisory teams consisting of 316 employees (4 Section Chiefs, 17 SDAOs, 152 DAOs, and 143 support personnel).

SAN FRANCISCO

The San Francisco District includes suboffices in Sacramento, San Jose and Fresno, in addition to the District Office in San Francisco. The Naturalization Program is headed by Ruben Banda, who serves as the Deputy Assistant District Director for Adjudications (DADDA).

The San Francisco District Office has five supervisory teams headed by an SDAO. These teams are composed of 52 employees (5 SDAOs, 34 DAOs and 13 support personnel).

The Sacramento suboffice is managed by an SDAO who spends full time on the Naturalization program. The SDAO supervises 20 employees dedicated to naturalization (15 DAOs and 5 support personnel).

The San Jose suboffice is managed by an SDAO who splits his time between the naturalization program and other adjudications programs. He has, however, four supervisory teams fully dedicated to Naturalization. These teams include a total of 62 employees (4 SDAOs, 32 DAOs, and 26 support personnel).

The Fresno suboffice is managed by the Assistant Officer-in-Charge (AOIC), who splits his time between naturalization and other programs. Under the AOIC are two supervisory teams dedicated to the naturalization program with 15 employees (2 SDAOs, 9 DAOs, and 4 support personnel).

Summation

In addition to the above, site managers were chosen to oversee naturalization operations in the key cities to bolster backlog reduction efforts. Mary Ann Gantner in New York City, Cindy Lechner in Miami, Robert Esbrook in Chicago and Bill Pink in California (LOS&SFR) work closely with district, regional and Headquarters officials on production-related issues.

Page 3

Deputy Commissioner

The preceding represents a snap-shot of the organizational structure and present on-board strength of the District naturalization program. Since vacancies were not included in the totals, and since every effort is being made to fill vacant positions, it is likely that this information will continue to fluctuate.

Should you wish any additional information or clarification, please do not hesitate to call on me.

SEP-30-1998 17:34

CRIM/INS

Proposed Format

Report to the

**Department of Justice
Office of Management and Budget
The United States House of Representatives**

Immigration and Naturalization Processing Status Report

September 22, 1998

SEP-30-1998 17:34

CRIM/INS

Immigration and Naturalization Benefits Processing Status Report
September 1998 Report

Page 2

Data: August 1998

Summary

[As first report, will contain brief explanation of report, what intended to accomplish, frequency of reporting, etc. Subsequent reports will not contain this section.]

Accomplishments for [end of reporting period]

- Bulleted summary list of accomplishments corresponding to reporting time frame. (This section will appear in all reports to highlight the most important actions during the month.)

SEP-30-1998 17:34

CRIM/INS

202 514 8853 P.04/11

Immigration and Naturalization Benefits Processing Status Report

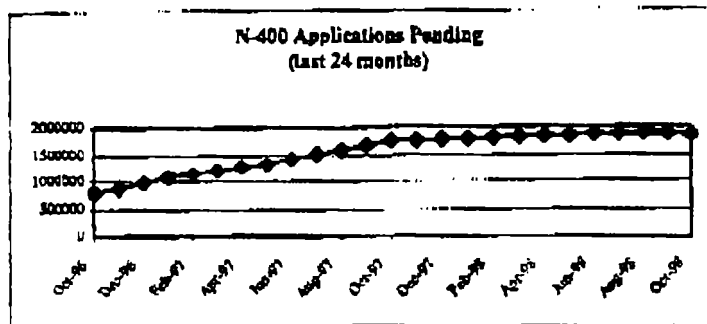
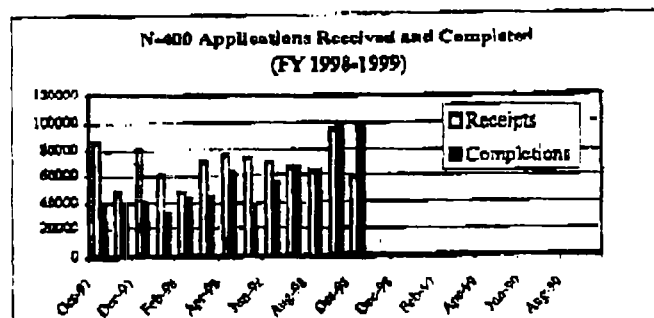
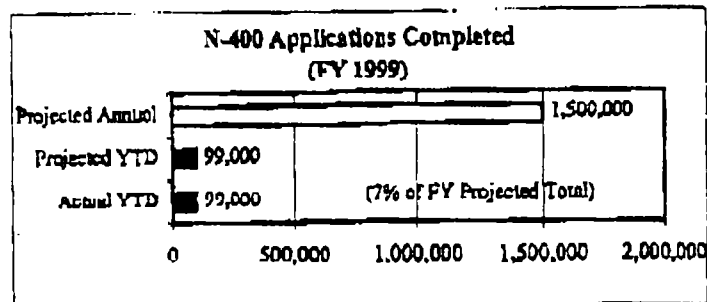
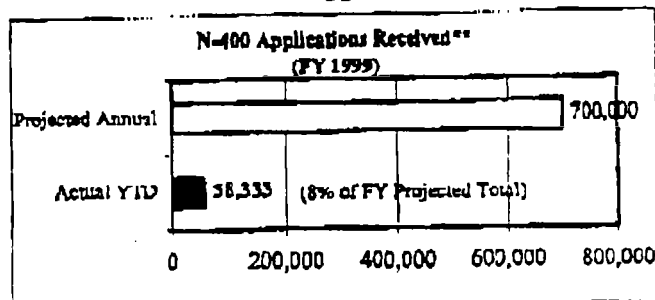
September 1998 Report

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Data: August 1998

Part I. Immigration Services Caseload Processing Status

Naturalization Applications (N-400)

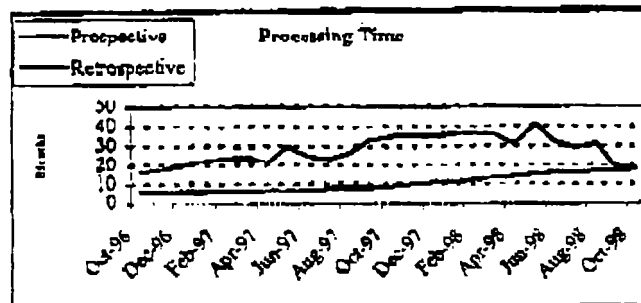


	Oct-98	Nov-98	Dec-98	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99	Jul-99	Aug-99	99
Projected Completions												
Annual Plan*	99,000	99,000	103,000	103,000	103,000	115,000	115,000	115,000	153,000	153,000	153,000	153,000
Quarterly Plan*	99,000	99,000	103,000									
Actual Activity for FY 1998												
Completions	99,000											
Receipts	58,333											
Pending	1,750,000											

* Annual Plan Completions developed for FY 1999 Appropriations Request and are based on receiving requested funding by October 1, 1998. Quarterly Plan developed for each quarter based on projections for each INS office. In quarter projected as of ____.

** Projected Annual number of N-400 Applications Received based on INS official projections as of _____. Applications received and pending reported above are adjusted to include estimated applications not yet entered.

For pending to be reduced long term, completions must exceed receipts on an ongoing basis. The level to which they exceed receipts indicates INS' progress. If receipts exceed completions long pending will increase.



Average Waiting Time (Retrospective): Most applicants completed during ____ filed approximately ____ months ago.

Projected Processing Time (Prospective): Most applicants filing during the month of ____ can expect to wait, on average, ____ months from filing to completion based on current pending levels and the last ____ months average level of completions.

SEP-30-1998 17:35

CRIM/INS

202 514 8853 P.05/11

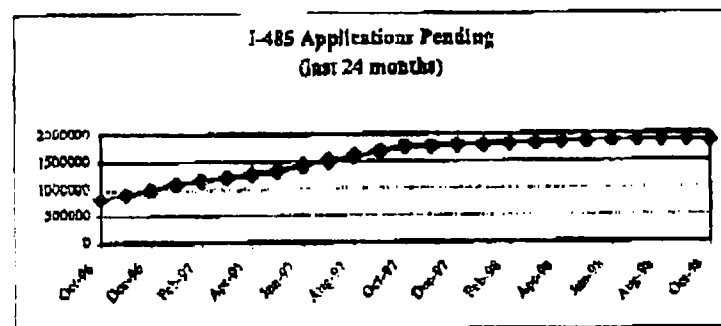
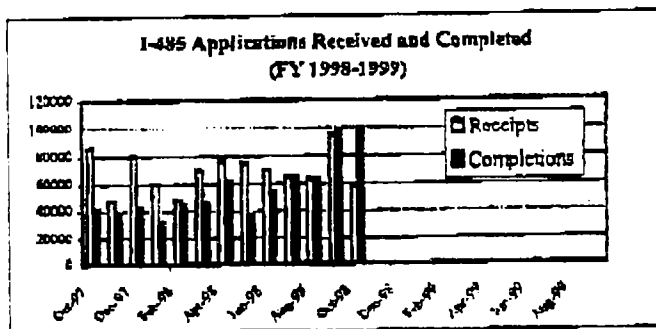
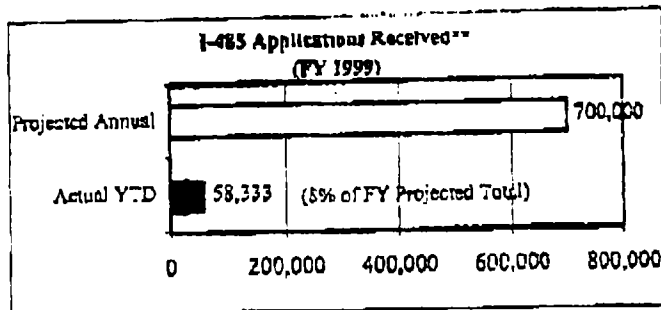
Immigration and Naturalization Benefits Processing Status Report

September 1998 Report

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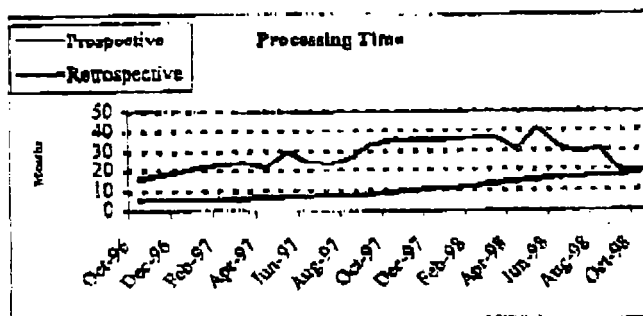
Data: August 1998

Adjustment of Status Applications (I-485)



	Oct-98	Nov-98	Dec-98	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99	Jul-99	Aug-99	Sep-99
Actual Activity for FY 1998												
Completions	99,000											
Receipts	58,333											
Pending	1,760,000											

**Projected Annual number of I-485 Applications Received based on INS official projections as of ____.



Average Waiting Time (Retrospective): Most applicants completed during ____ filed approximately ____ months ago.

Projected Processing Time (Prospective): Most applicants filing during the month of ____ can expect to wait, on average, ____ months from filing to completion based on current pending levels and the last ____ months average level of completions.

SEP-30-1998 17:35

CRIM/INS

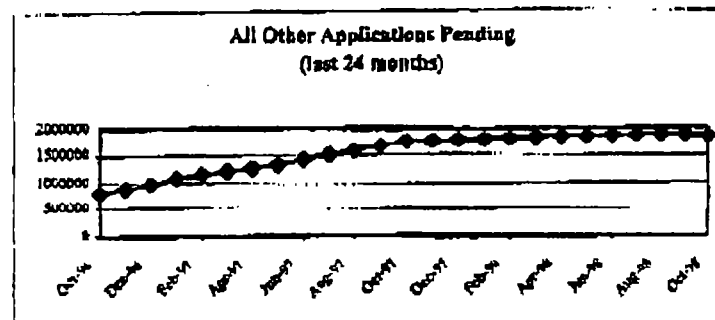
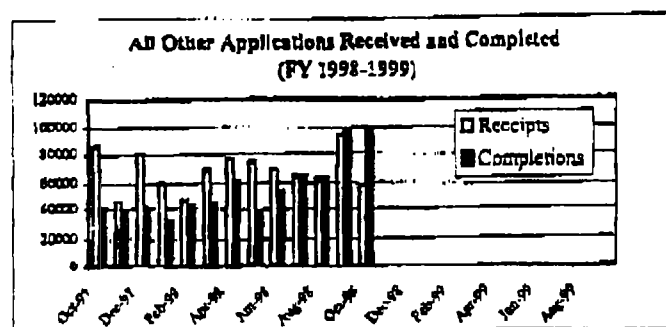
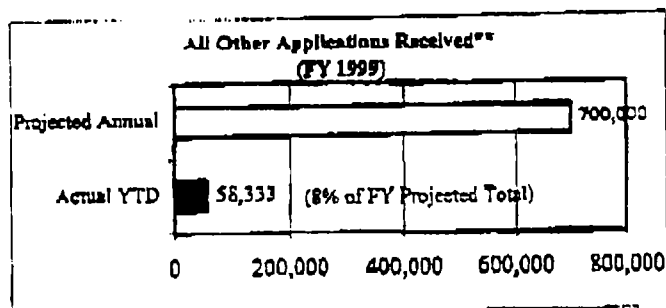
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Immigration and Naturalization Benefits Processing Status Report **September 1998 Report**

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Data: August 1998

All Other Applications and Petitions for Immigration Benefits



	Oct-98	Nov-98	Dec-98	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99	Jul-99	Aug-99	Sep-99
Actual Activity for FY 1998												
Completions	99,000											
Receipts	58,333											
Pending	1,750,000											

**Projected Annual number of All Other Applications Received based on INS official projections as of _____. Examples of "All Other Applications" include: I-765 Application for Employment Authorization, I-130 Petition for Alien Relative, I-600/600A Orphan Petitions, and I-821 Temporary Protected Status.

SEP-30-1998 17:35

CRIM/INS

202 514 8253 P.07/11

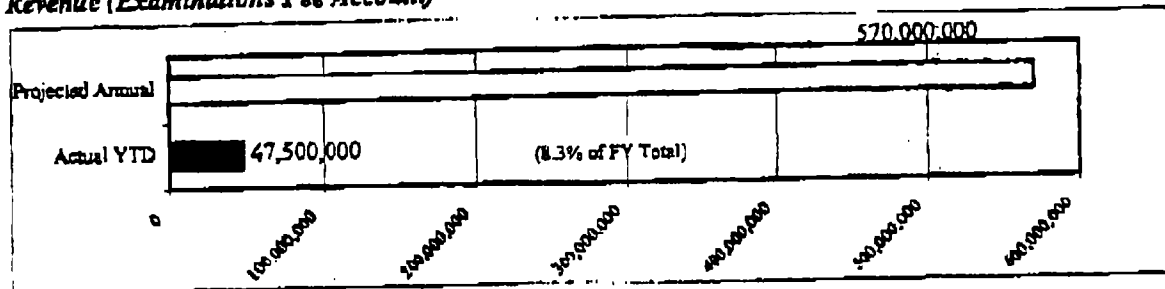
Immigration and Naturalization Benefits Processing Status Report **September 1998 Report**

Page 6

Date: August 1998

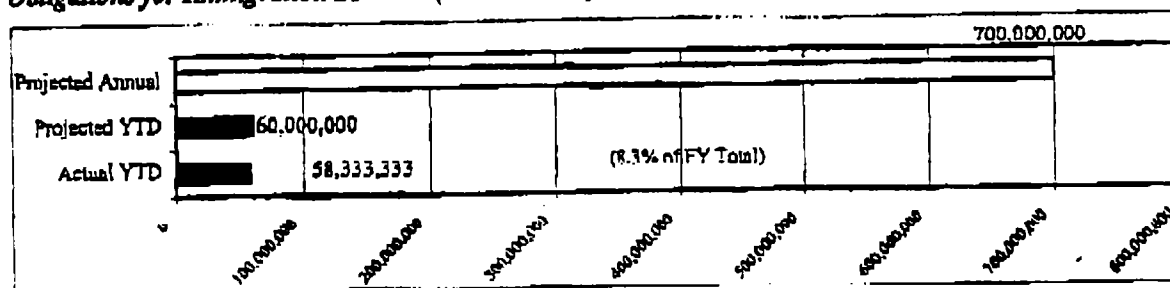
Part II. Financial Status for Immigration Services

Revenue (Examinations Fee Account)*



*Includes revenue from all program sources deposited into the Exams Fee Account. Projected Annual Revenue based on INS official application receipt projections as of _____.

Obligations for Immigration Services (All Accounts)



Obligation by Program (All Accounts. Dollars in thousands)

	Oct-98	Nov-98	Dec-98	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99	Jul-99	Aug-99	Sep-99	YTD
Adm & Natiz	32,348												32,348
Construction	300												300
Data & Comm.	5,876												5,876
Info & Records	12,146												12,146
Inspections	17,242												17,242
Intelligence	9,940												9,940
International	7,163												7,163
Investigations	8,265												8,265
Legal	5,998												5,998
Mgmt & Admin	14,809												14,809
Training	2,037												2,037

- **Obligations:** Obligations through the month of _____ are _____ % of expected levels for the fiscal year. This level is consistent with INS' FY 1999 Operating Plan. Next quarter, INS expects to obligate _____ for the National Customer Service Center contract.

SEP-30-1998 17:36

CRIM/INS

202 514 8853 P.08/11

Immigration and Naturalization Benefits Processing Status Report

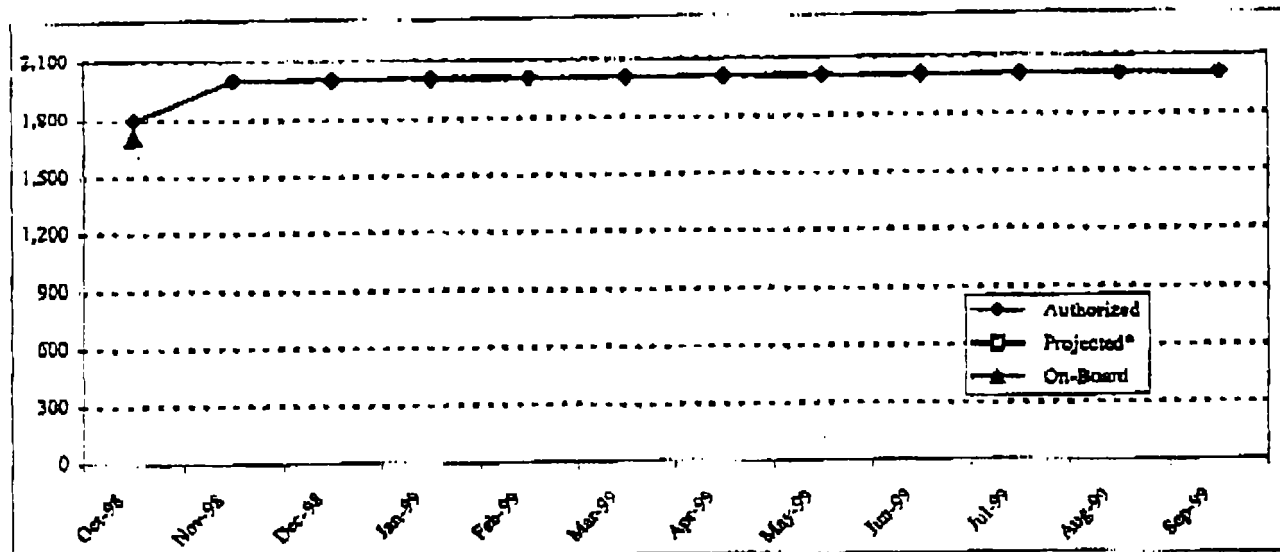
September 1998 Report

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Data: August 1998

Part III. Immigration Services Staffing Status

Adjudications Officer Staffing



	Oct-98	Nov-98	Dec-98	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99	Jul-99	Aug-99	Sep-99
District Adjudications Officers (Permanent*)												
Authorized	900	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
On-Board	896											
Service Center Adjudications Officers (Permanent)												
Authorized	500	500	500	500	500	500	500	500	500	500	500	500
On-Board	497											
District Adjudications Officers (Term Enhancement Positions from FY 1998 Appropriation)												
Authorized	400	400	400	400	400	400	400	400	400	400	400	400
On-Board	309											
Total Adjudications Officers												
Authorized	1,800	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Projected*												
On-Board	1,702											

*Permanent DAOs authorized include 200 DAOs requested in FY 1999 Proposed Reprogramming. INS will project anticipated on-board strength after FY 1999 enhancement resources are approved. INS also employs temporary staff as funding permits; temporary staff are not reflected in this chart.

**Month indicated corresponds on board level as of the pay period closest to the end of the month.

SEP-30-1998 17:36

CRIM/INS

202 514 8853 P.05/11

Immigration and Naturalization Benefits Processing Status Report
September 1998 Report**Page 8***Data: September 1998***V. FY 1998 Year End Summary of Immigration Services Accomplishments**

(One Time -- Brief summary of program and major accomplishments as bullets under bulleted subsection consistent with information previously given in the MIT report.)

Integrity

- NQP 3
- Fingerprinting
- Citizenship Testing

Standardization

- Direct Mail

Automation

- CLAIMS 4.0

Backlog Reduction

- Deployment of supplemental resources to offices to improve production
- Signed, completed backlog reduction plans (Aug. 31)

Customer Service

- Expansion of telephone center services
- Availability of naturalization information on the INS website
- Development of "Guide to Naturalization" and new N-400, Application for Naturalization

Creation of Immigration Services Division

- Creation of new organizational structure within existing operational unit

SEP-30-1998 17:36

CRIM/INS

202 514 8853 P.10/11

Immigration and Naturalization Benefits Processing Status Report
September 1998 Report

Page 9

Data: September 1998

Part V. Planned Immigration Services Improvements for FY 1999

Preparation and Service

Project Objective: To ensure that accessible and accurate information is available to the customer, particularly in the early stages of the process.

Monthly Development Update

- Bulleted List

Development Plan

Milestones:

National Customer Service Center

- selection of site(s) for new center
- completion of center facility

Publication of "Guide to Naturalization" and Revised N-400 Form

- Distribution of Guide (original)
- Distribution of Guide (Revised)
- Federal Register publication (proposed and final Dates) of Form
- Distribution of Form

Citizenship Testing

Project Objective: To design and implement a standardized citizenship testing program.

Monthly Development Update

- Bulleted List

Development Plan

Milestones:

- History and Civics/English Assessment Review
- In-house citizenship testing pilots at 5 ASCs

Adjudication

Project Objective: To standardize the interview and ceremony process and reduce case continuations.

Monthly Development Update

- Bulleted List

Development Plan

SEP-30-1998 17:37

CRIM/INS

202 514 8853 P.11/11

Immigration and Naturalization Benefits Processing Status Report
September 1998 Report

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Data: September 1998

Milestones:**Pre-Adjudication File Review**

- Expand to all service centers as determined by results of pilot

Medical Waivers Processing

- Expand to all service centers as determined by results of pilot

NOP 4

- Implementation (dates)

Information Technology

Project Objective: Provide INS employees with needed automation and standardized system to process applications.

Monthly Development Update

- Bulleted List

Development Plan**Milestones:****CLAIMS 4 Deployment**

- deployment schedule (current system)

Modifications of CLAIMS 4

- to accept other application types
- to meet reengineered process

Citizenship Audits and Reviews

Project Objective: To ensure the integrity of the naturalization process.

Monthly Development Update

- Bulleted List

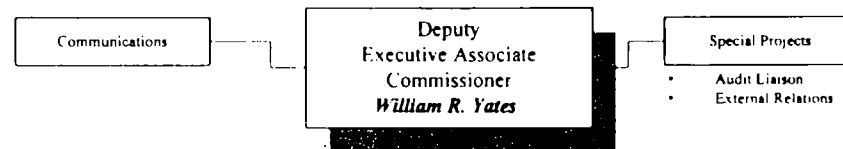
Development Plan**Milestones:****Ongoing Reviews by External Entities**

- Dates/schedule of visits and reports
- Scope of review(s)

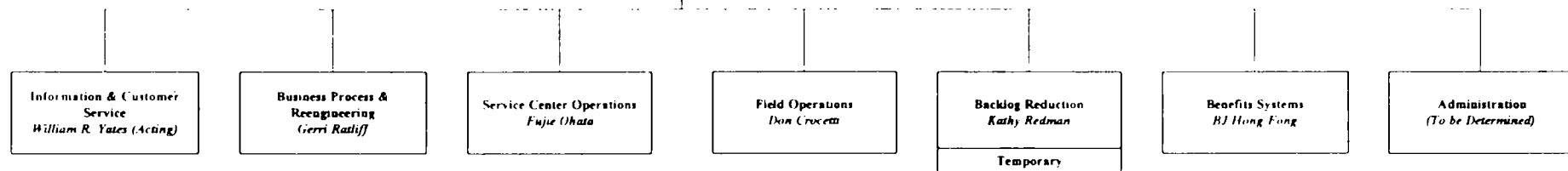
Immigration Services Division

September 29, 1998

Interim Organizational Chart



Principal Associate
Commissioner
(To be Determined)



Functions

- Immigration Information Officers
- Forms Centers
- Field Outreach
- Customer Service Advocate

- Naturalization Reengineering
- Process Development
- New Program Implementation
- Priorities/OPP Liaison
- General Counsel Liaison

- Service Centers Operations
- Immigration Card Production System (ICPS)
- Process Reengineering Implementation
- Records Liaison
- Benefit Fraud

- Telephone Centers
(organizational location TBD)

- Field Coordination Unit
 - FBUCJIS (Clarkshurg)
 - DLEA Program
 - Records Liaison
 - Regional Coordinators
- Application Support Centers
- Program Analysis

- Production Management
- C4/RNACS Liaison

- Systems Development
- Deployment Management
- Legacy Systems Management

Immigration Working Group
September 24, 1998

✓ 1.

H1B Visas

- Legislative update
- House Vote today

✓ 2.

H2A Agricultural Guestworker Program

- Legislative update

sub-
mtg

3.

Section 377 — resolving this matter through settlement of lit. is difficult (legal/policy)

- DOJ update
- Policy options memo? Adjust the registry date

4.

Haitians

- Legislative update

DOJ thinks this the best way to solve the issues in the case.

OK (what Sal/Great got)

5.

Benefits

A. Public Charge

- Memo status

B. San Diego

- DPC update

C. VAWA/Battered Immigrant Women

D. Shaw Bill

DOJ has looked @ it. Wants OLC to look @ guidance in field
food stamps (OLC legal opinion on this)

Medicaid: need another week to recommend to US.

James talk to OLC to

6.

Liberians

- NSC update

AG signed
TPS

7.

INS Reform

- Monitoring update

DOJ press release that says this happened.

8.

Naturalization

got Abraham to sign letter to Hollings and Congress

9.

Amnesty for Salvadorans, Guatemalans, and Hondurans

got reg to OIRA on Monday.

10.

Alien Smuggling

- NSC update

Monday
4pm Rm 208

Schedule from
Dpt's
Comm.

EK wants to do
food stamps and
Medicaid
together.



BUSBY S @ A1
09/22/98 04:57:00 PM

Record Type: Record

To: Leslie Bernstein
cc: See the distribution list at the bottom of this message
Subject: RE: Reminder: Imm Working Group

Update on Liberians

Just learned that, based on events in Liberia over the past several days, State will recommend to Justice that it extend Temporary Protected Status (TPS) for Liberians for an additional year. The recommendation will be that such status be limited to persons who live in Monrovia, although as a practical matter, Justice will probably not distinguish between those Liberians who are from Monrovia and those who are not.

Although the AG will have to sign off on a decision to extend, there is every reason to believe that she will. The notice will appear in the Federal Register by next Monday.

Although it is basically a done deal, we should not inform the groups of any final decision until the AG has signed on the dotted line. However, if we receive inquiries, we can say that Justice is very seriously considering an extension of TPS based on last weekend's events.

This means the President need not make a decision on DED.

Message Copied To:

Julie A. Fernandes
Laura Emmett
Patricia E. Romani
Janet L. Graves
Adrienne C. Erbach
Sandra Yamin
Peter G. Jacoby

Steven M. Mertens

09/17/98 03:54:57 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: WH Immigration Meeting -- FYI

Highlights from the WH Immigration Meeting chaired by Maria, include:

- H1B Worker Visas (computer programmers) -- Peter Jacoby indicated no forward progress in resolving difference with Abraham's staff (they met 'til 1 am last night). He believes we are in agreement on training and \$; but not on enforcement and worker protection. He indicated that Abraham's staff were not budging on these issues. The WH was able to get the bill pulled from Hill consideration today -- postponing likely action until later next week. Peter also said that there was a "positive level of confusion" on the Hill on this issue which was good from the Administration position.
- H2A Visas (Agricultural Worker): Elena will meet with Hill staff (same cast of characters) one more time. The message is that the Administration appreciates the changes made to the Gramm/Wyden bill but it still does not meet the Administration's standards. In an effort to appease the differing parties on this measure, the authors seems to have made matters worse. It is believed that Hill support for any expanded agriculture worker visa program along the Wyden proposal is weakening.
- Haitians: Hyde and Lamar Smith have agreed to provide similar provisions for Haitians that were provide to Guatemalans last year. WH staff believe the Administration should signal in the Treasury/Postal letter that "we support fair and equal treatment for Haitians -- similar relief for people similarly situated." I will follow up with DPC and Kieffer.
- Benefits: INS has developed an options paper on "public charger" determination that will be shared with Justice, State, DPC and Barbara Chow's staff. They seem to be in agreement on this issue -- a very "narrowly construed" definition of what would constitute public charge.
- INS Reform: Peter said that Rogers' was essentially boxed in if the bill did not clear Judiciary. He suggested that the Administration cut a deal with Roger if we are close. DOJ (Castello) said that Abraham's wants a cut on this legislation; that the Administration should not cut any deal on the House yet; and that DOJ believe Abraham will be able to kill any attempt by Rogers to include restructuring in the CJS. Abraham is writing to Gregg and the leadership concerning this issue to register his position before conference. DOJ said that they can not live with the Rogers' bill as written.
- Nats Reprogramming: Informed the group that INS/DOJ Hill briefings have concluded and that both House and Senate staff indicated a willingness to work with the Administration on the reprogramming. I told them that Jack had planned to call Rogers, but since there were no bumps in the road, he would hold back. I also said the reprogramming request may yet be an issue if House staff are not accurately reflecting Rogers thinking -- at which time it will be a conference issue.
- Chinese boatpeople: 157 illegal Chinese are being held off San Diego (by the Coast Guard). Mexico is unwilling to allow temporary detention pending repatriation (or even touch down by a plane) so INS may use its expedited removal authority. The problem is that the Chinese will likely claim asylum based on credible fear and be allowed to remain in the US pending adjudication. This will likely send the wrong message to further waves of boatpeople.

- Mandatory Detention: On October 9, DOJ's ability to waive mandatory detention requirements of IIRIRA expire. INS was seeking a two year extension. We were concerned that a formal request seeking a two year extension sent the wrong message since the Administration strongly opposed the provision in IIRIRA and INS will be similarly incapable of mandatory incarceration in two years. Ingrid has informed me that INS has agreed to informally transmit its amendment (thru Kennedy's staff) and INS testimony to be delivered tomorrow states Administration objections to the mandatory incarceration provision.

If you have any question or need additional information on the above, please let me know. Thanks.

Message Sent To:

Michael Deich/OMB/EOP
Julie A. Fernandes/OPD/EOP
Kenneth L. Schwartz/OMB/EOP
David J. Haun/OMB/EOP
Debra J. Bond/OMB/EOP
Ingrid M. Schroeder/OMB/EOP
Theodore Wartell/OMB/EOP

AG pissed that
INS had no strategy for
this.

INS mty. today
(@request of AG) to develop
a strategy to get this
passed.

E-mail EK re:
mandatory
detention

Immigration Working Group
September 17, 1998

1. H1B Visas
 - Legislative update Peter and Ceci on the Hill. Vote postponed until next week
2. H2A Agricultural Guestworker Program
 - Legislative update mtg. on Hill tomorrow @ 10 am
3. Section 377
 - DOJ update Castello to meet w/ Rob W. and Paul Virtue
4. Haitians
 - Legislative update General language in Treasury / Postal bill
5. Benefits
 - A. Public Charge
 - DOJ update — policy memo to Castello today. DOJ decision in 2 wks.
 - INS update re: legal memo of policy options
 - OMB update EK to call Glickman
 - B. San Diego ^{DPC}
 - J. Fernandes update on USDA's conversations with San Diego County USDA to go out to San Diego — deadline (?)
 - ~~OMB briefing re: San Diego County's list proposal~~
 - C. VAWA/Battered Immigrant Women
 - INS update re: source of misinformation — JF to contact Ayuda
 - D. Non-qualified Noncitizen Immigrants
 - OMB update re: Shaw Bill } OK
6. Liberians
 - NSC update → States view one yes on DED; no on TPS.
 - DOJ/INS update re: 9/9 meeting we will get an NSC view, then share w/ DPC and decide.
7. INS Reform
 - Legislative update) not on authorizer's calendar Rogers may try to attach Abraham to send a letter opposing
8. Naturalization
 - OMB update — Looks good in House & Sen.
9. Amnesty for Salvadorans, Guatemalans, and Hondurans
 - NSC update } ~~Honduran~~ Honduran letter (new draft) from NSC.

Someone to explain the Admin push.

Immigration Working Group
September 8, 1998

Sweatshops
I-9
Latino Summit
SF attendance(?)

1. H1B visas -- legislative update (Peter)
2. H2A agricultural guestworker program (talk to Earl)
Latino Summit (mentioned in conference letter to advocates)
3. Section 377 (late amnesty)
overdue from Virtue
4. Haitians -- legislative update Will check Leaders of the rally to come see Maria.
through Sen. (Treas./Postal)
5. Benefits Issues
the more we say we want it, the less likely we will get it. (Leslie)
- a. Public charge
- b. San Diego - AG conversations - read
- c. VAWA and battered immigrant women - next couple of weeks

Castello back to us this week
Memo to Rob W.

Sen. Reid TPS for a year

need a sub mtg. on this

ME w/ advocates

Talk to Laura re: mtg. today on this late afternoon

6. Liberians -- NSC update Pres. interest [mtg. tomorrow @ 2pm]
7. INS Reform -- legislative update House Rogers bill ~~Thurs. (?)~~
trying to stop reporting this not of Judiciary committee.
Abraham/Kennedy letter to stop it.
would AG recommend a veto on this (?)
8. Naturalization -- OMB update
9. Amnesty for Salvadorans, Guatemalans, and Hondurans
10. NACARA Reg. Sen.: OK.
09/01(?) House: split - INS talki. to Cordie
Jack L. to raise this w/ Rogers
Clear roadmap to Rogers

Every couple of weeks

conference call re: this

(12) Elderly (SSA + INS)

→ OMB: signal that not O.K. to do this on approp. bill.

2 choke pts. ① bottled up in committee ② Sen. approp. to keep it off the bill.

(11) I-9 follow-up

Piece of NACARA that needs a fix

(Green Cards that Nicaraguans got do not extend to spouses.)

if we give this, get Diego-Bailard energized on the Haitian issue.

Livingston may support
Honduran amnesty

Instead, perhaps,
NJB fix for Hondurans

May have a Honduran visit @ end of month.

Family (v.) Employment
PJ this week

indicated on OPL
weekly that he
wanted to explore
this.

- 1. H1B visas :
2. H2A : working group (w/Labor/USDA) met twice last week
mostly through wage issue & housing
3. Sec. 377 : DOJ owes us an optics paper on this. ME tells me that Pres.
4. Haitians : In Treasury/Postal. PJ: we have the votes to win, but
whole bill has problems. Need Rep. support (Rep. foreign
policy types: Brent
Scowcroft
Jeb Bush)
5. Benefits
a. San Diego — ~~amazing~~ ~~extra~~ ~~extra~~ USDA & fair services
b. Public Charge — OK
c. VAWA — OK
6. Liberians : Push ~~for~~ on Jackson for DED for Liberians. (like asylum)
DoJ leg. (PJ) agreed to extend TPS for Liberians.
7. INS Reform : Rogers bill being marked up this week
8. Naturalization : \$171 million reprogramming
OMB taking the lead on INS reporting
9. Sal/Guat/Hondurans : Durbin ^{to} introduces Gutierrez
bill in the Senate.
Need to talk to NSC re: Hondurans

H2A

USDA wants the program to be cheaper than current program.
Not a question of less burdensome.

Labor's view is that wage measures are currently too low.
& that farmworkers should not have burden
of housing.

Pressure pt. seems to be housing & could make a
strong case for calculating the wage more accurately.
AEWR : state-wide average for all farmworkers
Prevailing : calculated by DOL
as average wage in a crop in an area

JF

Immigration Working Group
Agenda
March 5, 1998

1. H1B visas

- a. Where are we with high tech meeting?
- b. Hill intelligence -- Kennedy/Feinstein and Abraham/Drier
- c. What does the Abraham bill do?
 - i. Raise the FY98 cap, but take from other visa programs?
- d. Feinstein is quoted as wanting the temporarily raise the cap, targeted to technical workers.

Tues. cong. call

2. Labor Dept. and I-9

- a. There is a meeting this afternoon at 6pm. All are welcome. We have made some internal decisions, but want to discuss further with Labor.

3. Visa Waiver Pilot program (Ingrid)

4. INS reform

- a. Elena and Peter met with Sen. appropriators (Gregg and Hollings). The meeting was o.k., but they are worried about Rogers screwing up their bill. Gregg's people are pessimistic about our coming up with something (an administrative solution) that Rogers will be o.k. with. Rogers wants legislation.

Rogers committed

Two more meetings are scheduled for Friday: (1) House Dem. appropriators (Obey and Molahan); and (2) Smith's new person -- George Fishman (new chief counsel for the subcommittee). Peter wants to meet with the Hispanic caucus. They are now following Reyes. "We have work to do there." The advocates need to get in and talk to Becera. Frank Sherry and Cecelia Munoz?

Mani

Carengie -- they have two proposals; the second is very similar to us.

- c. Booz final report by March 9th. Saw drafts; look good.

Week on how change will address the problem.
Chptr. 3

5. Naturalization

- a. Virtue hearing this morning. Oppose the Smith naturalization bill.

House judiciary subcommittee

6. Haitians

- a. Letter from Kemp to Gingrich asking him to move the Haitian bill.

to end

Peter to brief Reyes.
Briefing adms cate- com minority 3/5/98 after March 5/98

- a. Mark-up of Graham bill (S.1504) scheduled for March 10th (Green cards for Haitians in DED class). Peter says may be pushed back to the beginning of April. However, want the vehicle to be the supplemental appropriations bill to be the vehicle.

Meek in House

6. Visa Waiver

State Dpt. talked to Smith stuff

H.R. 2578

move his bill

We like it. 2yr. extension

expansion. Concerned about expanding it.

→ [State Dpt. & Justice have to
get on the same page.
on this issue]
lawyer.

DOJ has suggested to get them
in the room.

Strategy w/dealing with this.

April 30th
expires

Immigration Working Group

Agenda

March 5, 1998

1. H1B visas

- a. Meeting with high-tech industry
- b. Hill
 - i. Abraham/Drier bill
 - ii. Feinstein/Kennedy bill

Tues. Conf. call = (VP)

2. Labor Dept. and I-9

- a. Meeting this afternoon at 6pm.

§ 343 health care workers.

INS/Justice

Where is INS's reg (?)

3. INS reform

- a. Meetings on the Hill
- b. Carengie Endowment
- c. Booz-Allen final report by March 9th

Commerce
OSTP
HHS
Labor
Problem w/ medical providers getting in.

State
USTR
VA

4. Naturalization

- a. Virtue hearing this morning -- House Judiciary Subcommittee

5. Haitians

- a. Letter from Kemp to Gingrich asking him to move the Haitian bill
- a. Mark-up of Graham bill (S.1504) scheduled for March 10th (Green cards for Haitians in DED class). May be pushed back to the beginning of April.

Get a mtg. together

6. Visa Waiver Pilot program (Ingrid)

Justice/State
next week

HR 3

Copy
Meek

* No new guestworker program
USDA letter to _____
Letter has been circulated

§ 377

(7) VP met w/ Becerra & Gutierrez

(a) Party for Guat/Sal.
Mtg. w/ Reno/Meissner

(b) Naturalization backlog
1.4 million
goals (?)

IMMIGRATION TOPICS

1. H1B visas

H1B visas allow “highly skilled” aliens (with a BA or equivalent) to work in this country for up to six years. Under current law, the number of H1B visas is capped at 65,000 per year. Last year, this cap was reached for the first time. The information technology industry strongly supports raising the annual cap to address what they maintain is a shortage of U.S. workers with IT skills. Immigrations advocates (including those in the Hispanic community) have also expressed support for raising the cap. Others, including the Department of Labor, challenge the industry’s conclusions about a shortage and are concerned that the current H1B program (unlike the permanent employment-based visa program) does nothing to target its use to employers who are experiencing labor shortages.

On April 2, 1998, the Administration (Secretaries Daley and Herman and Attorney General Reno) sent a letter to Congress opposing Senator Abraham’s bill that would increase the annual cap, without meaningful reform to the H1B program. The letter advocated increased training for U.S. workers and reform of the H1B program to target its use to employers who are experiencing skill shortages. We are working with members of the House and Senate to develop legislative language that is consistent with the Administration’s objectives.

- We have heard a lot recently about the shortage of trained workers in the information technology (IT) industry. The Administration believes that the first response to increasing the availability of IT workers must be increasing the skills of American workers and helping the labor market work better so there is a supply of skilled workers where there is a demand for skilled employees. While it may be necessary -- at least in the short-term -- to increase the number of visas for temporary foreign workers (under the H1B program), this must only be done in conjunction with doing more to raise the skill level of American workers.
- Expanding the number of visas, even temporarily, must be accompanied by needed improvements to the H1B program. Since 1993, this Administration has sought reforms of the H1B visa program, including requiring employers to “recruit and retain” U.S. workers before hiring temporary foreign workers, prohibiting lay-offs of U.S. workers to replace them with foreign temporary workers, and reducing the maximum stay for H1B workers from 6 to 3 years. These reforms, if enacted, would help target H1B usage to industries and employers that are exhibiting genuine labor shortages.
- The H1B program is not about immigration; rather, it is a program for temporary foreign workers. The Administration is a strong supporter of legal immigration that is pro-work and pro-family.

2. Section 377

The Immigration Control and Reform Act (IRCA) of 1986 legalized the immigration status of certain aliens who had been unlawfully present in the United States since January 1982. IRCA provided for a one-year application period for this benefit, ending in May 1988. The INS's implementation of the legalization program was challenged on the ground that the INS dissuaded some individuals from applying within the requisite time period. Despite a 1993 Supreme Court decision severely limiting the class of those potentially harmed by INS's action, much litigation continued.

Section 377 of the 1996 Immigration Act brought this litigation to an end by removing federal court jurisdiction from cases where the claimant didn't actually file a legalization application within the specified period, or couldn't show that they attempted to file during the time period (presented a completed application and application fee) and were turned away. This provision was supported by the Administration because DOJ believes that most individuals that were part of the original class action do not have bona fide legalization claims.

Many immigration advocates are concerned that roughly 400,000 individuals will become deportable in the near future as a result of this provision. According to some immigration advocates, many of these individuals claim to have been in the United States since at least January 1, 1982, and very few would be able to secure any other form of relief from deportation.

- First, I want to thank you for bringing this issue to my attention. This is an issue that I was unfamiliar with until recently.
- I am told that the Administration supported the enactment of Section 377 in an effort to bring an end to lengthy litigation covering individuals without bona fide claims to legalization. However, I am asking my staff to look into this issue further.

3. Naturalization Backlog

Many Hispanic advocates (including the Hispanic Caucus) have expressed serious concerns over the naturalization backlog of 1.75 million applications, as well as INS's naturalization fee increases. The number of naturalization applications has increased from 540,000 in FY 1994 to almost 1.6 million in FY 1997. This dramatic increase, along with the dedication of substantial resources over the past nine months to implement quality procedures, has resulted in an increase in the number of pending applications from 720,000 at the end of FY 1996 to 1.75 million in November of 1997. Currently, most applicants are experiencing a wait time of 12 to 15 months.

Reducing the naturalization backlog is a top priority of the INS. A backlog reduction strategy has been devised based on the following: the creation of a separate Office of Naturalization Operations within the INS; the provision of \$200 million in new resources in FY 1998 to improve the naturalization process; and the development of specific backlog reduction plans within individual field offices, starting with the biggest offices such as Los Angeles and Chicago. In addition, the INS is implementing technological improvements to more quickly process and track naturalization applications and the associated fingerprint cards.

- Reducing the backlog of naturalization applications is a top priority of the INS.
- A backlog reduction strategy has been devised based on the following:
 - (1) The INS has created a separate Office of Naturalization Operations to facilitate the naturalization process.
 - (2) **INS has obtained \$200 million in new resources** in FY 1998 to improve the naturalization process.
 - (3) INS has developed specific backlog reduction plans within individual field offices, starting with the biggest offices such as Los Angeles and Chicago.
 - (4) The INS is implementing technological improvements to more quickly process and track naturalization applications and the associated fingerprint cards.
- INS Commissioner Doris Meissner has pledged not to raise fees until the case backlog begins to subside and the applicant waiting time is reduced (expected in late Spring).

4. INS Reform

The Administration has developed a plan to make federal immigration activities more effective by separating enforcement and service operations *within* INS -- from headquarters to the field -- while preserving the necessary integrating functions for supporting and coordinating both operations. The result will be an INS organization with strengthened accountability and improved efficiency and effectiveness that allows each operation to focus on the unique management, knowledge, skills, and abilities of its function.

- The Administration's reform plan will untangle the INS's overlapping and frequently confusing organizational structure and replace it with two clear organizational chains of command -- one to accomplish its enforcement mission and the other to provide immigration-related services. This separation will result in an INS organization with better accountability and improved efficiency that allows each operation to focus on the unique management, knowledge, skills, and abilities of its function. For example, Service Area Directors would have the flexibility to move case processing responsibilities among offices within their area to maximize efficiency. In addition, Service Area Directors would be held accountable for meeting a nationally-established standard for timely processing and courteous service at all of the locations throughout the area's jurisdiction.
- We believe that the Commission on Immigration Reform (CIR) recommendation to disband the INS and reallocate its primary responsibilities to the Department of Justice (DOJ) and the Departments of State and Labor would only compound the current problems with the nation's immigration system.

First, such a substantial reallocation of authority could require a six- or seven-year transition, exacerbating existing concerns about long delays in immigration activities. Second and even more important, this reallocation would hinder the coordination and communication necessary to maintain the integrity and efficiency of both immigration enforcement and immigration service operations. To be most effective, all immigration policy and management should remain within one agency at the Justice Department.

- The Administration did consider Congressman Reyes's proposal to pull enforcement operations out of INS into Main Justice. Consistent with Congressman Reyes's recommendation, our plan consolidates all enforcement operations to create a single point of responsibility and accountability. However, because of the variety of ways in which service officials depend on data collected by enforcement officers, and vice versa, to ensure the integrity and effectiveness of both functions -- as when, for example, a service officer discovers that a person has overstayed their visa and become an illegal alien -- we decided that both operations would work best when housed within a single entity.

Immigration update -- February 5, 1998

1. Legalization: Section 377

The 1986 Immigration Act provided a window of two-years for non-legal immigrants with a continuous presence in the U.S. for a long time (7 years?) to apply for amnesty -- legalization. However, some who never filed for legalization have made claims (9th Circuit?) that they were deterred by INS from filing, and thus should be eligible to receive a hearing under the statute.

The 1996 Immigration Act (IRIIRA) provides that those who did not file a claim do not have a cause of action.

2. Entrance and Departure System: Section 110

Section 110 of IRIIRA calls on the INS to develop an entry/exit management system for "all aliens" within two years after the date of enactment of the Act. Under the current system, though INS checks every person at the airports, they do not stop every car that crosses the Northern border. Thus, the implementation of this provision would impose a huge burden on those crossing the Canadian border by car.

Senator Abraham has a proposal to modify Section 110 of the IRIIRA to say that it is intended only to improve existing systems (do better and smarter), but is not meant to call for the creation of a border crossing system for the Northern border (where no checks are currently in place). There are also concerns with restrictions on crossing at the Northern border and NAFTA. INS is interested in reforms to this provision, possible along the lines advocated by Sen. Abraham.

Also, the time frame set out by the statute (2 years from enactment to implementation) is unrealistic. INS has briefed Congress on what it can do (pilots at airports) and what it can't do (all aliens).

3. H1B visas

Bob liked the idea of combining reforms of the program with a time-limited increase in the cap. In INS's view, the lead option on the table would have the Administration take the lead on reforming the H1B program and, in return, up the cap with a time limit. Bob would like the focus of the effort to be on reforming H1B, not raising the cap.

The proposed reforms include: (1) requiring recruitment prior to obtaining temporary visas for foreign workers; (2) a provision that would ensure that American workers had not been laid off to make room for foreign workers; (3) reducing maximum life of the visa from 6 years to 3 years (this would, in fact, be a proposal to make the existing 3 year

visas non-renewable). With these reforms, could give the IT industry: (1) special three year visas, targeted (can target visas over 65,000); and (2) require that there be a demonstrated need for the use of any H1B visa. This would likely result in the IT folks being able to obtain the visas (they have a need), but would prevent those without a need (law firms) from using them.

Haitians

Questions and Answers on Immigration February 4, 1998

Q: The final report of the Commission on Immigration Reform recommended the dismantling of the INS. This week, the NY Times reported support on the Hill for just such a proposition. Does the Administration endorse this approach to reform?

A: We have studied the Commission's proposal, and others, and are developing a plan to enhance immigration law enforcement while improving the delivery of immigration services and benefits. The plan recognizes that enforcement and benefits are interrelated and, thus, neither should be addressed without the other in mind. The plan, however, will make Federal immigration activities more efficient and effective by separating enforcement and benefit and service operations -- both in headquarters and in the field -- thereby strengthening accountability and lines of authority. In addition, the plan will enhance coordination among Federal agencies involved in immigration and establish greater accountability within each agency.

Together, these reforms within individual agencies and across the Government will support and sustain the Administration's progress over the last five years in enforcing our immigration laws and fulfilling the nation's commitment to its immigration heritage.

Q: The Attorney General has acted to defer the deportation of tens of thousands of Haitian immigrants. Do you still intend to seek permanent legislative relief for Haitians?

A: Yes. Last December I directed the Attorney General and the INS to defer for one year the deportation of Haitians who were paroled into the United States or applied for asylum prior to December 31, 1995. I took this action to protect these Haitians against deportation while we worked with Congress to provide them long-term legislative relief. That remains our goal. These Haitians, like the Central Americans who were granted legislative relief in the last session, were forced to seek the protection of our country because of persecution and civil strife. Many of them have, over time, established strong ties to this country and have made significant contributions to our communities. Moreover, while we are encouraged by the progress made in Haiti since the restoration of democracy in 1994, the situation there remains fragile. Obtaining legislative relief for these Haitians will help support a democratic Haiti, which is the best safeguard against a renewed flow of Haitian migrants to the United States.

Q: On a recent trip to the Silicon Valley, Secretary Daley stated that the Administration is opposed to raising the cap on temporary visas for highly skilled immigrants. How, then, does the Administration suggest the nation address the shortage of workers in the high tech industry?

A: While we remain open to assessing any legislative proposals to reform the temporary visa programs administered by the INS, it is clear that long term shortages in our nation's workforce cannot be cured through the expansion of any of our non-immigrant (temporary) visa programs. This Administration is very sensitive to the needs of the high-tech industry and is concerned with ensuring that our nation's workforce is able to keep pace with the rapid growth in this field. That is why we have consistently emphasized training and re-training U.S. workers to enable them to move into these high-growth, high-salary positions.

Q: Your budget includes \$2.5 billion to restore food stamps to legal immigrants. What justifies such an enormous spending package?

A: I believe that legal immigrants should have the same opportunity, and bear the same responsibility, as other members of society. When I signed the 1996 welfare law, I pledged to work toward reversing the harsh, unnecessary cuts in benefits to legal immigrants that had nothing to do with moving people from welfare to work. This proposal is part of fulfilling that pledge. Our proposal restores Food Stamp benefits to approximately 730,000 legal immigrants, including families with children, elderly and disabled immigrants, refugees and asylees, and certain special immigrants (e.g., the Hmong). Though this program would first require immigrants in need to seek assistance from those who sponsored them into the country, it provides a necessary safety net for vulnerable groups of immigrants who are legal, permanent residents of our country.

DRAFT

Dear Representative Ros-Lehtinen:

Thank you for your letter urging me to grant Deferred Enforced Departure (DED) to Hondurans.

As you know, my Administration sought greater fairness for all those foreign nationals with pending immigration cases who were adversely affected by 1996 changes in rules relating to suspension of deportation. I am pleased to report that the bill achieved some of our goals: for instance, it raised from 4,000 to 8,000 the number of persons who can be granted suspension of deportation in fiscal year 1998. However, in other respects, the bill fell short of what we sought. Most importantly, it continued to impose on pending cases of most foreign nationals a new and more restrictive rule regarding suspension eligibility. As I indicated in my signing statement, we disagreed with that decision and will seek to have the Congress revisit the issue in the upcoming session.

Although we recognize that these deficiencies in the recent legislation have had adverse effects for many people, including Hondurans, we do not believe there is a basis for granting DED to all of these individuals. Nor do we believe that there is a sufficient basis for granting DED to Hondurans by themselves.

Why not? (2)
Nevertheless, we will continue to seek legislation that would benefit Hondurans as well as others who had immigration cases pending at the time the 1996 immigration legislation took effect. I know I can count on your assistance in trying to bring about this result.

Thank you for your interest in this important matter.

Sincerely,

The Honorable Ileana Ros-Lehtinen
House of Representatives
Washington, D.C. 20515

JAN 15 '91 06:42AM

P. 1

Congress of the United States
Washington, DC 20515

January 20, 1998

The Honorable William Jefferson Clinton
The White House
1600 Pennsylvania Avenue
Washington DC 20500

Dear Mr. President:

On December 23rd, you graciously granted Deferred Enforced Departure to qualified Haitians who sought refuge in the United States. We thank you for your action and respectfully urge you to grant the same Deferred Enforced Departure to those Honduran nationals who similarly sought safety and freedom in the United States.

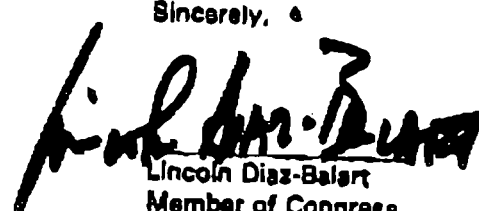
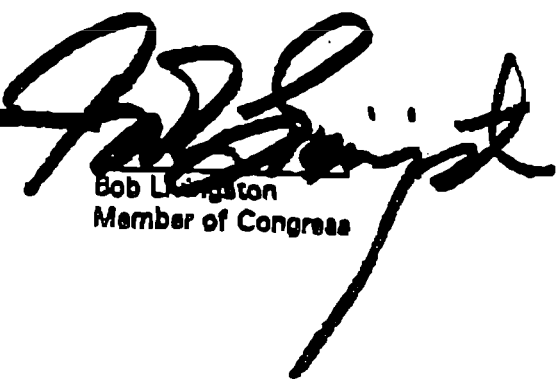
You recently wrote to The Honorable Carlos Roberto Reina, the current President of Honduras, stating that you would intervene in the matter of the massive deportations of Hondurens from the United States and work for all Central Americans to receive fair treatment from immigration authorities. We congratulate you for this stand because the US and Honduras enjoy a special relationship.

Honduras served as a land of refuge itself, generously receiving 5,000 Haitians during the refugee crisis at the Guantanamo Naval Base in Cuba. In addition, Honduran nationals demonstrated their strong support for democracy and for the United States by allowing their native homeland to be utilized by the Nicaraguan Contras during the war against the communist Sandinista regime. As the freedom war in Nicaragua expanded, bloodshed continued to spill into areas of Honduras, causing Hondurans to seek safety and refuge elsewhere. Today, after so many years, Honduran exiles who came to the United States have married, raised families, worked and paid taxes. This productive community has made the United States home and Honduran-Americans have committed themselves to the principles upon which our country was founded: life, liberty and the pursuit of happiness.

Many of our colleagues will join us in working for justice for members of the Honduran community. In the meantime, we urge you to grant Deferred Enforced Departure until immigration legislative relief is approved for the Honduran community. We further request that you order the Attorney General to suspend all deportation proceedings in Immigration court, in the Executive Office for Immigration Review (EOIR) and in EOIR's Board of Immigration Appeals.

Thank you for your consideration.

Sincerely, *


Ileana Ros-Lehtinen
Member of Congress
Lincoln Diaz-Balart
Member of Congress
Bob Livingston
Member of Congress

NATIONAL SECURITY COUNCIL

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Message:

Letter on ~~Hand~~ DED
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