



## U.S. Department of Justice

## Office of Legislative Affairs

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Washington, D.C. 20530

June 26, 2000

The Honorable Henry J. Hyde  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

This letter provides the views of the Department of Justice on H.R. 3918, the reintroduction of H.R. 2528, the "Immigration Reorganization and Improvement Act of 1999."

As we stated in our letter of November 3, 1999, we strongly endorse the legislation's objective of restructuring the Immigration and Naturalization Service ("INS") in order to improve accountability and performance at the agency. However, we oppose H.R. 3918 in its current form. This legislation fails to create a proper balance between enforcement and services and does not provide an effective way to direct, coordinate, and integrate enforcement and service functions.

We support restructuring the INS based on the principles that immigration enforcement and service missions must have clear lines of authority at all levels, from the field to headquarters, and that the immigration agency should be led by a single executive, requiring Senate confirmation. This executive would be responsible for integrating immigration policy and management operations within the Department of Justice, to maintain the crucial balance between enforcement and services and to ensure a coherent national immigration policy.

Consistent with these principles, we have invested a substantial amount of effort to develop a fundamental restructuring proposal for the INS that will enhance enforcement of the Nation's immigration laws and improve the delivery of services. This proposal was released in July of 1999. It would untangle The INS' current confusing and overlapping structure and

replace it with two new and clear subordinate entities - one for immigration services and one for law enforcement - within one agency. Both of these new organizations would have separate lines of authority. This restructuring proposal would eliminate current INS regional and district offices and replace them with separate networks of immigration services and enforcement area local offices. It will, in our view, greatly improve the ability of the INS to perform its duties effectively and efficiently and will increase accountability.

We are pleased that H.R. 3918 is consistent with a number of the underlying principles of the Department's approach. It recognizes that to improve performance, services and enforcement functions must be split from the ground level to the highest levels of the immigration agency. It also acknowledges that both enforcement and administration of the immigration laws belong primarily in the Department of Justice, not in other cabinet agencies. Finally, it recognizes that, other than the powers and duties in immigration matters given to the Secretary of State, immigration enforcement and services functions must be supported by a set of shared services, including records, technology, training, and other management functions.

Despite these similarities, H.R. 3918, as introduced, could seriously undermine our efforts to enhance accountability and improve results. It is essential, for example, that any restructuring legislation ensure that a single, high-level Department official speak for the Executive branch on matters involving immigration policy and that this official have the authority to direct and manage our immigration system to ensure that immigration policy and management is fully integrated and coordinated. This senior official must have appropriate staff support offices, separate from the operating bureaus, to ensure that immigration issues under consideration are resolved at a level that reflects a balanced and coherent perspective. It is also critical that the shared infrastructure support for the operating bureaus be part of the same immigration system and not placed in the Justice Management Division.

The Department wants to continue to work with the Committee on appropriate legislation to restructure the INS in a manner that will improve effectiveness and accountability. We believe that the substitute offered by Representatives Sheila Jackson Lee and Howard Berman would accomplish these goals. Therefore, we support this substitute, subject to the resolution of several technical

issues which we would cooperate in addressing. The Office of Management and Budget has advised that there is no objection from the standpoint for the Administration's program to the presentation of this report. Thank you for your attention to this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,



Robert Raben

Assistant Attorney General

IDENTICAL LETTER SENT TO THE HONORABLE JOHN CONYERS, JR., RANKING  
MINORITY MEMBER



## U.S. Department of Justice

## Office of Legislative Affairs

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Washington, D.C. 20530

June 26, 2000

The Honorable John Conyers, Jr.  
Ranking Minority Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Conyers:

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As we stated in our letter of November 3, 1999, we strongly endorse the legislation's objective of restructuring the Immigration and Naturalization Service ("INS") in order to improve accountability and performance at the agency. However, we oppose H.R. 3918 in its current form. This legislation fails to create a proper balance between enforcement and services and does not provide an effective way to direct, coordinate, and integrate enforcement and service functions.

We support restructuring the INS based on the principles that immigration enforcement and service missions must have clear lines of authority at all levels, from the field to headquarters, and that the immigration agency should be led by a single executive, requiring Senate confirmation. This executive would be responsible for integrating immigration policy and management operations within the Department of Justice, to maintain the crucial balance between enforcement and services and to ensure a coherent national immigration policy.

Consistent with these principles, we have invested a substantial amount of effort to develop a fundamental restructuring proposal for the INS that will enhance enforcement of the Nation's immigration laws and improve the delivery of services. This proposal was released in July of 1999. It would untangle The INS' current confusing and overlapping structure and

replace it with two new and clear subordinate entities - one for immigration services and one for law enforcement - within one agency. Both of these new organizations would have separate lines of authority. This restructuring proposal would eliminate current INS regional and district offices and replace them with separate networks of immigration services and enforcement area local offices. It will, in our view, greatly improve the ability of the INS to perform its duties effectively and efficiently and will increase accountability.

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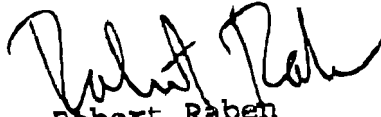
Despite these similarities, H.R. 3918, as introduced, could seriously undermine our efforts to enhance accountability and improve results. It is essential, for example, that any restructuring legislation ensure that a single, high-level Department official speak for the Executive branch on matters involving immigration policy and that this official have the authority to direct and manage our immigration system to ensure that immigration policy and management is fully integrated and coordinated. This senior official must have appropriate staff support offices, separate from the operating bureaus, to ensure that immigration issues under consideration are resolved at a level that reflects a balanced and coherent perspective. It is also critical that the shared infrastructure support for the operating bureaus be part of the same immigration system and not placed in the Justice Management Division.

The Department wants to continue to work with the Committee on appropriate legislation to restructure the INS in a manner that will improve effectiveness and accountability. We believe that the substitute offered by Representatives Sheila Jackson Lee and Howard Berman would accomplish these goals. Therefore, we support this substitute, subject to the resolution of several technical

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issues which we would cooperate in addressing. The Office of Management and Budget has advised that there is no objection from the standpoint for the Administration's program to the presentation of this report. Thank you for your attention to this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,



Robert Raben  
Assistant Attorney General

IDENTICAL LETTER SENT TO THE HONORABLE HENRY J. HYDE, CHAIRMAN

MAR-21-2000 18:20



U.S. Department of Justice  
Office of Legislative Affairs

P.04/05

Office of the Assistant Attorney General

Washington, DC 20530

March 21, 2000

The Honorable Lamar S. Smith  
Chairman  
Subcommittee on Immigration and Claims  
Committee on the Judiciary  
U. S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

This letter provides the views of the Department of Justice on H.R. 3918, the "Immigration Reorganization and Improvement Act of 1999."

As we stated in our letter of November 3, 1999, we strongly endorse the legislation's objective of restructuring the Immigration and Naturalization Service (INS) in order to improve accountability and performance at the agency. However, we oppose H.R. 3918 in its current form. This legislation fails to create a proper balance between enforcement and services and does not provide an effective way to direct, coordinate, and integrate enforcement and service functions.

We support restructuring the INS based on the principles that immigration enforcement and service missions must have clear lines of authority at all levels, from the field to headquarters, and that the immigration agency should be led by a single executive, requiring Senate confirmation. This executive would be responsible for directing and integrating immigration policy and management operations within the Department of Justice, to maintain the crucial balance between enforcement and services and to ensure a coherent national immigration policy.

Consistent with these principles, we have invested a substantial amount of effort to develop a fundamental restructuring proposal for INS that will enhance enforcement of the Nation's immigration laws and improve the delivery of services. This proposal which was released in July 1999, would untangle INS' current confusing and overlapping structure and replace it with two new and clear subordinate entities - one for immigration services and one for law enforcement - within one agency. Both of these new organizations would have separate lines of authority. This restructuring proposal would eliminate current INS regional and district offices and replace them with separate networks of immigration services, enforcement areas and local offices. It will greatly

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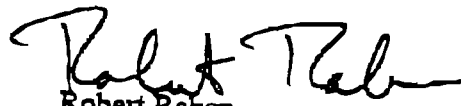
improve the ability of the INS to perform its duties effectively and efficiently and will increase accountability.

We are pleased that H.R. 3918 is consistent with a number of the underlying principles of the Department's approach. It recognizes that to improve performance, services and enforcement functions must be split from the ground level to the highest levels of the Department. It also acknowledges that both enforcement and administration of the immigration laws belong primarily in the Department of Justice, not other cabinet agencies. Finally, it recognizes that the enforcement and services functions in the Department are supported by a set of shared services, including records, technology, training and other management functions.

Despite these similarities, H.R.3918, as introduced, could seriously undermine our efforts to enhance accountability and increase results. It is essential, for example that any restructuring legislation ensure that a single, high level Department official directs and manages our immigration system full-time. This senior official must have appropriate staff support offices, separate from the operating bureaus, to ensure immigration issues under consideration reflect a balanced and coherent perspective. It is also critical that the shared infrastructure support for the operating bureaus be part of the same immigration system and not placed in the Justice Management Division.

The Department wants to continue to work with the Subcommittee on appropriate legislation to restructure INS in a manner that will improve effectiveness and accountability. The Office of Management and Budget has advised that there is no objection from the standpoint for the Administration's program to the presentation of this report. Thank you for your attention to this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,



Robert Raben

Assistant Attorney General

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SUBCOMMITTEE ON IMMIGRATION AND CLAIMS