

**PHOTOCOPY
PRESERVATION**

Final Recommendations

**ORGANIZATION
RESTRUCTURING**

**IMMIGRATION AND
NATURALIZATION SERVICE**

Washington, D.C.
March 9, 1998

*This report is confidential and intended solely for the use and
information of the organization to whom it is addressed.*

BOOZ·ALLEN & HAMILTON

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1. INTRODUCTION

Over the past few years, the Immigration and Naturalization Service (INS) has experienced significant growth. Increased volume of naturalization and other benefit applications, heightened activity along the southwest border, and a number of significant legislative changes, such as The Illegal Immigration Reform and Immigrant Responsibility Act of 1996, have complicated the execution of its mission.

The INS has received significant increases in resources to help it handle these additional responsibilities and workload—its budget allocations more than doubling from FY 1993 to 1998. This dramatic growth has strained the current organization and impacted performance. Problems with the naturalization process, backlogs in application processing, and questions about the agency's ability to prevent illegal immigration and effectively remove those who are already in the US continue to elicit comment and attention.

The INS has undertaken a number of efforts both to address these issues and to improve the agency's basic operations and infrastructure. Key efforts that INS has undertaken in the past few years to address its problems include:

- Reengineering the naturalization process
- Automating records and upgrading information technology infrastructure
- Integrating enforcement operations at the border through initiatives such as Gatekeeper and Rio Grande
- Restructuring Asylum Operations
- Removing significant numbers of criminal or deportable aliens

These efforts represent the beginnings of a major transformation of the agency that will take several years to complete. For the INS transformation to be successful, it must now fulfill four key imperatives:

- Develop clear lines of accountability
- Create customer-oriented service capabilities
- Build professional capabilities in law enforcement and services
- Fulfill INS's single mission: to uphold the immigration laws of the United States as intended by Congress.

Restructuring the organization is key to the transformation, but it is only a part of it. In order for the transformation to achieve the level of improvement INS and other stakeholders want, the way the agency does business must also change. These changes include new and different business processes, focused on timely and efficient operations; revised training programs that emphasize the professional standards that INS requires; ways of integrating between and within services and enforcement at all levels of the organization; and development of the infrastructure, especially the information infrastructure, necessary to allow the agency to operate effectively and efficiently.

The proposed organization structure presented in this document maintains the responsibility to execute the immigration and naturalization laws of the country under the singular authority of the INS. The INS has a single mission which is to execute the immigration policy of the United States. This single mission has two critical components that are inseparable: the extension of benefits to those who merit them and the protection of those benefits through enforcement for those who do not merit them. For example, when a person applies for benefits, a thorough screen for fraudulent documents is required to positively determine eligibility. Individuals apprehended at the border could turn out to be asylum applicants.

The following table provides additional examples of the close coordination and integration required between service and enforcement operations:

COORDINATION / INTEGRATION POINT	EXAMPLE
Status of an immigrant or alien can often change from a person receiving benefits to one suspected of illegal activity	A person overstays his/her visa and becomes an illegal alien
Real time interaction between enforcement and service staff is needed	Adjudicator interviewing applicant discovers marriage fraud and turns couple over to detention and investigations
Immigration laws can change requiring a coordinated approach when implementing new legislation	IIRIRA influenced both service and enforcement operations such as expedited removals, service centers issuing notices to appear for deportation proceedings

These integration points necessitate shared records and information management capabilities that produce accurate, accessible and available information for both service and enforcement personnel working together in the field. Coordinating common management and information systems between different government agencies has proven extremely complex and difficult with few success stories. Our recommendation is to execute the immigration laws and policy within a single agency—the INS.

1.1 Approach and Scope

The Department of Justice engaged Booz·Allen & Hamilton (Booz·Allen) to analyze the INS organization and operations and to propose alternative structures that could promote a more effective way to fulfill its mission and address current restructuring proposals. To accomplish this task in approximately nine weeks, Booz·Allen utilized senior consultants with law enforcement and service experience in both commercial and government operations who could quickly assess the current situation and test various structural elements.

Booz·Allen held over 80 interviews with INS staff, met several times with INS senior management including field managers, and visited district offices, a border patrol sector, and a regional office. A number of different data gathering techniques were used including reviewing existing reports and analyses, interviewing other consulting firms assisting INS in the implementation of new initiatives and benchmarking three federal agencies to learn from their experience. Three federal agencies were selected:

- Federal Bureau of Investigations—a law enforcement agency with a unique, highly decentralized field structure
- Social Security Administration—a successful service agency
- U. S. Customs Service—an organization with enforcement and service responsibilities that recently undertook a major restructuring effort that changed its organization

Booz·Allen designed the process to be highly interactive with INS senior management and selected field representatives. Hypotheses were developed and tested with INS, additional data gathered based upon the feedback, and conclusions presented. This cooperative process allowed Booz·Allen to gain necessary information rapidly while maintaining analytical independence.

Based on extensive experience with both commercial and federal government clients, Booz-Allen has developed several frameworks for assessing and designing organizations. The framework selected for INS consisted of seven key elements which together define the design and functionality of an organization. Figure 1 gives the framework used for the INS organizational analysis.

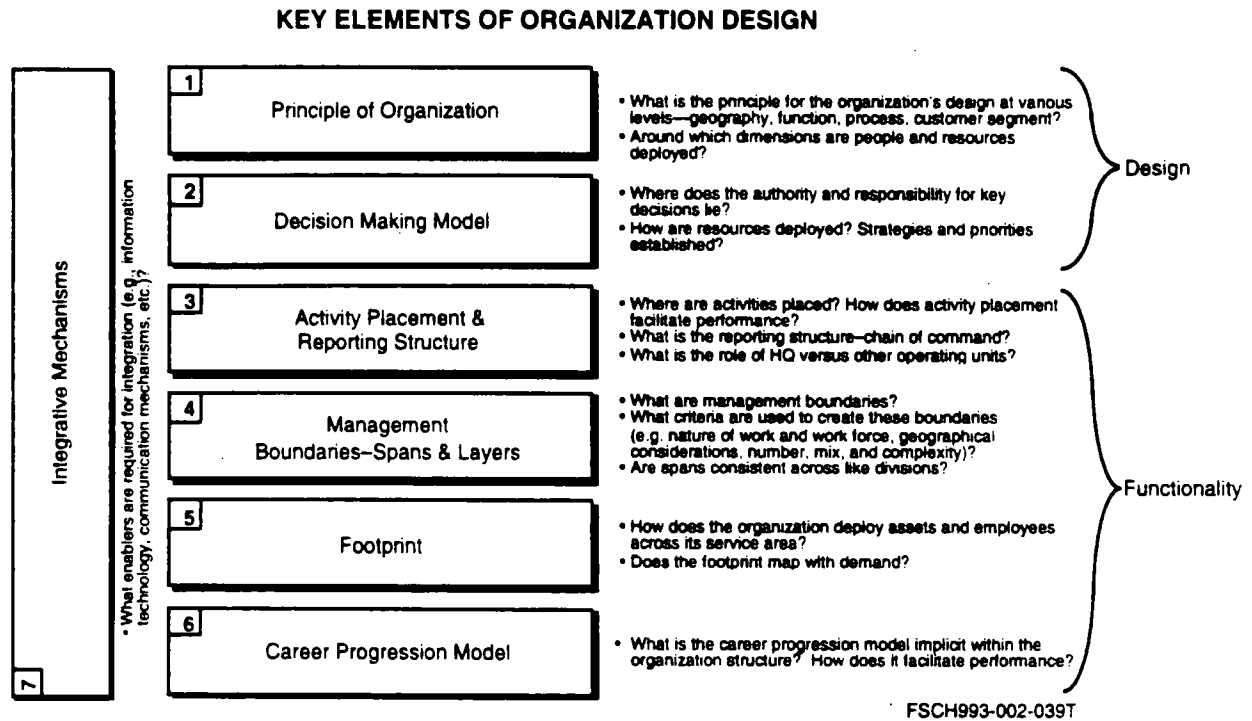
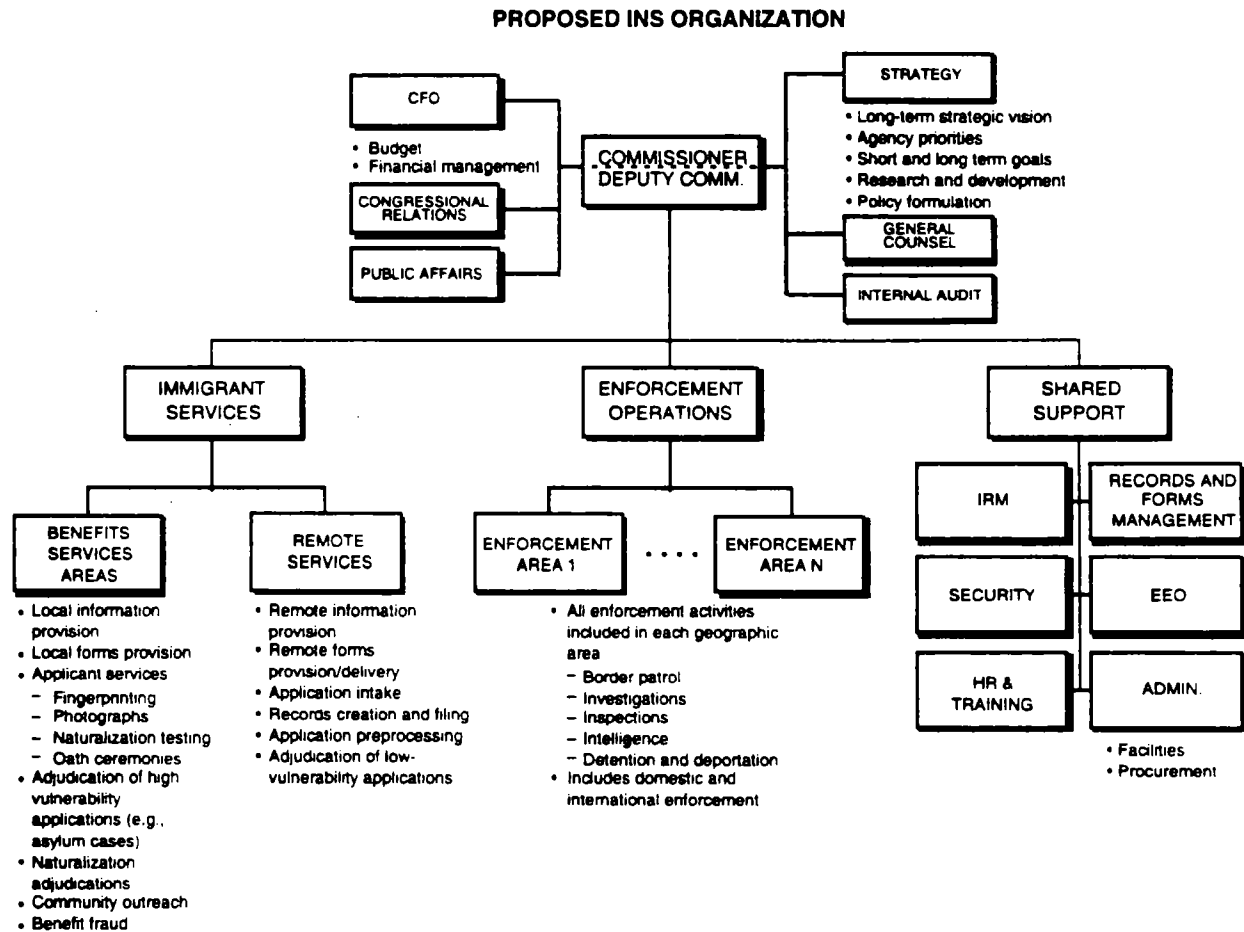


Figure 1: Key Elements of Organization Design

Booz-Allen used a methodology that forces top-down decision making. In designing a new organizational structure, several alternatives were considered around each of the design elements. For example, when determining the principle of organization, the team considered a number of options, organizing by customer segments, by geography, or by key functions. The best option was selected based upon how well that alternative satisfied the organizational imperatives. For example, "How well does this option create clear lines of accountability?"

2. PROPOSED ORGANIZATION STRUCTURE

Figure 2 shows the proposed high-level organizational structure. It represents the structure that best addressed the four organizational imperatives previously mentioned:



Note: Geographic boundaries for both Immigrant Services and Enforcement Operations to be examined and redrawn to fit new functions and responsibilities

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Figure 2: Proposed INS Organization

The majority of this report describes the proposed organization in detail which will be dramatically different from INS's current organization. It is worth summarizing these fundamental differences up front:

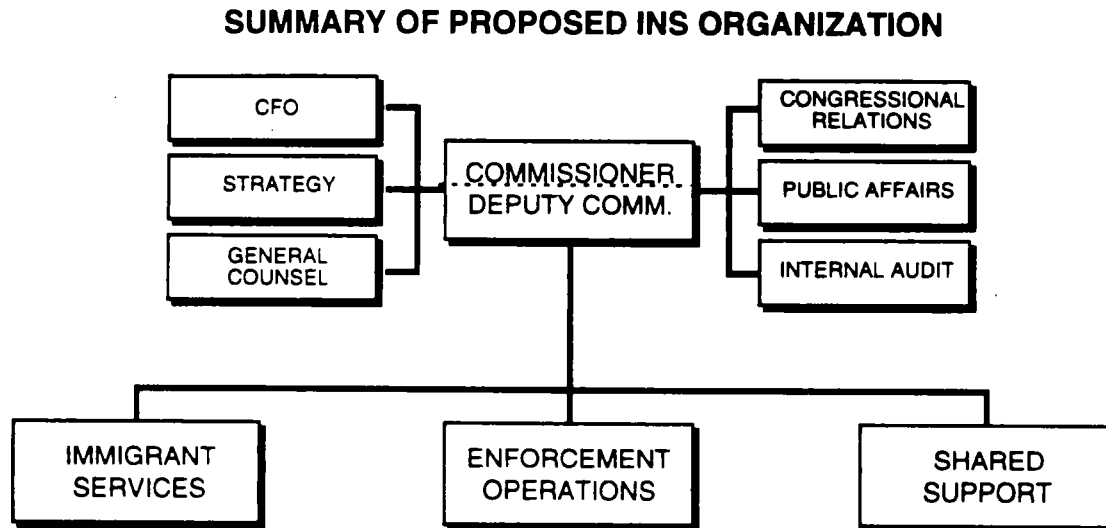
- HQ will focus on strategy, policy, goals and objectives, performance measurement, and provision of shared services in a support role to field operations—no involvement in day-to-day operations
- Accountability and responsibility for operations will be pushed down to the field
- Separate chains of command for service and enforcement operations will report to the Commissioner to establish clear lines of authority, responsibility, budget alignment, and execution of national priorities
- The geographic boundaries and footprints of service and enforcement operations will be different. Regional and district offices, as known today, will cease to exist. The field structure will be replaced by more targeted footprints that can focus on community needs
- Clear definition of law enforcement—pay reform legislation will be enacted to permit creation of an integrated enforcement division which includes inspectors
- More flexible career paths will be provided for staff within services and enforcement operations that are aligned to the staff's career needs. Separation and clarification of service operations from enforcement will allow leveraging the unique management knowledge, skills, and abilities required for each function
- Integration will take place with policy, process, information technology, training, and performance measures, not just organization—critical points of integration between service and enforcement have been identified

The recommended structure does not change every aspect of the INS. Rather, it tries to build on existing success stories such as the strength of the border patrol model and the restructured asylum organization and processes.

2.1 Summary of Proposed Organization

The high level recommended structure separates the agency into two core organization units—Immigrant Services and Enforcement Operations. Although services and enforcement must work together to fulfill the mission of the INS, execution of their functions is fundamentally different. Knowledge, skills and abilities across these functions are not easily transferable. For example, it is unlikely that one would want the head of service operations at American Express to be the chief of the Metropolitan Police Department.

Figure 3 presents a high-level summary of the recommended organization structure.



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Figure 3: Summary of Proposed INS Organization

Immigrant Services and Enforcement Operations would each report directly to the Deputy Commissioner. A senior executive manager, equivalent to a currently defined Executive Associate Commissioner (EAC), would head each of these units and would have full responsibility and accountability for executing operations at the field level. This structure clarifies accountability at the highest level which will be replicated throughout the lower levels of the organization. Individuals in the field would receive directions from one chain of command. They would be able to see a career path that extends from either adjudications officer or border patrol officer to HQ. This structure permits each operations unit to focus on those actions and initiatives necessary to develop “best in class” capabilities.

Implicit in the redesign is a redefinition of the role of headquarters. HQ becomes responsible for developing strategies, goals and objectives, policy, performance targets, and frameworks to set direction to implement national priorities. It provides support where economies of scale suggest increased efficiencies and effectiveness or where consistency and standardization are critical. In line with the current direction of successful commercial corporate offices, it also implies small and focused corporate staffs that see their roles supporting, not directing, operations.

In addition to the two key mission-delivery operational units, the recommendation defines a shared support structure responsible for the provision of administrative activities. The Shared Support division is modeled after a "shared services" structure that is a well established practice in a number of leading Fortune 500 companies. It is important to recognize that shared services units are not staff functions. They are executional in nature and should be led by an executive at the same level as operating units.

A shared services organization balances the need for local provision of support with the ability to capture economies of scale across the agency. It differs from traditional provision of services on a centralized basis. Service level agreements are developed between a shared service unit and its operational customers which spell out the level of quality, timeliness, and service expected. In this sense, the relationship between a shared services unit and the field is similar to a vendor-client agreement or contract. If services could be more effectively performed by a vendor outside the agency, the shared services division encourages the organization to consider outsourcing the activity.

The next building block of the proposed high level structure is the Strategy unit. This unit would focus on developing the long term-strategy of the INS and facilitating the process of designing programs to execute that strategy. Program execution, however, should fall squarely into Immigrant Services and Enforcement Operations. The function of the Strategy unit is to plan, with active participation from the field, but not to be responsible for day to day operations. The current Office of Programs and Office of Policy and Planning would cease to exist—its policy, program, and design responsibilities moved to the new Strategy unit and other operational/executional functions moved into Immigrant Services and Enforcement Operations.

In addition to these units, other staff and advisory units will exist and report directly to the Commissioner. These units include General Counsel, Internal Audit, Public Affairs and Congressional Relations. The recommendation also creates a formal Chief Financial Officer reporting directly to the Commissioner. It is suggested that General Counsel maintain the current reporting relationship to the Commissioner, but further analysis is desirable to detail the impact of the service/enforcement split on today's District Counsel operations. Internal Audit continues its role as an independent office reporting to the Commissioner.

A detailed description of the organization structure is presented in the following sections.

2.2 Immigrant Services

This structure creates one division responsible and accountable for all aspects of INS service operations. Given the increasing demands on the agency and complexity of the work, a focused approach to service provision with dedicated, well-trained, service operations professionals is required to improve agency performance. Immigrant Services includes activities associated with the provision of benefits: information provision, application adjudication, oath administration and associated support activities (e.g., fingerprinting, test administration). This division also includes capabilities to combat benefits fraud.

This proposed structure differs from the current organization. Today, a District Director is responsible for managing both service operations and enforcement activities. The new model separates responsibility for management of service operations (Immigrant Services) from enforcement. Integration across Immigrant Services and Enforcement Operations will take place through policy, process, information technology, training, and performance measures.

Immigrant Services is organized along functional lines and has two broad components:

- Benefits Service Areas (Local/Community Services)—includes those functions that are community-based and require face-to-face contact with an applicant, petitioner or other individual in order to perform them (e.g. a naturalization interview, fingerprinting)
- Remote Services—includes those activities which benefit from economies of scale, can be performed from a remote location and require consistency in execution (e.g. file creation, phone center operations)

Figure 4 below presents the proposed organization structure for Immigrant Services.

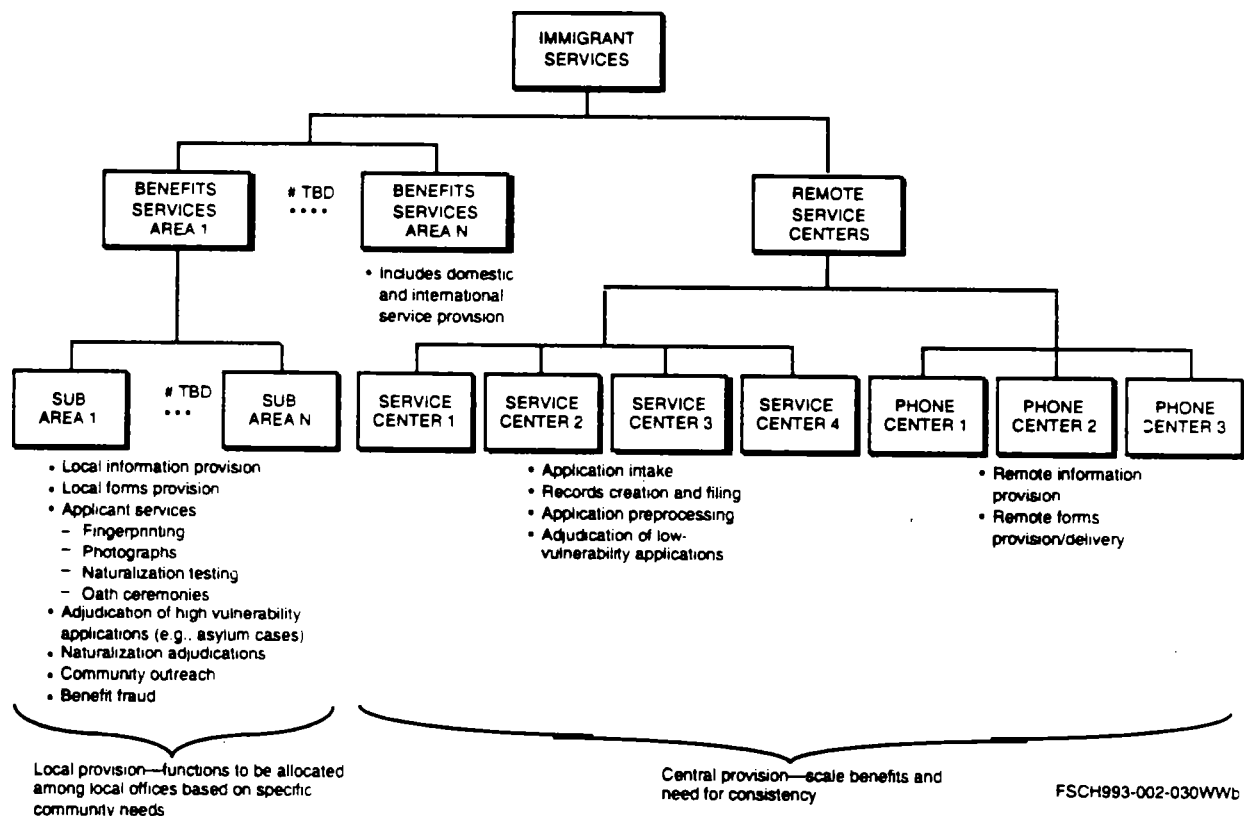


Figure 4: Immigrant Services Structure

Benefits Service Areas (local service provision)

Benefits Service Areas (BSAs) are geographic management units responsible for local service provision—in other words, those activities that require face-to-face contact with the community. The Benefits Service Areas would provide the following types of functions, all of which require local interface with an applicant for benefits:

- Local information and forms provision (Note: Could also be provided remotely via telephone or through other channels to improve accessibility and convenience)
- Applicant services
 - Fingerprinting
 - Photographs
 - Naturalization testing
 - Oath administration
- Adjudication of high vulnerability applications, those that require an interview or where there is a significant potential for fraud

Figure 5 provides an overview of the Benefits Service Area structure.

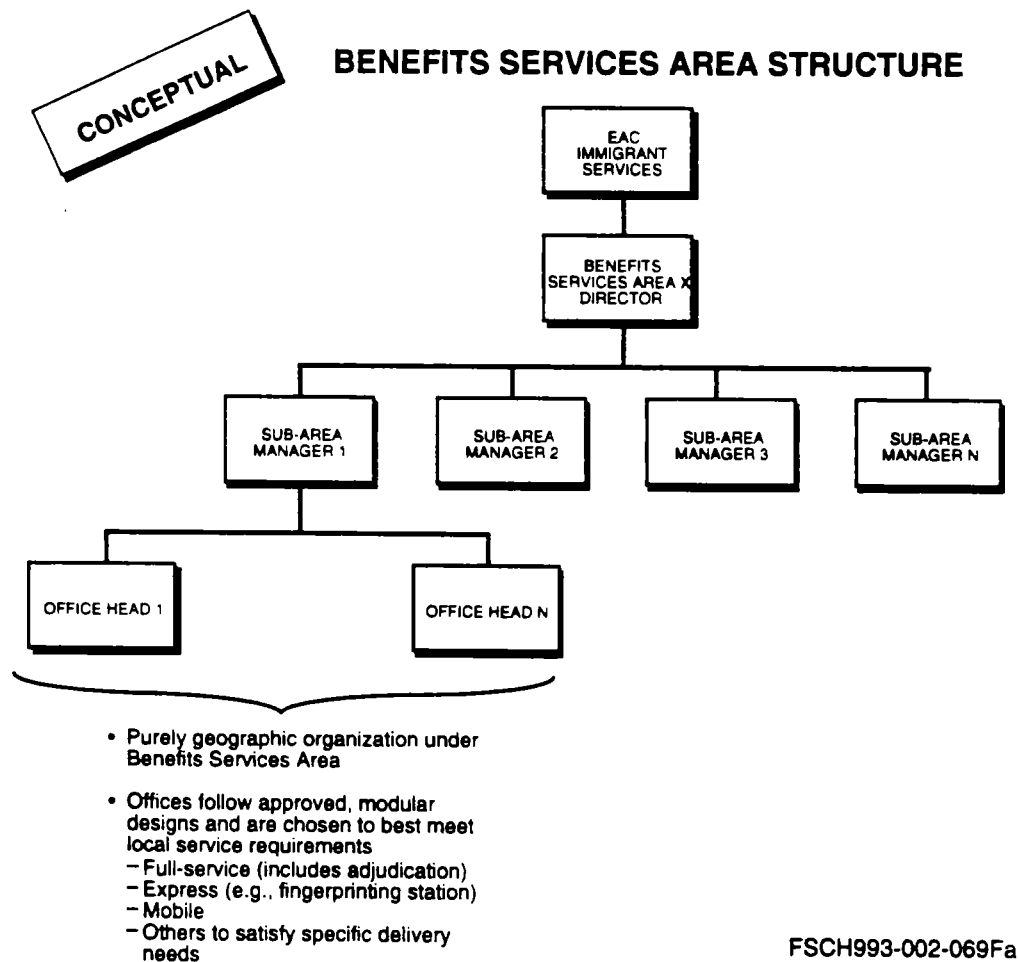
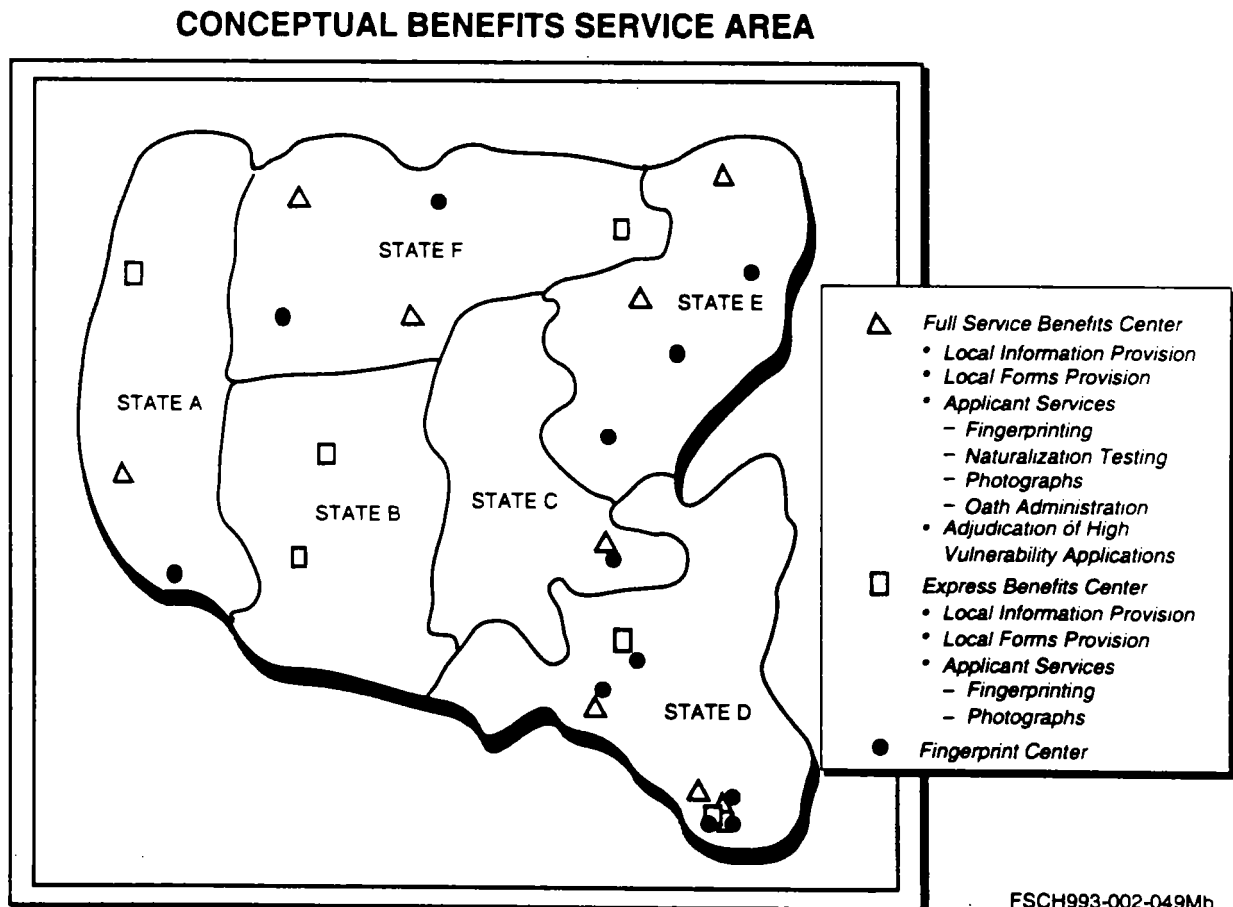


Figure 5: Benefits Service Area Structure

While additional work, with significant input from the field, needs to be done to determine the exact number of BSAs and boundary lines, a preliminary analysis was performed to test the proof of concept and to highlight differences from the current structure:

- Benefits Service Areas replace both the current Regions and Districts. Each BSA would have a director responsible for all local service provision within a given geography. This director would report directly to the EAC of Immigrant Services
- Based upon distribution of demand (i.e., application volumes by geography) and a preliminary understanding of differing community needs, it appears that between 6 and 12 BSAs should be created. This structure produces a reasonable span of control for the EAC of Immigrant Services and yet a “manageable” area in which a BSA director can effectively monitor performance and manage operations
- Each Benefits Service Area director would oversee a number of Sub-Area Managers who are responsible for a smaller geography within a given BSA. These Sub-Areas will include a number of local offices. The Sub-Area management layer is needed to provide appropriate management oversight in a decentralized service provision model
- There will be templates for different types of local offices, ranging from full-service offices (i.e., includes adjudications) to specialized fingerprinting centers. The templates will ensure consistent “look and feel” and operating procedures across the country. The BSA director will deploy different office types throughout the BSA to meet local service requirements

Figure 6 demonstrates what a potential Benefits Service Area could look like with a variety of office types and decentralized service provision.



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Figure 6: Conceptual Benefits Service Area

Remote Services

Remote Services is the second major component of Immigrant Services. This unit provides services that can be provided remotely and assists in application processing. Remote Services can include activities currently performed in 4 Service Centers and 3 Phone Centers, such as:

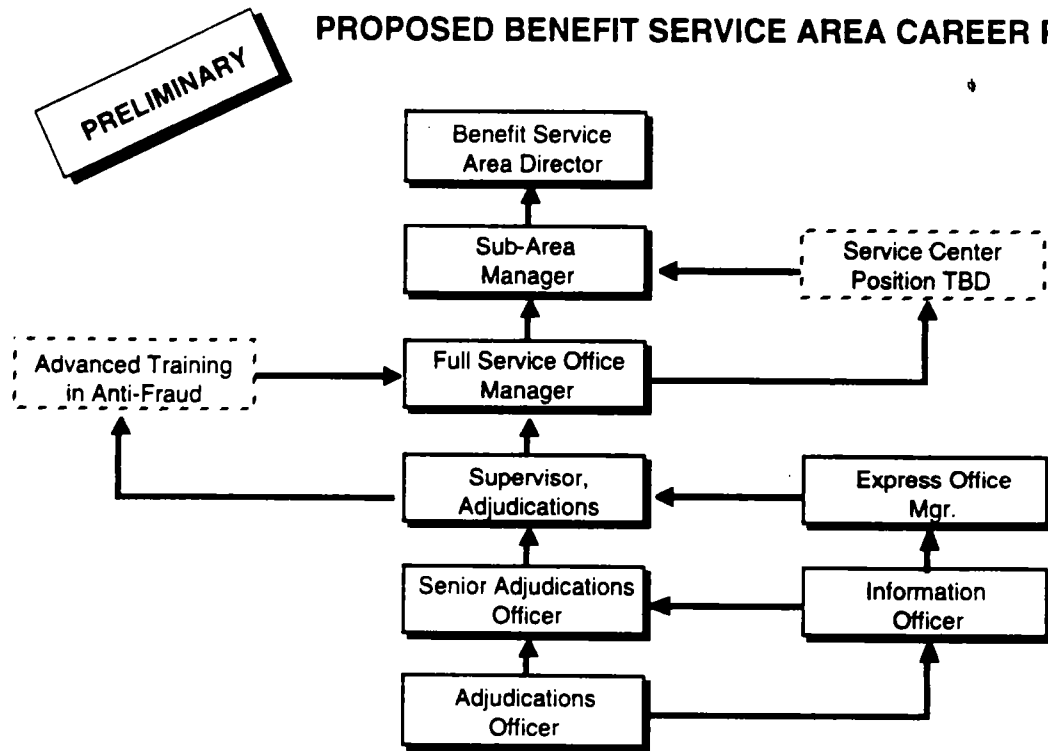
- Remote information provision (via 1-800 phone numbers, Internet, etc.)
- Remote forms provision
- Applications intake
- Records creation
- Application pre-processing
- Adjudication of low-vulnerability applications (e.g. extension of stay, employment authorizations)

These functions are combined into a single management unit to facilitate the standardization of operating procedures and to permit more effective workload management across the country. Today, for example, there is minimal re-allocation of work from one service center to another, even if processing delays at one location are far greater than at others. In this new structure, the Director of Remote Services has the authority to monitor workload volumes in remote sites across the country and move work as required to maintain service levels. This management approach for scale sensitive activities is utilized by leading commercial service operations to optimize resource allocation and ensure that service levels are maintained across geographies.

Career Paths and Progression

The Immigrant Services structure produces a more robust career path with clear progression potential. Clear career paths are a critical requirement in INS's effort to develop best-in-class customer service capabilities. Today there is a limited ability for service professionals to reach the upper management ranks without enforcement experience. For example, of the 33 incumbent District Directors, only 2 came from a strictly services background. As most of these District Directors lack extensive benefits experience and training, they may not possess the knowledge, skills and abilities needed to effectively manage complicated service operations.

Figure 7 presents a preliminary career path for service professionals in the new organization structure.



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Figure 7: Conceptual Benefits Career Path

The proposed career path depicted in Figure 7 allows for succession and appropriate progression. It also provides a more effective entry strategy for new staff. Under this model, the entry-level position is that of a junior Adjudications Officer. This new entry level position ensures that staff develop a thorough understanding of INS's operations before moving on to handling public requests and questions as an Information Officer. Information Officers are the first face to the customer and leave a lasting impression of the INS, hence the need for more experienced staff. This change could require a reclassification of grade level for the Information Officer (i.e. may need to upgrade the position).

2.3 Enforcement Operations

Enforcement Operations encompasses all activities related to the enforcement of immigration laws, both at the border and within the interior. This structure provides a single point of responsibility and accountability for all enforcement, and allows the agency to more focus on integrated enforcement on a national or global scale.

This proposed structure is noticeably different from the current organization. As previously discussed, under the current organization the Districts are responsible for service and enforcement operations. This new structure separates all enforcement-related activities from service operations.

Enforcement Operations is organized geographically into Enforcement Areas, integrating all enforcement resources under a single chain of command. Field interviews revealed the need for close coordination of day-to-day operations among the enforcement disciplines. The design of an enforcement area gives the Area Director the ability to integrate Border Patrol, Ports of Entry, Detention, and Investigations and Removals, to prioritize and coordinate operations.

Initial analyses suggest that between 6 and 12 Enforcement Areas should be created to replace the current Regions and Districts with a completely different structure designed specifically for enforcement. Each Enforcement Area will include four major elements:

- Border Patrol—patrol between ports of entry (POEs) as currently performed by the Border Patrol
- Ports of Entry—inspections at POEs (air, land and sea ports) in cooperation with Customs, the Department of Agriculture and other inspection agencies
- Investigations and Removals—proactive management of cases in key program areas, such as fraud, work site, anti-smuggling, and criminal aliens, as well as processing of removals for deportable aliens
- Detention and Enforcement Support—long-term detention and other activities that support Border Patrol, Ports of Entry and Investigations and Removals

Figure 8 shows the proposed structure for Enforcement Operations.

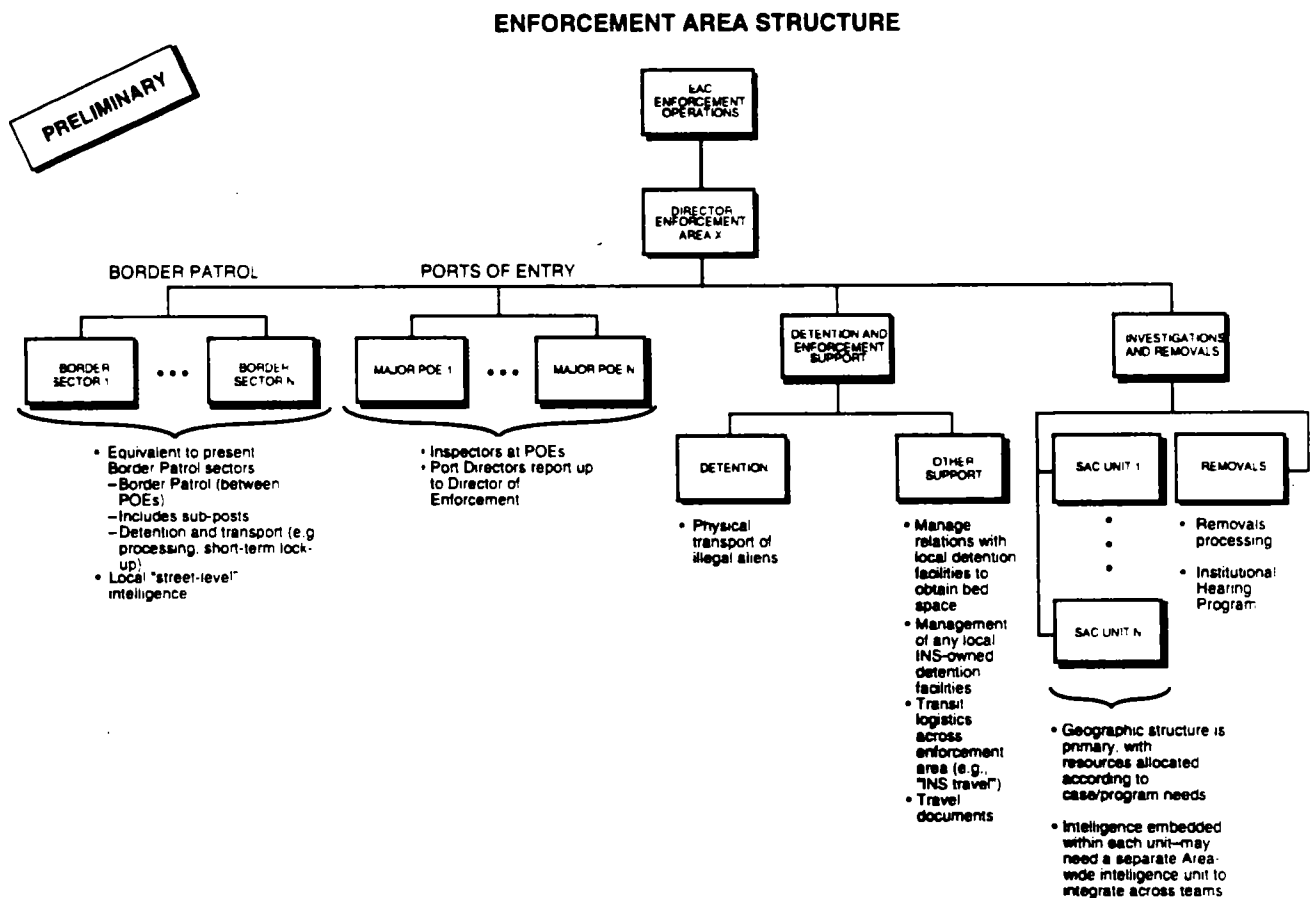


Figure 8: Enforcement Area Structure

Border Patrol

Border Patrol will continue to have responsibility for patrol of the border in between ports of entry. Border Sector Chiefs would report to the Director of the Enforcement Area (see Figure 8 above).

Ports of Entry

This unit includes inspections at air, land and sea ports of entry. Port Directors would report to the Director of the Enforcement Area. This structure facilitates an integrated approach to border management and promotes cooperation with other inspections agencies (e.g. customs).

The recommended structure would require legislative action to permit reclassification of the inspector as an enforcement position. Today only senior inspectors are classified as enforcement. Reclassification is needed to integrate inspectors into the enforcement division and permit career progression. Best practice law enforcement organizations have common core training programs and clear career paths that permit movement throughout the organization across disciplines.

Investigations and Removals

Investigations and Removals (I&R) focuses on illegal immigration: fraud, anti-smuggling, criminal aliens, and worksite enforcement, as well as participation in joint task forces with other enforcement agencies. The I&R unit is responsible for intelligence gathering, investigation and identification of criminal activity, and the apprehension and removal of illegal immigrants. I&R is a separate unit to reflect fundamental differences in the nature of the work (case-based), the skills required, and best practices in law enforcement organizations.

The recommendation suggests that I&R operates geographically, as do both the FBI and Customs—with a SAC/RAC model. A Special Agent in Charge (SAC) commands a field office with associated satellite offices led by Resident Agents in Charge (RACs). This model provides local focus and manageable spans of control, as well as an integrated team across an Enforcement Area, all of which are necessary to ensure effective investigative operations.

Detention and Enforcement Support

Detention and Enforcement Support encompasses those activities that cross-cut and support Border Patrol, Ports of Entry and Investigations and Removals. Some of the activities in this division could be provided by “civilians” rather than law enforcement personnel (e.g. detention logistics) or could possibly be outsourced (e.g., detention facilities). Other best practice law enforcement agencies have “civilianized” many support positions, e.g., in some police departments the dispatch function is now performed by civilians.

Detention and Enforcement Support ensures that the entire Enforcement Area has the level of assistance needed for a best-in-class enforcement operation. It is important to note that detention as described in this unit refers to long-term detention as opposed to temporary lock-up during processing. Temporary detention capabilities and staff will be embedded in Border Patrol and report through that chain of command (as is the case today).

Career Paths and Progression

The Enforcement Operations structure makes it possible to have an integrated career path and upward mobility for all enforcement professionals. Today, movement from certain law enforcement occupations into others rarely occurs, thus limiting upward mobility. The proposed career path will help eliminate these problems. Figure 9 gives an example of the new enforcement career path.

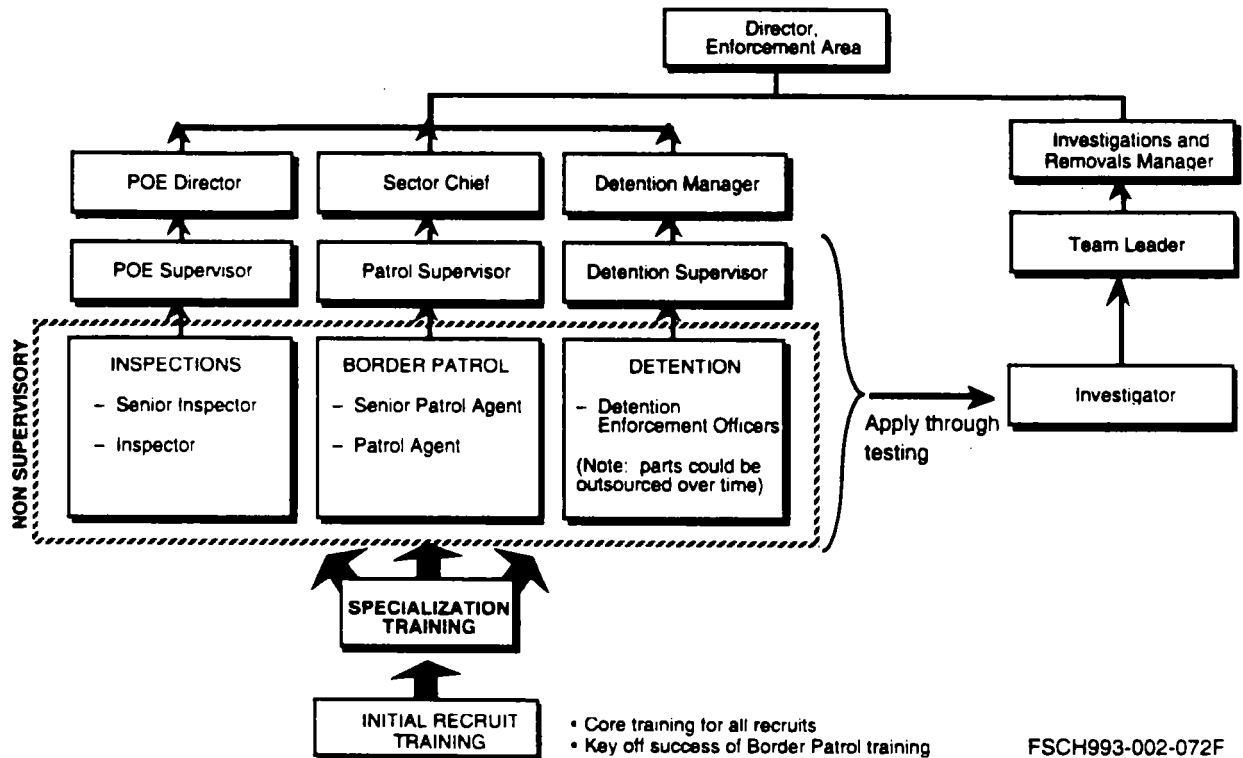


Figure 9: Enforcement Career Path

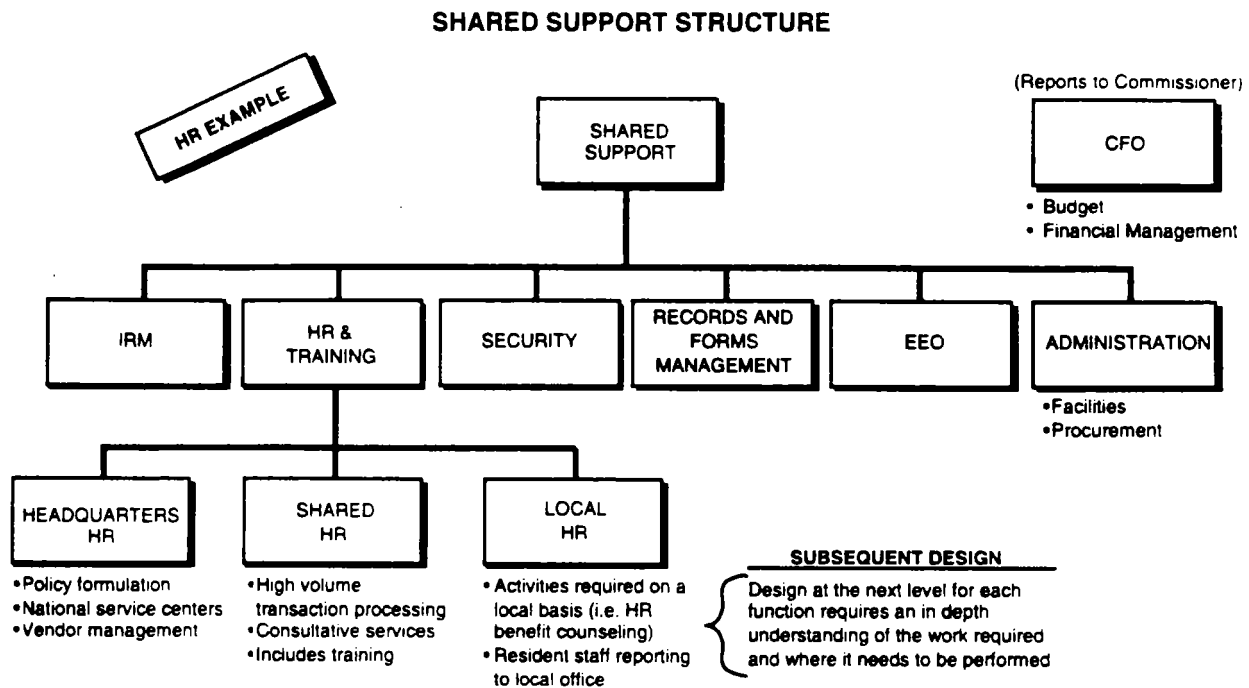
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2.4 Shared Support

Shared Support performs critical integration activities and develops agency infrastructure. This division provides the "glue" that links together operations across divisions and geographies. It includes Records Management and Information Resources Management as well as administrative support for the field: Human Resources and Training, Security, EEO and other Administration (procurement and facilities). In a shared support structure, activities could be provided in a number of locations:

- At the local level—I/T infrastructure is critical to enable provision of support at this level
- Shared across geographies—to capture economies of scale and ensure consistency of operations
- At headquarters—policy and procedure setting activities

Figure 10 gives an overview of Shared Support, detailing how HR activities could be organized.



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Figure 10: Shared Support Structure

Rationale for Local Support Functions

Certain administrative activities, such as EEO counseling and HR benefit counseling, need to be provided on a local basis. Not every physical location will need a local presence. For example, service can be provided from a field office or a full service office to a small satellite location. Local support staff will report up through the field office chain of command. For example, an HR professional resident in a Benefits Service Area, would report up through the Immigrant Services chain of command. Further analysis is required to determine how local service and enforcement field offices could “share” local support to prevent unnecessary duplication while maintaining needed levels of support to get the job done.

Rationale for Shared Functions

Two types of administrative support are prime candidates for provision on a shared basis. The first type of support includes high volume transaction processing such as payroll and expense reimbursement processing. These activities are scale sensitive and can be performed remotely. Many of these activities are currently performed in one of four Administrative Centers. This type of arrangement should continue, but with management boundaries re-drawn to support the new field structure. For example, the Administrative Center in Dallas today serves primarily those districts and sectors in the Central Region. In the future, this Administrative Center may serve different Service and Enforcement Areas.

A second type of support provided on a shared basis includes those activities that are consultative in nature and in general require a good deal of specialized knowledge or expertise. A typical field office may not have a need for this service on a full-time basis, but needs the expertise available “on demand.” A good example of this type of support is labor union arbitration.

Rationale for HQ Functions

The types of activities considered for placement at headquarters include those that potentially expose the INS to significant legal, financial or management/personnel risks. Examples include:

RISK	EXAMPLE
• Legal	• Compliance monitoring (e.g., Americans With Disabilities Act)
• Financial	• Outsourcing of payroll capabilities • Decision to purchase HR system (e.g., PeopleSoft)
• Management/Personnel	• Union relations • OPM negotiations

2.5 Strategy

The Strategy organization is an analytical unit responsible for the development of the INS's long-term strategy, including planning and R&D, but excluding all operational functions. This unit is also responsible for agency policy formulation, GPRA planning and evaluation, and definition of agency performance measures. Strategy will be held primarily accountable for a number of key processes that integrate the service and enforcement arms of the INS, including:

- INS-wide policy setting and monitoring
- Strategic planning (most similar to developing the Commissioner's Priorities and long-term plans)
- Research and development—facilitating a process to develop programs that operationalize the strategic plan
- INS-wide performance management—defining performance measures and reporting progress against strategic goals (including Statistics)

To clarify Strategy's role as a process facilitator the recommendation also outlines a high-level process for research and development. The Strategy unit would serve as the focal point for creating and facilitating Task Forces that are responsible for the actual program design. These Task Forces would contain representatives from the units accountable for the program, from the field and headquarters, to provide the necessary expertise for effective R&D. Examples of tasks managed by R&D might include:

- Design of templates for model Immigrant Services offices
- Design of a closed-loop process for managing hand-offs between service and enforcement (e.g., in fraud cases)

This process ensures that Strategy serves as a facilitator while preserving the operational chains of command, and that research and development is closely linked to the INS's strategy. Benchmarking revealed that this task force approach works well for the Social Security Administration as a means to integrate various operational units and perform agency-wide planning. While many activities included in this new Strategy unit are currently performed by the Office of Programs, Programs also has a number of operational responsibilities that need to be moved into operations areas as part of this restructuring.

2.6 Other Functional Units

There are several other units, most of which are staff functions (i.e., Congressional Relations, General Counsel, Internal Audit, and Public Affairs) that play an advisory role providing guidance to the Commissioner and INS Senior Management team. The recommended structure includes all of these activities as distinct units with a reporting relationship direct to the Commissioner (as exists today).

This direct reporting relationship is especially important for the Office of Internal Audit. Organizationally, this office must remain independent from other INS offices in order to properly accomplish its mission to review and evaluate the efficiency and effectiveness of INS operations and resolve alleged misconduct by agency employees.

General Counsel (GC) has a dual role in the INS, both the conventional advisory role and a key operational responsibility in local offices with respect to prosecuting removal cases in the Immigration Courts. Until further analysis can be performed to detail the implications of the service/enforcement split on General Counsel operations, Booz-Allen recommends maintaining the current reporting structure. This reporting relationship, with GC staff reporting directly to the Commissioner, creates an independent legal division that promotes appropriate checks and balances. GC operational priorities (e.g. which types of cases are prosecuted first), however, must be aligned with Immigrant Services and Enforcement Operations priorities in the field.

Although Booz-Allen did not extensively study the budget and financial management functions, it sees no reason why a separate CFO should not report directly to the Commissioner in accordance with the recommendation of the NAPA Report. Associated with this recommendation is the need to redesign and simplify the budget account structure to provide more flexibility in day-to-day operations. This issue is discussed in greater detail in the last section of the report.

In the current organization, International Affairs is a distinct Region that includes international service and enforcement operations, as well as a separate group to handle Asylum/Refugee petitions. Under the new organization structure, International Affairs would be split into Immigrant Services and Enforcement Operations, potentially as separate geographic units reporting to these EACs. A detailed analysis of international activities is required to further detail the design of international field operations and its interagency and liaison responsibilities.

Booz-Allen recommends including asylum petitions in the Immigrant Services organization, taking care not to reverse recent performance improvements in asylum processing. In all likelihood adjudication of asylum petitions will remain an area of required special expertise and hence may only be performed in a handful of local offices. It is anticipated that the new Immigrant Services structure will be able to incorporate the effectiveness of the asylum process into local service operations (e.g., integrating with immigration courts).

3. BENEFITS OF THE NEW ORGANIZATION

As was stated at the beginning of this report, the proposed reorganization of INS addresses several critical issues the agency faces and serves as a major step in its transformation. The discussion has highlighted how the new organization will address key issues and concerns. This summary of these benefits is summarized in Figure 11:

ORGANIZATIONAL IMPERATIVE	CURRENT PERFORMANCE ISSUES	HOW NEW ORGANIZATION ADDRESSES IMPERATIVES
1. Develop clear lines of accountability	• Lines of accountability and responsibility are blurred in the current organization because: - INS lacks a clear principle of organization (clear focal point around which people and activities are aligned) - The decision making model—where and by whom decisions are made—varies, confusing accountability and producing inconsistent execution in the field - Activity placement exacerbates the accountability issue, with operational activities resident in program areas and vice versa	• Primary alignment of the new organization is clear with a split between service and enforcement operations • Clear chains of command and all operational decisions pushed down to the field • Activities rationalized at the local level—HQ focus is on policy and strategy, execution performed in the field
2. Create customer-oriented service capabilities	• Regions and Districts have been allowed to develop their own operating models, creating a different look and feel to INS Immigrant Services across geographies • Allocation of resources does not appear to map to demand, but rather to be driven by the existing district/sector structure	• Promote consistent service levels and “look and feel” across geographies - Remote service structure permits level loading across worksites - Creation of standard field office templates facilitates a consistent “look and feel” • The current region and district structure is replaced by service areas and enforcement areas that can focus on local community needs
3. Build professional capabilities in law enforcement and services	• The current structure has created operations silos to effectively manage difficult populations or activities • Management boundaries are simultaneously too big and too small—regions are too big to be effective, and some districts are too small to permit coordinated efforts • No clear career progression models exist, producing inconsistent knowledge, skills, and abilities throughout the organization	• Immigrant Services includes all benefits provision activities, including asylum • Structure promotes an integrated approach to border management and overall INS enforcement • Value added management levels—unnecessary layers eliminated • Clear career model and progression for INS employees • Separation of Immigrant Services from enforcement will allow each to focus on the unique management knowledge, skills, and abilities required to carry out these distinct functions
4. Fulfill the singular INS mission: to uphold the immigration laws of United States as intended by Congress	• Integrative mechanisms (i.e., means of integration between service and enforcement) are informal and not institutionalized, producing ineffective and inconsistent execution of the mission	• Consistent interpretation of immigration laws as required by INS’s singular mission • Integration will be accomplished at all levels of the organization through policy, process and technology, e.g., - Shared records - Fraud detection and prevention - Training

Figure 11: Benefits of the New Organization

4. IMPLEMENTATION AND NEXT STEPS

While this document has focused on proposing a new organization structure for the INS, structure is only one of six key components of any successful transformation program. For example, the current INS budget account structure is complex with thousands of sub-accounts. This complexity may result in less than optimal allocation of resources. The budget account structure should be simplified to visibly reflect budget priorities defined by Congress, reinforce accountability in the organization and permit flexibility to meet changing demands in the field. Figure 12 shows the key components of a successful transformation program.

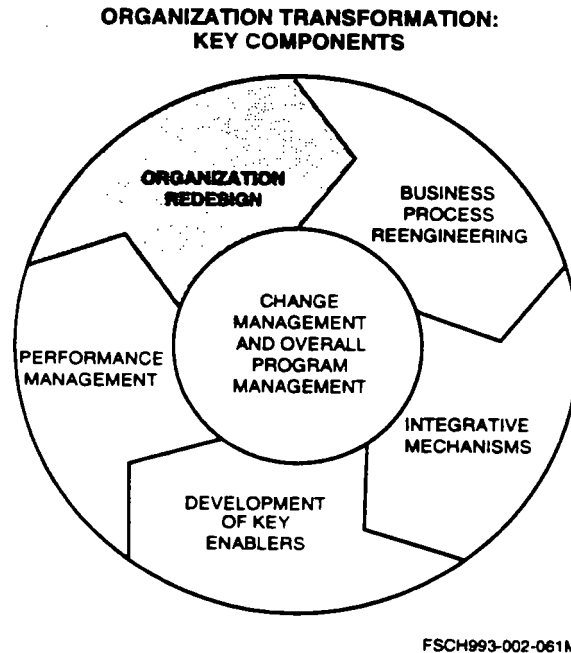
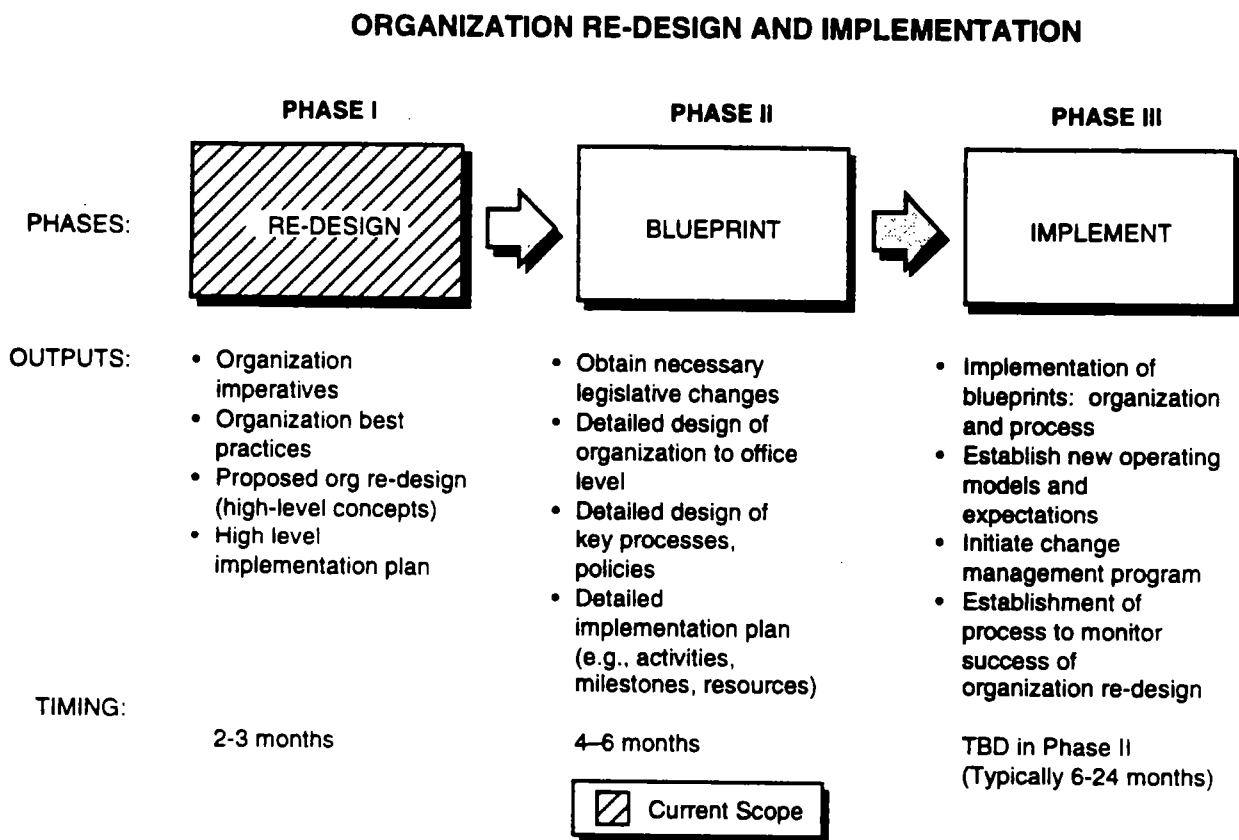


Figure 12: Key Components of Organization Transformation

The INS is committed to move forward with its organization transformation. Typically these massive change programs take several years to successfully complete. This document outlines the vision for how the agency will operate within its new structure. Creating the vision is the first phase in the change process. The next phase, blueprinting, will require additional analysis to detail to how the organization will look and operate. Figure 13 shows the three phases of organization re-design and implementation:



FSCH993-002-066F

Figure 13: Phased Approach to Implementation

Immigrant Services changes should be implemented first. In the near term, however, detailed transformation plans ("blueprints") should be developed for both Immigrant Services and Enforcement Operations at the same time. Once Immigrant Services is running effectively, INS can then turn to transforming its enforcement capabilities. This will ensure that immigration enforcement continues with minimal disruption while Immigrant Services is put in place.

Figure 14 presents a preliminary high level implementation plan:

DRAFT

HIGH-LEVEL ORGANIZATION RE-DESIGN IMPLEMENTATION PLAN

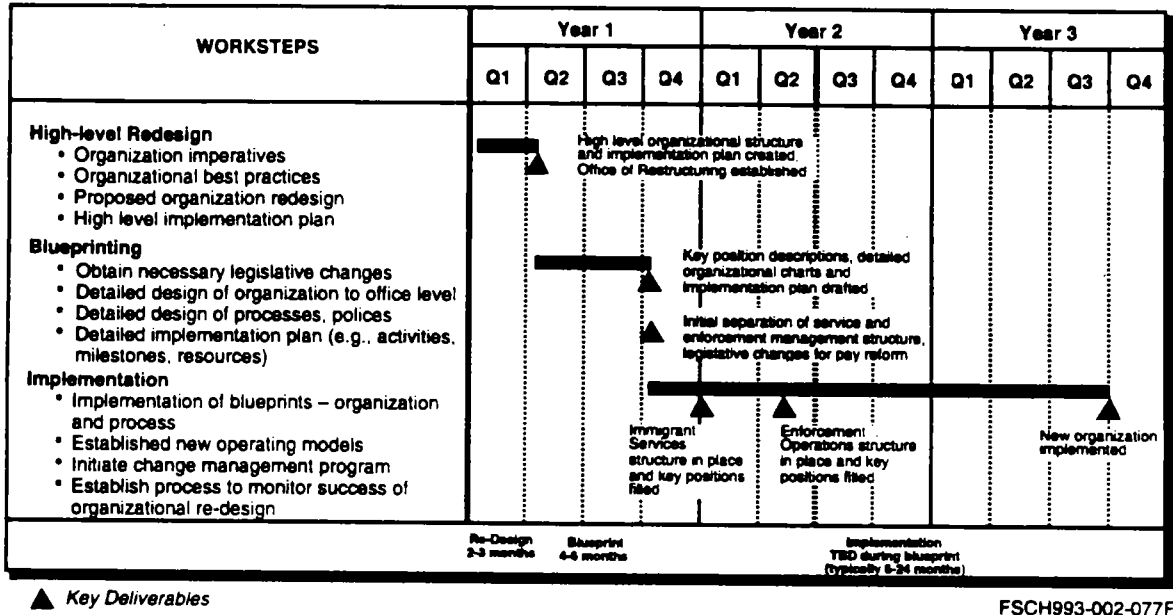


Figure 14: High Level Implementation Plan

The organization structure outlined in this document represents a radical departure from how the agency is structured today. While the INS must move forward rapidly to implement change and demonstrate progress to its critics, it must maintain some degree of stability to permit work to get done on a daily basis. Key to the success of this transformation is the buy-in and support of dedicated professionals in the field. Every effort must be made to retain employees who share the vision for a new INS while working to fundamentally change the way the agency does business. The INS will attempt to minimize disruption to staff and provide challenging opportunities in the new organization.

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**PHOTOCOPY
PRESERVATION**



U.S. Department of Justice
Immigration and Naturalization Service

Office of the Commissioner

425 I Street NW
Washington, DC 20536

November 23, 1998

Editor
Government Executive Magazine
1501 M Street, NW
Suite 300
Washington, DC 20005

Dear Editor:

Your November 1998 cover story, *INS: "A House Divided,"* paints an incomplete picture of the Immigration and Naturalization Service (INS) and the Administration's proposal for restructuring INS.

In the past 5 years, the INS budget has more than doubled, growing from \$1.6 billion to this year's \$3.9 billion. These dollars have bought long-needed technology and modernization on many fronts, and more than a one-third increase in personnel from about 17,000 to almost 28,000. The INS is now larger than the FBI and in the top tier of adjudicative agencies, such as the Social Security Administration and the Internal Revenue Service, that decide millions of applications annually.

Add to this ambitious reengineering initiatives and significant new mandates from a sweeping immigration law enacted in 1996 (already modified in 1997 and 1998, each with increased workload requirements), and you have a recipe for rethinking the structure of the agency.

At the heart of the Administration's restructuring plan is the commitment to a more efficient, effective immigration system. Our proposal untangles INS' overburdened structure, replacing it with two clear chains of command. Creating these two chains of command—one for enforcement, the other to provide services to legal immigrants and their families—will strengthen accountability, establish clear career paths for employees and ensure that managers are properly trained and staffed for the responsibilities they hold.

On the enforcement side, this new framework will streamline our ability to build national strategies that link enforcement at the border, in the interior of the country and overseas to reduce

illegal immigration. On the service side, we envision a world-class customer service organization able to provide timely, consistent, courteous service at every office nationwide.

At the same time, both chains should stay within one immigration agency with one administrative support and policy and planning apparatus because the enforcement and service missions are closely interrelated. Performance and coherent policy would be severely weakened by creating new bureaucracies in the Department of Justice or other Cabinet agencies.

The INS is in the best position to responsibly guide and shape our future. I am confident that all employees, whether with INS for 20 or for 2 years, will work together to ensure restructuring is a success. To that end, we have been in the field talking with employees at all levels about our proposal. We have heard many views, including those of the managers mentioned in your article. Restructuring is very difficult for organizations of any kind, and it is inevitable that some, especially managers who have grown up in the existing organization, will resist a different way of doing business. The feedback coming from broad-based internal consultation is that employees at all levels want to work together to form a new INS and are eager to embrace the detailed planning now underway. They recognize that restructuring flows from many other changes and want to move forward and get the job done.

Our newly hired Director of Restructuring oversees our planning efforts with management consulting support to blueprint how the new INS would look and operate. We have ensured that employee concerns are considered carefully, as are potential effects they are likely to feel. We are also involving stakeholders interested in helping us improve our work.

When I arrived at INS in 1993, we had to perform triage on numerous problems that had undermined immigration law enforcement. We first developed a comprehensive, multi-year border management strategy to deter illegal immigration in the most heavily trafficked corridors, while facilitating legal crossings. In San Diego, which had historically been overwhelmed with illegal crossers, we reached an 18-year low in arrests. We also formally removed more than 154,000 criminal and other illegal aliens in FY 1998, four times that in FY 1993. We fixed a broken asylum system and wrote and trained for more than 50 new regulations implementing the 1996 law.

We are overhauling how we deliver services to legal immigrants, most notably the naturalization system. We have made significant progress, including ensuring the integrity of the process and opening more than 100 application support centers in immigrant communities. Now we must reduce the backlog of 1.8 million pending cases. We will complete 1.5 million cases in FY 1999. Coupled with a significant decrease in applications (not illustrated in your graphic), we will turn the corner this year, giving people the service they deserve.

Each of these accomplishments is a testament to INS employees working together. This is an agency looking toward the future that is preparing responsibly for changes to come. Our restructuring plan will help us perform even more effectively in the next century.

Sincerely,

A handwritten signature in cursive script, reading "Doris Meissner". The signature is written in dark ink and is positioned above the printed name and title.

Doris Meissner
Commissioner

GOVERNMENT EXECUTIVE

GOVERNMENT'S BUSINESS MAGAZINE • NOVEMBER 1998

Federal Travel
Guide



A House Divided

The INS is supposed to welcome some immigrants
and keep others out. It's failing at both jobs.

Green Military ■ Executive Education ■ Seeking Safety

PHOTOS BY BILL POWERS

A HOUSE DIVIDED

The Immigration and Naturalization Service is supposed to welcome some immigrants and keep others out. It's failing at both jobs.

by Katherine McIntire Peters

In the past five years, the Immigration and Naturalization Service has received what most federal agencies can only dream of: a doubling of its budget and a huge influx of personnel. But money and more staff, it turns out, haven't solved the agency's problem—a split personality.

The INS is legally bound to keep illegal immigrants out of the United States and at the same time help legal immigrants become citizens and receive other benefits. It is widely viewed as failing at both assignments. Despite its recent growth, the agency faces an unprecedented level of illegal immigration and a record backlog of citizenship applications. In Congress and elsewhere, agency-watchers are beginning to suggest that an agency so at war with itself cannot stand.

Last year a bipartisan commission recommended dismantling INS altogether. The U.S. Commission on Immigration Reform concluded that no single agency could effectively be both service provider and law enforcer. The commission instead suggested INS' responsibilities be divided among existing agencies and that a new Bureau for Immigration Enforcement be created at the Justice Department, INS' parent agency, to handle illegal immigration at the border and in the interior of the United States.

"Immigration law enforcement requires staffing, training, resources and a work culture that differs from what is required for effective adjudication of benefits or labor standards regulation of U.S. businesses," the commission's executive director, Susan Martin, told the House Subcommittee on Immigration and Claims in May. Because INS enforcement and service operations compete for resources and attention within the agency, both are poorly managed, the commission concluded.

The commission's findings were a blow to the Clinton administration and INS leaders. In a bid to save the beleaguered agency, Attorney General Janet Reno and INS Commissioner Doris Meissner enlisted consulting giant Booz-Allen & Hamilton for recommendations on improving INS operations. Last spring, Meissner unveiled a plan to radically restructure the agency by splitting the enforcement and service functions into

separate organizations with independent chains of command, each reporting to INS headquarters.

Dividing INS' responsibilities among other agencies, as the commission recommended, would merely divide the problems, not solve them, Meissner says. Congress has not yet approved the administration's proposal, and some members are openly skeptical about it. Nevertheless, the agency has begun to implement the plan, says Mary Ann Wyrsh, INS deputy commissioner.

"We wouldn't be wise to just sit and wait," Wyrsh says. In September, INS awarded a six-month \$900,000 contract to Pricewaterhouse-Coopers to develop a blueprint for restructuring the agency.

The INS is failing in its mission. An administration plan to restructure the agency may be its last, best hope.

Based on the agency's long-troubled history, however, many people, both inside and outside INS, wonder if the agency is capable of reforming itself.

Naturalization 'Catastrophe'

Nowhere is the tension between the enforcement and service sides of INS more apparent than in the agency's 33 district offices. Responsible for serving immigrants seeking benefits, such as work privileges or citizenship, and with finding and deporting those who have entered the United States illegally, the district offices are a microcosm of the challenges confronted by the entire agency.

Those challenges are immense. INS faces a backlog of nearly 2 million applications for citizenship. And applications for other benefits, such as work permits, grew 60 percent between 1992 and 1997, from 4.1 million to 6.5 million. In addition, federal officials estimate there are more than 5 million illegal immigrants now living and working in the United States.

Most would-be illegal aliens don't get

past the Border Patrol, the uniformed arm of the INS that is responsible for preventing illegal entry at U.S. land borders. The Border Patrol, which operates independently of the district offices, apprehends well over a million illegal immigrants every year. Still, about 250,000 immigrants overstay their visas each year or illegally make their way to the interior of the United States, where they become the responsibility of the district directors.

Dealing with illegal immigrants living in the United States is "just not a priority" for the district offices, says Ron Sanders, the INS' chief patrol officer in Tucson, Ariz., and head of the Chief Patrol Agents Association. "That's why we have such a large number of illegal aliens in the interior," Sanders, himself a former district director and a 28-year veteran of INS with both enforcement and service experience, argues that the Border Patrol should have jurisdiction over illegal aliens wherever they are in the United States, not just at the borders.

The relationship between the Border Patrol and the district offices is generally good, Sanders says. "The problem is, the districts don't have enough resources to do everything," and providing services to immigrants, like processing naturalization applications, takes precedence, he says.

Ironically, the backlog of citizenship applications stems from a Reagan administration program intended to reduce the number of illegal immigrants. By granting legal residency to about 3 million illegal immigrants who could prove they had lived and worked in the United States for several years, the 1986 Immigration Reform and Control Act guaranteed the deluge of naturalization applications the INS began to see in the middle of this decade, as those granted amnesty under the 1986 law became eligible to apply for citizenship. In 1990, for instance, INS received 233,843 applications for citizenship. By 1995, the number had risen to more than 1 million.

To cope with the huge number of new applications, INS managers sought to streamline the lengthy naturalization process with a new program known as Citizenship US. But a few months into the program, in early 1996, immigration advocates began to publicly complain that the naturalization



Since 1993, the Border Patrol has nearly doubled in size, to about 7,800. The vast majority of Border Patrol personnel are deployed along the border with Mexico.

process still was taking too long and would likely prevent hundreds of thousands of new citizens from voting in the 1996 election.

The White House took notice. In February, nine months before the election, Vice President Al Gore and his reinventing government team from the National Performance Review gladly lent the overwhelmed INS a hand. By stepping up the application process, contracting out some responsibilities and eliminating internal regulations, INS was able to naturalize more than 1 million new Americans, twice as many as the previous year. (See "The Politics of Citizenship," January 1997, at www.govexec.com/features/0197s4.htm)

What initially seemed cause for celebration, however, turned into a management nightmare when evidence began to emerge that INS had improperly naturalized thousands of immigrants, including felons. Prompted by Republican charges that INS had violated its own standards to register potential new Democratic voters in time for the election, the Justice Department initiated an independent review of the Citizenship USA program.

The result, as summed up by Attorney General Reno, was a "catastrophe." Auditors from KPMG Peat Marwick early this year estimated that of the 1.1 million immigrants who were naturalized in the 13 months preceding the election, 11,600 had arrest



PHOTOS BY BILL POWERS

Border Patrol agents apprehended more than 1.4 million immigrants who entered the country illegally last year.

records that should have disqualified them from becoming citizens; 38,000 had broken the rules during the application process; and processing errors were made on more than 90 percent of the applications, with each application averaging two errors.

Besides further demoralizing the already troubled agency and fueling the anger of Republican critics, the extensive audit nearly brought the naturalization process to a standstill, causing the application backlog to mushroom to 2 million. To avoid similar

problems in the future, INS introduced new procedures and oversight of the naturalization process, and has made reducing backlog a top priority—one that falls squarely in the lap of the district directors.

'Schizophrenic Mission'

The temptation for district officials is to address the problem by shifting staff and resources from enforcement to naturalization.

"If you're a district director, and the naturalization backlog is a burning priority with the media, with the commissioner and with the attorney general, it's natural for you to look at your existing resources, which includes investigators, and pull those investigators from investigative duties and put them into naturalization duties. I have done that myself," says Sanders, the Kansas City district director from 1982 to 1995. "It's natural that you're going to put out the fire that's hottest at the time."

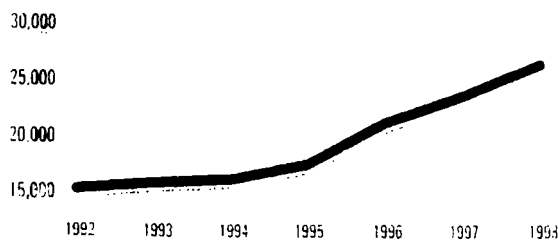
Investigators are also sometimes called upon to process employment documents. By law, INS must begin adjudicating employment authorization applications within 60 days or risk court action, which only compounds the already overwhelming workload in district offices.

The problem with such an approach managing the workload, however, is that enforcement work suffers, Sanders says.

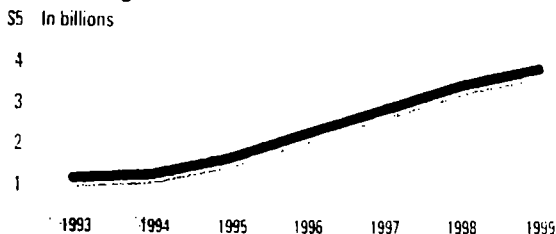
So does service work, says Margaret

As Resources Grow, So Does Workload

INS Personnel



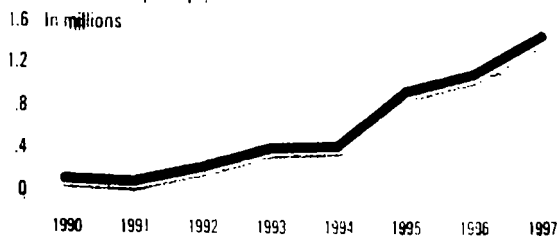
INS Budget



INS Inspections (at land, sea and air ports of entry)



Citizenship Applications Received



HOSE ZGODZINSKI

McCormick, president of the American Immigration Lawyers Association, who believes the agency has an "enforcement culture" that precludes effective customer service. "The agency makes a serious effort to meet what can only be called a schizophrenic mission," McCormick told members of the Senate Judiciary Committee's immigration panel in June. "Naturalization is only the most recent and extreme example of the difficulty the agency is experiencing under its current structure and resource allocation to adequately process the mounting stacks of applications. In this regard, the agency is in crisis mode at all times. When it responds to pressure to reduce backlogs in one area of its adjudications, the most recent being naturalization, it must

say blowing their cover, but at least endangering their cover—and then asking them to go back out undercover is just not something you'll find any law enforcement manager doing," says Richard Gallo, president of the Federal Law Enforcement Officers Association.

The association believes INS enforcement and service responsibilities need to be handled by separate agencies within the Justice Department. Even abolishing the current field structure, as the administration's restructuring plan proposes, won't solve the problem, he says, but will only push decisions further up the chain of command. "The only other agency to be similarly structured is the Internal Revenue Service, and they haven't exactly been the poster child for ef-

do so at the expense of its other adjudications responsibilities."

Using law enforcement personnel to ease the pressure on service operations is not always a bad thing, says Baltimore district director Benedict Ferro. A number of enforcement issues are uncovered by the service side of the house, such as marriage fraud and other schemes to beat the system, he says. "Enforcement and benefits operations are interrelated and somebody has to be able to shift the resources accordingly."

One career INS special agent who requested anonymity disagrees, saying that enforcement personnel cannot maintain their professionalism or develop much-needed expertise when they are continually being diverted to cover shortages in service operations. He cites a case where a GS-15 grade senior investigator was required to work for several weeks at a public information desk, a GS-7 position. He says he himself once was pulled off an undercover investigation to serve as an usher at a naturalization ceremony.

"Pulling undercover agents off an assignment and then—I don't want to

efficiency and effectiveness," Gallo says.

The problem is twofold, says the special agent. "On any given day, you have a crisis, so [senior managers] shift the minions from one major crack in the dam to the next. But there is also a general lack of respect for or recognition of the expertise and specialization that INS law enforcement entails. And quite frankly, immigration advocates don't want people like me who are charged with locking illegal aliens up to adjudicate cases for benefits. That's a major conflict of interest. But it's very routine at INS," the agent said.

The enforcement side of INS is hindered by the lack of law-enforcement expertise at senior levels, say Sanders and other enforcement personnel. "The chief of the Border Patrol [the highest-ranking enforcement officer in INS] is four levels below the commissioner. That's not putting much emphasis on the largest segment of employees in the service," Sanders says.

The bottom line, says Sanders, is that investigations of labor violations and other enforcement priorities simply fall through the cracks when enforcement personnel are required to do service operations. "As everything gets put on the back burner, everything collapses and the intent of Congress just cannot be carried out."

Growing Pains

INS' problems are not for lack of money. From 1993 to 1998, the agency's budget more than doubled, to \$3.8 billion. The new funding has paid for a 45 percent increase in personnel and new technology programs designed to improve efficiency.

Both the enforcement and services sides "get more than adequate resources," says Ferro. Instead, he thinks problems stem from a large headquarters staff prone to micromanagement due to political pressure and a lack of accountability among senior managers. For example, he says, the Citizenship USA program was orchestrated by headquarters managers who felt pressured to increase the number of naturalizations, regardless of the district directors' concerns about maintaining integrity in the process.

The impact of INS' budget increases has been felt most strongly along the Mexican border. On average, the agency has hired 1,000 new Border Patrol agents every year since 1994 to help deal with the flow of illegal immigrants from Mexico.

The influx of personnel and equipment has been a boon to areas like San Diego, where apprehensions of border crossers are



INS Commissioner Doris Meissner says restructuring will fix the agency's problems.

at a 17-year low due to the deterrent factor of a dramatically larger Border Patrol force. Nonetheless, the illegal traffic has shifted to other regions along the 2,000-mile border, making it difficult to measure progress in the efforts to turn back the tide of immigrants.

It's a situation that increasingly angers lawmakers, including Sen. Charles Grassley, R-Iowa, a member of the Judiciary Committee's immigration subcommittee. "Saying I am frustrated would be an understatement," Grassley told Meissner at a Senate hearing in July. He cited the agency's lack of responsiveness in answering questions and its failure to implement statutory requirements, including a 1990 law that gave INS law enforcement personnel general arrest authority. "Common sense would dictate that a law that has been on the books for eight years ought to be enforced," Grassley said.

Rep. Harold Rogers, chairman of the House Appropriations Committee's panel with jurisdiction over INS, is even more blunt. "We've been extremely supportive of INS because it was the only place we had to go to try to control the borders," he says. "We've been patient with the new management but, for God's sake, this is unbelievable.

"We've put on hundreds of new border patrol agents every year for the last several years, trying to give INS enough manpower to protect the borders, and what we get back are these endless, ceaseless scandals of all sorts of turpitude, and crimes, and absolutely an agency that's shot through

from top to bottom with ineptness.

"We now have to restore credibility to the immigration system—not just save an agency," he says.

Every year, Rogers notes, more illegal aliens enter the United States than are removed, despite the dramatic increase in resources for enforcement activities. More than 5 million illegal aliens already live in the United States, and about 250,000 more join them each year. In contrast, the INS removed only about 112,000 illegal aliens last year. And immigrants who legitimately seek green cards, asylum, naturalization or other benefits often encounter long waits, lost files and conflicting instructions from INS personnel.

In addition, Rogers says, the current applications processes lack adequate safeguards to detect fraud, a growing problem as border controls are tightened and illegal immigrants

increasingly seek entrance to the United States with fraudulent documents.

But absorbing new personnel at the rate Congress has required has been tremendously complicated. The process for screening and training new Border Patrol agents is one of the most rigorous among federal law enforcement programs, requiring trainees to have a working knowledge of Spanish and immigration law as well as proficiency in police skills. Thanks to better screening of candidates, the wash-out rate among new recruits is about 16 percent now, compared to 30 percent two years ago.

"It's very difficult to grow at the rate we're growing and maintain quality," says Michael Nicley, deputy chief of the Border Patrol. "There's always pressure to get those people on board. It's taken extraordinary effort to ensure that quality is sustained."

Wanted: Leadership

Finding and retaining quality personnel is not just a problem for the Border Patrol. Joseph LaCombe, the INS' port director at Dulles International Airport in northern Virginia, says dealing with labor shortages is the biggest headache of his job. Walking through the airport, he points to various inspectors and predicts how much time will pass before each of them finds better paying, more rewarding jobs elsewhere.

"We have a credible need for experience, which we are not developing, and that scares me," LaCombe says. It takes years to de-

velop the kind of expertise that makes a seasoned inspector. Spotting forged documents or people traveling under assumed identities in a matter of seconds, the time an inspector has to make such a call, takes experience, education, language and cultural skills—all of which are in short supply. LaCombe has grown weary of hiring and training inspectors only to see them leave INS for other agencies, such as the Defense Intelligence Agency or the Drug Enforcement Administration, where the pay and benefits for comparable jobs are higher.

"Inspectors need a better reason to stay inspectors—we've got to address that," he says. The situation is not helped by what he sees as indifferent management at INS. He recalls the experience of some of his inspectors who submitted a proposal to a headquarters review committee for reforming the visa waiver form. "The theory is that an idea that has merit will rise to the top. These journeymen got together, came up with what was really a very good idea, put a lot of work into it, made a professional presentation and sent it through the proper channels. And they got no response." When LaCombe followed up with staff at INS headquarters, he was told that the committee had responded, so he requested the committee resee the response. Again, nothing happened.

"Maybe that seems like a minor thing, but I'll tell you that really turned off these kids," LaCombe says. But he wasn't surprised by the lack of response. "One of the biggest problems INS has in general is we have all kinds of managers but no leaders. We spend an awful lot of time trying to shift blame around. There is just no loyalty in INS—no loyalty up the chain of command and no loyalty down."

The fundamental problem, says Baltimore district director Ferro, is that there is no national consensus on immigration policy, so the INS is continually buffeted by the prevailing political winds. "We're not ready to deal with the social ramifications of enforcing our immigration laws," he says.

The political pressure was evident in the Citizenship USA program, and it is evident in the agency's approach to work site inspections. Surprise inspections of work sites believed to employ illegal aliens are viewed as a critical component of controlling illegal immigration and thwarting employers exploiting cheap labor. When illegal workers are found, employers are fined and illegal immigrants are deported.

But such actions often spark protests from



BILL POWERS

INS received more than 1.5 million applications for citizenship last year.

immigrant interest groups and investigations of agents' conduct, usually prompted by lawmakers under pressure from interest groups. "Now we have a community [of immigrants willing to protest inspections] that 10 years ago wouldn't have peeped, even when they should have," Ferro says.

To better manage the political fallout, INS headquarters last spring issued new procedures for inspections. Among the changes, district directors must now receive approval from their regional offices before conducting inspections. And if a regional director deems a particular inspection would be "sensitive" in terms of its "media impact or community impact," the request must be approved by headquarters, says INS Baltimore district spokesman John Shallman. "It forces us to plan these inspections a little further in advance, and I'm not sure that's a bad thing," he says.

Others are less confident. The new procedures add a layer of bureaucracy and slow the inspection process at a time when the agency is under fire from critics who say it doesn't do enough to deter illegal immigration. Ferro estimates the Baltimore office conducts about 25 percent fewer inspections as a result of the new procedures, though it's too soon to know the impact for sure, he says. One INS investigator says the changes are another example of head-

quarters' insensitivity to the needs of law enforcement officers: "This is like telling a city police department it needs to get approval from the governor's office before making arrests. This would never happen in another enforcement agency. People who think INS has some sort of law-enforcement mentality don't know what they're talking about. We have our hands tied all the time."

Buying Time

INS' failures are the result of many years of neglect by top managers, Justice Department officials and members of Congress, Justice Inspector General Michael Bromwich told members of the House immigration and claims subcommittee last year. Despite the influx of resources, the agency continues to have "very many, very significant problems," he said.

It is a fact of which Meissner and her staff are well aware. "We're in the middle of working our way out

of a crisis situation," says Deputy Commissioner Wyrsh. Antiquated processes, inadequate information technology and an extraordinary workload have been a recipe for disaster, she says. "In many of our large offices, we totally broke down in terms of responsibility."

All that is changing, she says. The administration's plan would eliminate the current field structure of three regional offices and 33 district offices where enforcement and service functions are now performed, replacing them with separate service area and enforcement area offices, each overseeing smaller offices specializing in either service or enforcement functions. Both the new service and enforcement organizations would continue to share access to INS data and remain under INS headquarters. Maintaining connectivity between enforcement and service operations is essential because both

administration's plan. Robert Brown, the Cleveland district director and chairman of the Immigration Directors' Association, testified against it in May before the House subcommittee on immigration and claims. Separating the enforcement and service functions would only give rise to more of the kinds of problems encountered in the Citizenship USA program, where enforcement was largely absent from the process, Brown says.

"The agency is pulled in different directions by interest groups whose missions are much more focused and frankly more narrow than the agency's overall responsibilities. It is precisely on those occasions that INS must maintain a balance within its overall responsibilities of both enforcement and benefit," he says. The Immigration Director's Association recommends that instead of restructuring, dual deputies be installed at the headquarters, regional and district levels—one to oversee enforcement and the other to oversee the administration of benefits.

Wyrsh says she is not concerned about the district directors' dissent. "It's important to recognize they didn't testify in the capacity of federal employees. They testified as members of an association about their personal views. It's difficult for me to assess the extent to which they represent their entire organization," she says.

"The district directors were unanimous," says Brown. "But of course, we're civil servants and we'll do what's required."

One INS field manager says the administration's plan may be the right approach, but he has little confidence it will be carried out. "My fear is this is just a political ploy to stave off a worse fate," he says, echoing the concerns of others. "Look, even if I thought [the administration's] plan was a good one, and I don't think anybody really knows yet if it is, I doubt very much [INS leadership] will be able to implement it and make it work. They don't have a very good track record as far as I'm concerned and frankly, those of us working where the rubber meets the road don't have a lot of con-

fidence that the folks at headquarters are capable or willing to do the right thing."

That is a perception Meissner and other INS leaders will have to overcome if they are to be successful. ■

Grading Government

Government Executive will closely examine management at INS and 14 other federal agencies as part of the **Government Performance Project**—a comprehensive review of federal management practices—in our February 1999 issue. For more information, go to www.GovExec.com/gpp



Resettlement agency redefining its mission

Bulletin Staff

The Hebrew Immigrant Aid Society seemed to be on a roll the last few years, winning most of its battles. It helped block anti-immigration laws and helped open the gates for former Soviet Union refugees.

But the New York-based refugee resettlement agency is losing substantial funding from the government this year, since its caseload has dropped almost in half.

"This is a transitional moment," said Leonard Glickman, executive vice president of HIAS. "We still have a large number of Jews who need access to our program. At the same time, immigration levels are nowhere near those of the early 1990s."

Now seeing a need to revitalize, HIAS wants to focus on polishing its relations with communities that resettle refugees.

Glickman was doing just that in San Francisco last month, when he met with representatives of the S.F.-based Jewish Community Federation.

The state of Bay Area Jewish refugee immigration topped the agenda of the meeting. HIAS reports that San Francisco had nearly 1,000 immigrants last year, most of them from the former Soviet Union. This year, the numbers are expected to drop by half.

"I'm curious to know what that means here," Glickman said. "San Francisco is the fourth-largest site in the U.S. for Jewish refugees. We want to know how we can help."

San Francisco's diminishing refugee population follows the nation's immigration trends. Last year HIAS helped approximately 15,000 refugees. It only expects to accommodate 7,000 this year.

Though there may be another wave of immigrants as economic unrest continues in Russia, Glickman expects refugee cases will continue to decrease.

The current drop, he added, was expected. "Our agency has always been an accordion agency; we're supposed to be flexible. Just because there is a drop in arrivals, I don't want people to think the program is winding down."

Since it usually takes about seven years for resident aliens to become U.S. citizens, those who arrived first in this decade's wave of immigrants from the former USSR are just now going through the naturalization process, Glickman noted. HIAS, he said, wants to make sure that process goes smoothly.

This year, HIAS, working with the Council of Jewish Federations, drafted a proposal which recommends restructuring the U.S. Immigration and Naturalization Service so as to maximize its efficiency. HIAS is working with legislators to draft a bill which it hopes reaches Congress next year.

The INS, which has a reputation for being a slow and cumbersome bureaucracy, is in charge of issuing citizenship to immigrants as well as policing U.S. borders to prevent illegal entries.

The HIAS proposal recommends the two functions be separated. The INS would still manage the law enforcement arm of the agency, but that aspect would be distanced from the naturalization arm so services could be offered more effectively.

That way, immigrants "would not have to face intimidating agents who wear guns when they want to become citizens," Glickman said.

"Reorganizing a government agency is about as boring as it gets, but it matters because if we can restructure it, we can resettle more refugees."

With the slowdown in Jewish immigration, HIAS has been considering other ways it can offer services. Glickman said some Jewish communities are interested in helping non-Jews resettle.

Though HIAS has always concentrated on Jewish refugees, it has also periodically given aid to non-Jewish immigrants.

Other Jewish communities, however, are concerned that HIAS will lose its focus if it courts non-Jewish cases, Glickman said.

"Non-Jewish resettlement is a sensitive issue. But I believe if there is some small contribution we Jews can make, we ought to be helpful."

Ultimately, Glickman said, the best-case scenario for HIAS would be that it not exist at all.

"In a perfect world, there would be no threats to Jews, and refugees wouldn't exist. Still, we have a responsibility to have a program in place to assist any Jews who need our protection. There are still a lot of people left to help."



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Man missing fingers still waits for citizenship

By GISELA SALOMSON
El Nuevo Herald

Eight times in three years, Armando Valencia has been asked to submit a set of fingerprints in his quest to become an American citizen.

Valencia has also submitted seven police reports detailing his criminal background check.

And twice, he has been mistakenly contacted to be sworn in for citizenship. Both times, immigration employees told him: Everything is fine, but you can't be sworn in.

Valencia can't submit a complete set of fingerprints because he lost two fingers in an industrial accident more than 20 years ago. With each set of fingerprints, he has attached an explanation.

The Immigration and Naturalization Service blames the FBI for the latest delay, because that agency processes fingerprints for the INS.

Sonia Flores, an INS supervisor, said Wednesday that she didn't know why the FBI had requested eight sets of fingerprints. Flores said the FBI still has not processed the latest set.

"It doesn't depend on us, rather, the FBI," the supervisor said, adding that once the INS receives the report on the fingerprints, the matter can be resolved.

The FBI did not return phone calls from El Nuevo Herald.

Candidates for citizenship in Miami typically wait 15 to 17



Armando Valencia, 78, can't submit a complete set of fingerprints because he lost two fingers in an industrial accident more than 20 years ago.

months for the process to be completed. Valencia has waited double that amount of time.

The 78-year-old man was born in Cuba. For the past 27 years he has made Hialeah his home.

He first applied for U.S. citizenship in 1995. Since then, he has encountered a series of obstacles preventing him from realizing his dream: to become a U.S. citizen and vote before he dies.

"I don't understand why all of this is happening," said Valencia, who does not have an attorney. "I want to know what is behind all of this."

In July, the INS advised him during a swearing-in ceremony that he would not be allowed to become a citizen that day.

Two days later, he waited in a long line at the INS office on Brickell Avenue and Fifth Street to speak with someone who could give him an explanation.

The next day, according to Valencia, Elaine Watson, director of the naturalization department, agreed to personally handle his case and asked him to call her in two months. She even gave him her direct line.

Since then, Valencia received the eighth request for fingerprints from the agency. Valencia obliged.

In October, after the two-month

period had passed, Valencia's son, who is also named Armando, telephoned Watson's direct line.

"I called for three days in a row, nine times each day, and because there was no answer I would leave a message," said the younger Valencia. "The very last time I said I would be calling the newspaper."

He later received this explanation: The agency was awaiting the report from the FBI and he should call back in January.

For immigration lawyer Wilfredo Allen, the Valencia case reveals "the lack of a human face of the immigration service."

"Their work is not to approve, but to reject," Allen said.

August 3, 1998

INS needs restructuring

Bipartisan support would expedite the process

One way or another, it appears the Immigration and Naturalization Service is headed for a greatly needed overhaul.

And despite INS' recommendation not to sever its enforcement arm (the Border Patrol), bipartisan support to do just that is mounting. A House panel approved legislation late last week that would separate the nation's 12,000 immigration-enforcement officers from INS and place them in a newly created border-enforcement agency.

The bill - which faces an uncertain future - essentially parrots U.S. Rep. Silvestre Reyes' measure, which was introduced last September. The legislation would create a Bureau of Enforcement and Border Affairs.

But the problem for the current bill - authored by Rep. Harold Rogers, R-Ky. - is that it's opposed by the Clinton administration. Reyes has been asked by the administration, congressional Democrats and Hispanic advocacy groups not to co-sponsor Rogers' bill (even though it's a rewrite of Reyes' original bill) because Rogers' bill offers nothing to improve services to immigrants. In particular, Reyes said there's a concern that the service side might not be fully funded. "The bill is about 99.9 percent identical to the one I (sponsored) last

year," Reyes said. "In its present form, I'm in agreement with it and if it stays like it is now it would be good for the service."

Reyes, as the former Border Patrol chief for the El Paso sector, has logically and persuasively argued that the Border Patrol would improve its performance if it could get out from beneath INS' umbrella. INS has so far failed to improve its service, despite its in-house attempt at restructuring. There are citizenship application backlogs of up to two years in many cases. Nationwide, the backlog has grown to 1.7 million. Additionally, the federal government estimates that as many as 6,000 immigrants with criminal records may have been illegally granted citizenship between 1995 and 1996, because INS did not complete background checks.

INS is broken and it needs fixing - and it's going to take bipartisan support to do it.

Rogers' bill could get to the floor in September, where Reyes can help push for its passage. Democrats and the GOP should be prepared to compromise, with Republican members keeping in mind that both arms of INS - service and law enforcement - must be strengthened if an overhaul is to be effective.

San Diego Union-Tribune

Editorial

More hypocrisy on immigration policy

By Patrisia Gonzales and Roberto Rodriguez

August 2, 1998

Politics, plain and simple, is the art of lying. On this canvas, it matters little who loses or is sacrificed at the altar. The issue of immigration best illustrates this.

Congress is considering an amendment to an appropriations bill that would bring more "bracero" (guest) farm workers into the country. Separately, Congress has also agreed to permit high-tech companies to import hundreds of thousands of high-skilled foreign workers. Oddly, these both come at a time of high unemployment in the agricultural sector and also in the middle of a national obsession with "sealing our borders."

In this instance, perhaps "lying" is too harsh a word. How about double-dealing, or speaking with a forked tongue?

Since 1993, politicians, led by California Gov. Pete Wilson and presidential wannabe Pat Buchanan, have stirred the country into a frenzy regarding the invading brown hordes. In an era of severe budget cuts, this has led to record-level spending by the Clinton administration for border enforcement activities -- \$1 billion this year. Little of that money has seemingly gone toward naturalizing the 2 million-plus immigrants, some of whom have been waiting four years to become U.S. citizens.

Instead of attempting to clear this logjam, Rep. Lamar Smith, R-Texas, has come up with an anti-citizenship bill, HR-2837, that, as a result of increased red tape, would make it more difficult to become a U.S. citizen and easier to revoke the citizenship of new Americans. "That's the next group -- people who are attempting to become citizens -- who (will be) under attack," said Lilian Hiraes, policy analyst for the Washington, D.C.-based National Council of La Raza.

Because of our contradictory policies, immigrants by the hundreds continue to die trying to cross rivers, mountains and the scorching Southwestern desert. And they are still subject to vigilante attacks, as is evidenced by the ongoing San Diego trial of several ex-Marines charged with assaulting workers at an Oceanside migrant camp in 1995.

So do we have too many immigrants, or not?

What we're actually dealing with is a 100-year cyclical phenomenon. "Big-business interests want cheap foreign labor," said Hiraes. "They don't want to pay decent wages or provide safe working conditions," she added. Whenever the workers are no longer needed, the work force becomes expendable, especially during hard times. This time around, despite a prosperous decade, the nation's anti-immigrant fervor has failed to subside.

Historically, undocumented workers have been strategically employed where no one else will work, or as a weapon to discourage union organizing. The idea that business needs "guest workers" flies in the face of 10 percent to 30 percent unemployment among farm workers in California and Texas.

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INS is broken and it needs fixing - and it's going to take bipartisan support to do it.

Rogers' bill could get to the floor in September, where Reyes can help push for its passage. Democrats and the GOP should be prepared to compromise, with Republican members keeping in mind that both arms of INS - service and law enforcement - must be strengthened if an overhaul is to be effective.

Commuter lane gets 1st approval

The Greater El Paso Chamber of Commerce Foundation's plan for a commuter lane at the Stanton Street Bridge got its first nod at the City Plan Commission Thursday.

The commissioners approved a recommendation for a special permit and rezoning application. The issue still has to come up before City Council.

Proponents say the commuter lane, estimated to be a \$1.5 million project for computers to check vehicle identifications and for construction of the lane, would reduce the wait of frequent border crossers to under three minutes.

— Maria Cortés Gonzalez

National Immigration Forum

PRESS RELEASE

FOR IMMEDIATE RELEASE
July 30, 1998

Contact: Judy Mark
(202) 544-0004, ext. 14

BILL TO RESTRUCTURE INS WILL GUT SERVICES TO IMMIGRANTS

Legislation being marked up by the House Subcommittee on Immigration today, if enacted, will lead to weakened services for immigrants and an enforcement agency with little accountability, said the National Immigration Forum.

The subcommittee will mark up legislation introduced by Representative Harold Rogers (R-KY) which separates the Immigration and Naturalization Service into two agencies: an enforcement agency that has status similar to the F.B.I. in the Justice Department, while leaving the I.N.S. with only a services function.

"This restructuring proposal will make immigrant services an unwanted orphan and will lead to outright neglect," said Frank Sharry, Executive Director of the National Immigration Forum. "It would take a terrible situation, in which services are under-funded and badly backlogged, and make it worse."

In addition, the bill's plan for an elevated enforcement operation could lead to an agency with unchecked powers and a U.S. immigration policy even more heavily weighted toward enforcement over customer service and civil rights protections.

Moreover, creating a separate enforcement bureau is inefficient by forcing records to be decentralized and staff to be duplicated. This will result in problems with coordination and additional delays in services such as naturalization, which already are suffering under the current structure.

The National Immigration Forum does, however, believe that the INS needs to be reformed and that the status quo is unacceptable. The Forum has endorsed a more thoughtful plan that splits the functions of service and enforcement, dismantles the district director fiefdoms, and retains both service and enforcement within one agency with someone in charge.

Unlike the Rogers plan, such a fundamental change could, over time, strike a better balance between enforcement and services, attract more talented staff to the service side of the agency, and ensure more high level management attention to services.

NewsSportsLotteriesInternationalNationalWashingtonBusinessWall StreetEntertainmentHealth/ScienceRegional**Panel Votes To Nix INS Enforcement**

By MICHELLE MITTELSTADT Associated Press Writer

WASHINGTON (AP) -- Vexed by persistent problems within the Immigration and Naturalization Service, a House subcommittee voted Thursday to strip the agency of its enforcement powers.

By voice vote, the House Justice immigration subcommittee approved a bill by Rep. Harold Rogers, R-Ky., that would create a new Bureau of Enforcement and Border Affairs to handle policing of the nation's borders and its immigration laws. The bureau would be in the Justice Department, as is the INS.

INS would retain the service mission it already performs: Doling out benefits such as citizenship, work permits and the like.

There is broad consensus within Congress, the U.S. Commission on Immigration Reform and others in the immigration arena that reorganization is needed of the INS's often conflicting missions of service and enforcement.

The Clinton administration and subcommittee Democrats favor a less radical plan that would keep both missions under the same roof, albeit with separate chains of command. A split of the sometimes overlapping missions could prove counterproductive, backers of the administration plan contend.

"I don't think there is any question about the fact all of us believe some restructuring is appropriate," said Rep. Melvin Watt of North Carolina, the top Democrat on the immigration panel. "The question is what restructuring makes sense."

Watt questioned the speed with which the panel is moving to make major changes in the immigration agency. He accused the chairman, Rep. Lamar Smith, R-Texas, of caving to pressure from Rogers, who chairs the appropriations panel that funds INS.

Smith denied undue haste.

The subcommittee, by voice vote, rejected the administration proposal.

That plan, which INS Commissioner Doris Meissner said she is working to implement, would keep the 29,000-person agency intact. But it would place enforcement and benefits operations under distinct chains of command with separate offices and staffs. Both operations would retain access to INS databases and would remain under the oversight of INS headquarters.

Smith dismissed the Meissner plan as "simply not much more than moving organizational boxes around on a chart."

It is questionable whether the House, which must shoehorn a lengthy list of must-pass bills into a rapidly dwindling legislative calendar, will complete action on the reorganization this year.

Even if it does, the Senate Justice immigration subcommittee chairman, Spencer Abraham, R-Mich., has indicated he is not contemplating seriously revamping the agency before next year.

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House Panel Considers INS Split

By MICHELLE MITTELSTADT Associated Press Writer

WASHINGTON (AP) -- While a drive to dismantle the Immigration and Naturalization Service is picking up steam in the House, a key senator indicated Wednesday his desire to proceed at a cautious pace.

The House Judiciary immigration subcommittee on Thursday will craft its version of a bill by Rep. Harold Rogers, R-Ky., that would create a new bureau of immigration and border enforcement within the Justice Department, leaving INS to issue citizenship papers, immigrant work permits and other benefits.

It is questionable whether the House, which must shoehorn a lengthy list of must-pass bills into a rapidly dwindling legislative calendar, will complete action on the reorganization this year. But even if it does, Senate Judiciary immigration subcommittee Chairman Spencer Abraham, R-Mich., said he's not contemplating a serious revamping of the agency before next year.

"We have not really thought in terms of doing a full restructuring this year," Abraham said after his subcommittee held the second of three hearings delving into INS reform. "Our view has been to do the hearings this year to try to set the stage for a serious evaluation in 1999."

The U.S. Commission on Immigration Reform concluded last year that INS, which juggles enforcement and service functions, is suffering from mission overload. Rogers, who chairs the appropriations panel that funds the INS, has pushed the commission's recommendations to split the missions.

Abraham long has floated the idea of a split.

"The INS currently performs many complex and often competing functions," he said at the hearing Wednesday. "In fact, I know of no other federal or state agency that performs such an integrated mix of law enforcement activities and social service-type functions."

The Clinton administration acknowledges the inherent conflict between the missions. But administration officials, led by INS Commissioner Doris Meissner, contend a divorce of functions that often overlap would only create new headaches.

Instead, Meissner is pushing a plan that would keep the 29,000-person agency intact but place the benefits and enforcement operations under distinct chains of command. The operations would have separate offices and staffs, but would share access to INS databases and technologies and would come under the oversight of INS headquarters.

Meissner told Abraham's subcommittee that her restructuring plan would "preserve the vital synergy that exists between enforcement and services."

"These two functions are interconnected and interdependent and need to be kept under the same roof," she said.

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Contact:**FOR IMMEDIATE RELEASE**

May 21, 1998

Lisa Navarrete

Lillian Hiraes

(202)785-1670

NCLR URGES CONSIDERATION OF REAL INS REFORM

Washington, DC – The following statement was released by Raul Yzaguirre, President of the National Council of La Raza (NCLR), the nation's largest Latino civil rights organization.

For many years, the National Council of La Raza (NCLR) has urged fundamental reform of the Immigration and Naturalization Service (INS), including separating the enforcement and service functions of the agency. From the continuing abuse and mistreatment of Latinos – including U.S. citizens – at the hands of INS enforcement personnel to the decades-long neglect of the service side of the agency, NCLR believes that now is the time to engage in a reasoned, thoughtful discussion on how best to repair the agency responsible for implementing our nation's immigration laws.

Yet while NCLR agrees with many others that the status quo is no longer acceptable, we also agree that any serious proposal should address the deficiencies of both the enforcement and service functions of the agency. Proposals to transfer all or some of the functions of the INS to other departments will not solve the inherent problems that have persisted for decades. These proposals, for instance, would not result in any changes to the way immigration enforcement is conducted. In fact, there is a very strong likelihood that these proposals would result in less, not more, accountability on the part of enforcement officials. Moreover, these proposals could result in the "starvation" of the INS' service functions, since they do not address the inadequate delivery of services within the INS, as well as the disproportionately low amount of funding the service function receives compared to the enforcement function.

NCLR believes that any discussion of reform must focus on improving service and ensuring that enforcement is conducted properly and effectively in order to have any hope of addressing the serious, long-term problems which ail the INS. We hope today's hearing will focus on the legitimate issues the INS faces today and in the future, rather than a rehashing of past problems, alleged scandals, and hastily-conceived reform proposals.



1111 19th Street, N.W., Suite 1000, Washington, DC 20036

LA RAZA: The Hispanic People of the New World

National Immigration Forum

PRESS RELEASE

FOR IMMEDIATE RELEASE
May 19, 1998

Contact: Judy Mark
(202) 544-0004, ext. 14

NATIONAL IMMIGRATION FORUM ANNOUNCES SUPPORT FOR ADMINISTRATION PLAN TO REORGANIZE THE IMMIGRATION AND NATURALIZATION SERVICE

In recent months, the issue of how best to organize the federal government's immigration function has emerged once again as the focus of intense debate. A number of proposals have been put forward, ranging from dismantling the agency altogether to creating a new cabinet-level agency.

"The status quo is unacceptable, and far-reaching change is urgently needed," said Forum Executive Director Frank Sharry. "But we need changes that fix the problems, not make them worse. The Administration's plan would split the INS's service and enforcement functions and ensure that someone is in charge, rather than splinter the agency into pieces and hold no one accountable."

The Forum reiterates its steadfast opposition to the proposal originally conceived by the now-defunct Commission for Immigration Reform and currently backed by Rep. Harold Rogers (R-KY). Citing the INS's so-called "mission overload," the idea is to dismantle the Immigration and Naturalization Service and distribute its functions among the Department of Justice (border enforcement), Labor (work site enforcement) and State (immigration services). Advocates for immigrants have condemned it as reckless and irresponsible. According to Sharry, "this isn't a proposal, it's a slogan. It's a prescription for disaster that would only make a bad situation worse."

In addition, the Forum urges the Administration and Congress to give serious consideration to the proposal offered by the Carnegie Endowment for International Peace. Similar to the Administration's plan, it would separate service and enforcement functions. However, Carnegie calls for the eventual elevation of the agency within the federal government as well as the consolidation of some immigration and refugee-related functions now housed in other federal agencies. This approach is attractive in that it deals with how the federal government *makes* immigration policy as well as how the federal government *implements* immigration policy.

However, the need for INS reform and reorganization is urgent, and the separation of service and enforcement functions within a unified agency is the right place to start. One of the main reasons for the Forum support of the Administration's plan is that, over time, it could well defuse the culture of enforcement that permeates the agency, attract more talented staff to the service side of the agency, and ensure more high level management attention to services.

According to Sharry, "the country desperately needs and surely deserves an Immigration Service that can faithfully uphold our tradition as both a nation of immigrants and a nation of laws. However, it makes no sense to recklessly dismantle the agency and have no one in charge. The way to proceed is to responsibly distinguish the two key roles of the agency and ensure that one high level official is accountable for both."

Christian Science Monitor
April 17, 1998

THE MONITOR'S VIEW

The Nation's Gatekeeper

Keep an eye on the Immigration and Naturalization Service. It rivals the Internal Revenue Service in number of brickbats endured in the last couple of years. Remember the storm of criticism that broke out with charges that the agency had been directed to cut corners to quickly naturalize immigrants likely to vote Democratic in the '96 election?

A recent report by the federal Commission on Immigration Reform surveyed the problems confronting the agency and recommended the INS be dissolved, with various immigration responsibilities farmed out to the State Department, Labor Department, and other agencies. That's a pretty hard spur to action.

And act the agency did. The administration and, not surprisingly, INS commissioner Doris Meissner, said dissolution would be a mistake. Their alternative: thorough reorganization, with a much clearer distinction between the agency's enforcement and service components. Also in the works: extensive computerization of files, so that agents checking on a suspected illegal worker, or interviewing an applicant for citizenship, have relevant information at their fingertips. Four years ago, 35 percent of INS employees had computers at their desks; now it's 90 percent.

*In 1987 some 197 million
people visited the US. In
1997 the figure zoomed to
320 million.*

The reorganizing task is daunting: The bureau has nearly 30,000 employees, a budget of almost \$4 billion, and a workload that never stops growing. In 1997, 320 million people visited the US, versus 197 million in 1987. Millions want to stay and work legally. Other millions enter and stay illegally. Millions want citizenship.

Those figures are the real reason to keep an eye on the INS. It's America's interface with a world clamoring at its door. If the US is to remain proudly a nation of immigrants, this agency has to do its job well. That means, for one thing, diligent enforcement. Those who break the rules have to be shown the exit. The INS turned back half a million people at the border last year, and removed an additional 1.5 million, many stopped near the border. The number of Border Patrol officers has risen sharply (now well over 7,000,

doubled from 1993). Detention facilities are being enlarged. Plans for more effective worksite apprehension of illegals are being devised.

Equally important is the service component. Ms. Meissner emphasizes her agency wants to treat legitimate new arrivals as customers. That will require, above all, a much smaller backlog of unprocessed citizenship applications. Under orders from Congress, the agency is revamping its entire citizenship program. English and civics exams given applicants will be closely controlled. The production of high-quality fingerprint IDs, long a problem, has greatly improved.

But the INS can't fix every problem through reorganization and better procedures. The agency has to work within the framework of US immigration law, and some problems are set in statute. For instance, a 1996 law aimed at restricting illegal immigration cut the appeal process when residency is denied because of a past criminal record. There are cases, though, where past "crime" was insignificant, posing no threat to US society. Yet deportation is the only option now, and lives can be devastated.

The law is similarly inflexible about letting foreigners enter the US to work in highly specialized jobs, like computer programming. When the quota set by law is reached, the door closes – even though US firms could use thousands more such workers and can't find them domestically.

On such matters Congress should do its part for reform and adjust the law. That would serve both justice and economic progress – two key considerations in any sound policy regarding immigration.

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The Miami Herald

JOHN S. KNIGHT (1894-1981)

JAMES L. KNIGHT (1909-1991)

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Managing Editor

Give INS a chance

Yes, the U.S. Immigration and Naturalization Service has much to improve. No, it should not be dismantled, its duties carved up and parceled out to other federal bureaucracies with even less skill at keeping the unlawful out of the country and providing vital immigration benefits to those entitled.

Fortunately, the Clinton administration has offered a promising alternative. Rather than get rid of the INS altogether, as a federal advisory panel recommended last fall, the administration proposes a sweeping restructuring of the 107-year-old agency. It aims to improve the INS's effectiveness, efficiency, accountability, and service.

The proposal calls for separating the INS's law-enforcement and service functions while keeping both within the same agency to promote critical coordination, information-sharing, and administrative support. The plan envisions immigration-service centers "with clear signs, comfortable waiting rooms, evening and weekend hours"; national standards for timely services; and shared electronic records. Refreshing.

There are concerns. While in different chains of command, enforcement and service personnel both will have to be sensitive to each other's missions. No INS inspector at entry points such as

TO FIX ITSELF
A sound plan to revamp the immigration agency deserves a good try.

Miami International Airport should feel free to mistreat visitors, the majority of whom arrive legally as tourists or on business. Equally, service officers need to channel

naturalization applicants who are aggravated felons into deportation channels.

Overall, the administration offers a rational plan for coping with what will remain complicated immigration challenges. Certainly it's light years ahead of calls to abolish the INS and, for example, put the State Department in charge of naturalizations. That's an easy out for those who would be happy to see no immigrants entering this great nation.

Yet no INS restructuring, logical and radical might it be, will cure all the nation's immigration woes overnight. Though most would agree that the current INS system desperately needs fixing, part of the problem is that many — including congressional lawmakers — disagree about what needs to be fixed. Worse, the INS has had to implement the complicated, conflicting, and fundamentally unfair immigration provisions that Congress passed and President Clinton signed in recent years.

No wonder the INS can't please anyone. No amount of tweaking the INS will fix what's wrong with harsh, retroactive laws that strip immigrants of rights to judicial review.

MARCH 31, 17:28 EST

Administration Offers INS Overhaul

By MICHELLE MITTELSTADT
Associated Press Writer

WASHINGTON (AP) -- Eager to blunt sentiment on Capitol Hill to abolish the Immigration and Naturalization Service, the Clinton administration proposed a reorganization Tuesday that would dramatically change the way the troubled agency performs its work.

INS Commissioner Doris Meissner presented Congress with a plan to separate the INS' enforcement and service functions while keeping her 29,000-person agency intact.

"There has been a mixed identity; there has been a confusion," Meissner acknowledged.

The restructuring plan, developed with the White House, Justice Department and outside consultants, "untangles INS' overlapping and frequently confusing organizational structure," Meissner said.

The blueprint received a cold shoulder from a pivotal lawmaker.

"I think you're trying to rearrange the furniture on the deck of the Titanic," said Rep. Harold Rogers, R-Ky., chairman of the appropriations subcommittee that controls the INS purse strings.

"We're probably asking too much of any one agency ... to manage the overwhelming responsibilities of our immigration system with an agency that is entrenched with inefficiency and ineptitude," added Rogers.

The administration plan calls for splitting the agency's twofold mission: enforcing federal immigration laws and doling out benefits such as citizenship or legal permanent residency.

The enforcement and services operations would have separate staffs with distinct chains of command, but both would remain under control of INS headquarters in Washington. They would have separate offices but share access to INS databases and technologies.

"The objective is accountability, the objective is improved performance overall," Meissner said.

But Rogers questioned why the administration didn't give more consideration to a 1997 recommendation by the U.S. Commission on Immigration Reform to abolish INS and farm out its functions to the departments of State, Justice and Labor. The bipartisan commission concluded last year that INS suffered from mission overload.

"We have put forward a plan we believe will get us there sooner, more effectively," she replied. Dividing the service's functions among several Cabinet agencies would "dilute accountability," she added.

Rogers, who favors the commission's plan, expressed little confidence in INS' ability to reform itself.

"I'm tired of it," he said after reciting a litany of earlier INS failures. "There's no way you can fix this agency."

The current INS structure, viewed as too decentralized by many, grants a great deal of power to district

directors around the nation. Field managers, who in the past have ignored directives from Washington, were summoned last week to the nation's capital and briefed by Meissner on the restructuring.

Rogers expressed doubt that INS managers would accept the plan.

"This agency has an encrusted bureaucracy that no one tells how to operate," Rogers said.

The INS also was assailed by a human rights group that accused the government of making it too difficult for foreigners to seek asylum in the United States by claiming persecution in their home countries.

At issue is a year-old law that gives INS officials the authority to refuse entry to foreigners who show up at airports and other ports of entry without the right travel documents. Asylum seekers can be sent away if they cannot convince an immigration official that they have a credible fear of persecution.

"The barriers are just too high and the process too summary to avoid sending some refugees back to persecution and torture by mistake," said a report released by the Lawyers Committee for Human Rights.

But Rep. Lamar Smith, R-Texas, sponsor of the legislation, said a General Accounting Office report released Monday showed that the law has curbed abuse and restored integrity to the asylum process.

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NEWS FROM THE CARNEGIE ENDOWMENT

For Immediate Release: Monday, March 30, 1998

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As INS Considers Reform, Washington Think Tank Proposes Dramatic Restructuring

Policy analysts at the Carnegie Endowment for International Peace, one of the nation's leading think tanks, today released a report calling for the creation of a new, high-level agency to direct and consolidate the nation's immigration system. The report, issued on the eve of important Congressional oversight hearings, represents the only effort to redesign the system in light of its fundamental objectives, say the report's authors.

"Despite the many talented people within the INS, the current immigration function is incoherent, over-burdened, poorly run, and accountable to no one," says Demetrios Papademetriou, Director of the International Migration Policy Program at the Endowment. "What we are proposing will provide a centralized, high-level location for immigration policy development. It will also establish a clear distinction between enforcement and service, and improve the delivery of all programs, particularly the trouble-plagued services."

Anger and frustration at INS performance have been growing over the last decade, and some in Congress are proposing dismantling the agency and distributing its functions to other departments. Last year, the Commission on Immigration Reform recommended such an approach, saying that the INS suffered from "mission overload." The reform proposed from the INS itself is expected to recommend substantial reorganization of functions within the agency, but stop short of proposing a new organizational structure.

Both the INS and the Commission's proposals are essentially reactive—they start with what is broken today. The Carnegie proposal is different, say its authors, in that it begins by asking what the system is supposed to do, and considers how the system should best be organized to do it. Their proposal would improve accountability and lead to better service for both immigrants and citizens, as the system benefits from greater policy coherence, mission clarity, new managers, and separated service and enforcement functions.

"Immigration today is such an important, cross-cutting policy issue that it needs a high-level location for comprehensive and coherent policy development," says Papademetriou. "Currently we have a piecemeal approach in which the Executive Branch is largely crisis driven, reactive rather than pro-active. Sometimes it doesn't even seem to understand the full implications of legislation until after the President has signed it." By consolidating the functions of the immigration system in one executive agency, policymakers will be able to assess the consonance of our immigration policies with other critical domestic and foreign policy priorities.

"If we are going to go through the pain of reform," asks Papademetriou, "why not do things right for a change?"

—Ends—

INS Offers Reorganization Plan

Proposal Calls for Splitting Agency Into Three Components

By WILLIAM BRANIGIN
Washington Post Staff Writer

The Immigration and Naturalization Service, confronted with growing pressure for its abolition, is putting forth its own plan for a drastic reorganization that would separate its enforcement and service functions but leave the agency intact.

The INS reorganization plan, drawn up by the Booz-Allen and Hamilton consulting firm and being released today, is aimed in large part at responding to criticism that the agency is overwhelmed by conflicting missions and should be broken up. But the proposed solution is also drawing intense opposition within the INS, senior officials said.

The overhaul of the INS, a 26,000-employee agency under the Justice Department, is scheduled to be discussed at a hearing Tuesday of the House Appropriations subcommittee with jurisdiction over the department. The panel has asked the INS to present a reorganization plan by April 1.

The subcommittee's chairman, Rep. Harold Rogers (R-Ky.), has expressed support for a recommendation to dismantle the agency. That recommendation was advanced last September by the bipartisan Commission on Immigration Reform. The commission said the INS was suffering from "mission overload" and that its major functions should be dispersed to the departments of State, Justice and Labor.

In another proposal that takes the opposite approach, the Carnegie Endowment for International Peace yesterday said the INS should be elevated in status, preferably to Cabinet level as an independent agency, and assigned the immigration-related functions of other government departments.

The think tank also recommended setting up "chains of command" within the INS to separate law enforcement activities—such as the arrest and deportation of illegal aliens—from the adminis-



FILE PHOTO
Rep. Harold Rogers (R-Ky.) supports recommendation to dismantle INS.

tration of immigration benefits, including citizenship and legal residence.

"There is a growing consensus that service and enforcement should be divided in this way," said T. Alexander Aleinikoff, a former top INS official who joined Carnegie last year. But he added, "I think it is important to keep the two functions within the same agency, so you have accountability."

Jeanne Butterfield, director of the American Immigration Lawyers Association, said the group supports the Carnegie approach but doubts that making the INS a Cabinet agency is "politically feasible." She said immigration advocates like the idea of separating the INS enforcement and service functions but strongly oppose dismantling the agency.

The Booz-Allen plan would thoroughly reorganize the INS, according to officials familiar with the proposal, abolishing the current nationwide structure of 33 districts, each headed by a powerful director responsible for both immigration enforcement and benefits. It would divide the agency into three components—enforcement, benefits and support services—

and create a single "enforcement czar" with authority over investigations, inspections, border control and the detention and deportation of illegal aliens.

The plan would replace the district directors with officials separately responsible for enforcement and benefits. In place of the districts, as many as 24 INS regions would be created, half for enforcement and half for benefits.

The Booz-Allen proposal was presented here Monday and Tuesday to the district directors, some of whom privately expressed resentment and said they doubted the reorganization would solve the agency's problems, officials said.

"We think it's a disaster and that it's not going anywhere," one senior official said.

INS Commissioner Doris M. Meissner "seems to be thinking that if she puts forth this reorganization, it will call off the wolves," he said. But the plan will do nothing to address the agency's main shortcomings, which include growing backlogs of applicants for citizenship, he said.

Another senior INS official said the Booz-Allen proposal is widely seen within the agency as a way to buy time to fend off pressures for the dismantling of the INS.

Over the past couple of years, the INS has been rocked by a succession of breakdowns and scandals, most notably related to an accelerated naturalization program called Citizenship USA. Congressional Republicans, who charged that the White House tried to use it to create more than 1 million new voters beholden to the Democratic Party before the 1996 elections. As a result, the critics said, thousands, including people with criminal records, were improperly naturalized.

INS officials who oppose the Booz-Allen plan attributed this breakdown to what they said has been a growing tendency to politicize the agency, rather than an organizational problem.

THE CHRISTIAN SCIENCE MONITOR

THE MONITOR'S VIEW

"First the blade, then the ear, then the full grain in the ear."



Retain the INS

IMMIGRATION generates substantial political heat these days. But it was not always so. For years, the immigration machinery of the federal government operated out of the political spotlight, and relatively few people cared that its operations were less than efficient.

That has turned 180 degrees. The Immigration and Naturalization Service (INS) is being targeted by many in Congress. Some want it overhauled. Not a few want it eliminated, with its duties farmed out to other agencies. The latter step, in fact, was recently recommended by a federal advisory commission.

The reasons for all this attention are complex. They include the use of immigration — specifically illegal immigration — as a vote-getting issue by Republicans. The Clinton administration played into that in the runup to the '96 election by allowing lax citizenship procedures, which critics saw as an attempt to naturalize more prospective Democratic voters.

But the most important reason for the focus on the INS is the growing number of people who want to come to the U.S. and the growing strain on

the bureaucracy that deals with them.

Earlier this month, INS officials released a plan to more effectively process applications for citizenship. One indispensable step is computerization of INS procedures and records. Then applicants could have instant access to all the requirements for citizenship, to avoid later confusion. The INS would know who has applied and

when, and what problems there may have been. Fingerprints can be digitized, making instant background checks possible.

Computers can also record multiple border crossing attempts and who has overstayed a visa.

The agency is also poised to resume control of the language and civics tests required for citizen-

It makes sense to keep an immigration service that's trying to do a better job, not to eliminate it.

ship. In recent years, some testing has been farmed out to private agencies, — often advocacy groups with an interest in turning immigrants into citizens. Fraud has been a problem.

These steps show an agency trying to do a better job. It makes sense to keep improving the current INS, rather than dismantling it. Congress should resist the political winds and let the INS continue to set a clearer course after years of relative drift.

The New York Times

DATE: 2-2-98

PAGE: A16

4 Lawmakers Hope to End Immigration Service

By ERIC SCHMITT

WASHINGTON, Feb. 1 — The four most influential members of Congress on immigration matters are moving toward a plan to abolish the Immigration and Naturalization Service, saying they are angered by a series of scandals and missteps at the troubled agency.

The lawmakers, senior House and Senate Republicans who head powerful subcommittees that oversee the agency's missions and financing, have been galvanized by a Federal advisory panel's recommendation to disband the 107-year-old immigration service and assign its duties to other Government agencies.

A bipartisan bill in the House to transfer all enforcement and inspection responsibilities to a new office in the Justice Department is gaining momentum, and a second, more sweeping, House bill is being written.

Speaker Newt Gingrich of Georgia and Representative Dick Armey of Texas, the majority leader, have in recent months discussed in general terms with their top lieutenants the need to reorganize the agency.

Some senior Clinton Administration officials fear that Republicans are eager to repair frayed relations with immigrant groups who are angry about Republican-backed reductions in benefits to legal immigrants and that Republicans will wage an "I.N.S.-bashing" campaign to energize support in border states like California and Texas before the elections in November.

Clearly, a showdown between Congress and the White House is brewing over the agency's fate. The Administration is expected to strongly oppose any plan to dismantle the agency when the Administration submits its fiscal 1999 budget to Congress on Monday. Instead, the Administration has hired a consulting firm, headed by Alice A. Hamilton, to help reorganize the agency.

But senior Republican lawmakers say the agency is collapsing under the weight of its dual conflicting missions: service and enforcement. Immigration law applies to become citizens and to deport illegal immigrants.

ports 112,000 illegal immigrants a year, fewer than half the 275,000 who enter illegally each year or stay after their visas have expired.

"The missions and jobs they're charged with are too big and too important to be botched, and that's what they've done, botched their job," said Representative Harold Rogers, a Kentucky Republican who heads the House Appropriations subcommittee that controls the agency's financing.

"I've reached the end of my rope," Mr. Rogers said in an interview.

He has directed aides to use the report issued in September by the advisory panel, the United States Commission on Immigration Reform, as a blueprint to draft legislation to disband the agency.

Some Democrats are also upset. Representative Silvestre Reyes, a Texas Democrat who is a former chief of the United States Border Patrol in El Paso, is sponsoring a bipartisan bill that would leave the agency's service functions intact but create a new office for enforcement.

"The agency has gotten so large that one person can no longer manage both missions," Mr. Reyes said in an interview.

In the Senate, an angry sentiment that the agency has failed badly despite a doubling of its budget since 1993, to \$3.8 billion this year, is fueling a similar rallying cry to reorganize the agency.

"There's a general sense that the I.N.S. is an administrative disaster," said Judd Gregg, a New Hampshire Republican who heads the Senate Appropriations subcommittee that controls the agency's financing. "The proposal to split the agency needs to be vetted further, but it may be the best way to go."

Spencer Abraham, a Michigan Republican who heads the Senate Judiciary's immigration subcommittee, has expressed interest in splitting up the immigration service and plans to hold hearings in the next few months on the issue.

Under the Federal commission's plan, the Justice Department, which is the immigration service's parent agency, would continue to control the borders and remove illegal immigrants. The State Department, which now issues visas at American embassies overseas, would handle immigration services and benefits like citizenship requests. The Labor Department would assume a greater role in enforcing rules on the hiring of foreign workers.

Attorney General Janet Reno and the Commissioner of Immigration and Naturalization, Doris M. Meissner, have forcefully argued to Congress and to critics in the Administration that the agency's service and enforcement components must remain under one roof.

"Dismantling the agency now would severely disrupt services we provide to immigrant communities and jeopardize significant improvements in enforcing immigration law," Mrs. Meissner said.

Mrs. Meissner said the agency had made progress in the last few years in tightening the Southern California border with Mexico, as well as in reducing fraudulent claims for asylum and instituting a technological makeover to an antiquated agency.

For those reasons, many Democrats, including Senator Edward M. Kennedy of Massachusetts, agree with Mrs. Meissner that the agency should have a chance to work on its problems without Congressional micromanaging.

In addition, most groups that advocate immigration oppose splitting up the agency, fearing that a separate law-enforcement agency might be more prone to abuses against immigrants than the I.N.S. and that services would become even worse than they are now.

"I'd be the last person to suggest keeping the status quo, but I'd be skeptical if these members of Congress have the best interest of immigrants at heart," said Cecilia Munoz, deputy vice president of the National Council of La Raza, an advocacy group in Washington.

Republicans say they are frustrated with the steady drumbeat of agency woes. This week, for example, Federal authorities indicted 20 people involved in a nationwide scheme to falsify the citizenship-testing results of up to 13,000 immigrants in 22 states. Critics of the agency, which participated in the investigation, say the service failed to oversee its testing of contractors adequately.

"The problems are getting worse, not better," said Representative Lamar Smith, a Texas Republican who heads the House Judiciary subcommittee on immigration. "We need to do more than reshuffle organizational boxes. We need to focus on the results we want to achieve."

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Associated Press

Key GOP Rep. Wants To Shift INS

By MICHELLE MITTELSTADT Associated Press Writer

Friday October 9 10:38 PM EDT

WASHINGTON (AP) - A key House Republican is pushing hard in the waning days of Congress to shift the Immigration and Naturalization Service's enforcement powers to a new arm of the Justice Department.

Rep. Harold Rogers of Kentucky, who chairs the appropriations subcommittee that funds INS, wants to transfer more than 24,000 of the agency's 29,000 employees to a new Bureau of Border and Enforcement Affairs.

Deprived of its enforcement of the nation's borders and immigration laws, INS would have one function: doling out citizenship and other benefits.

The Rogers plan, opposed by the Clinton administration, has had only a limited airing in Congress and has not been voted on by either chamber. It received its only debate during a brief House Judiciary immigration subcommittee hearing in July.

But faced with Rogers' insistence that the measure be rolled into the omnibus spending bill, Congress' biggest remaining chore before adjournment, Senate Judiciary immigration subcommittee Chairman Spencer Abraham, R-Mich., agreed to sign off on the deal, several congressional sources said Friday.

Immigrant-rights groups object to the proposal's last-minute resurrection.

"Any reorganization of an agency this big, to have it be done in this slapdash fashion under cover of an appropriations bill at the end game of Congress is irresponsible," said Jeanne Butterfield, executive director of the American Immigration Lawyers Association.

Congressional aides cautioned that negotiations over the huge spending package are so fast-moving that the INS piece could be dropped before the talks conclude.

"Everything is considered a work in progress until the measure is closed," said House Appropriations Committee spokeswoman Elizabeth Morra, declining to confirm an INS deal.

While Abraham has long favored a split of the INS' enforcement and service functions, he opposed restructuring this year, saying Congress should move prudently on such radical reform.

Just two weeks ago, Abraham joined with the Senate Judiciary Committee's chairman, its top Democrats and its immigration subcommittee to warn Senate appropriators against overhauling INS this year. They wrote Sept. 23 that it would be "unwise to attempt to resolve these important, complex and controversial issues in the brief time remaining before Congress adjourns."

Two Senate Appropriations Committee Republicans weighed in Friday against the Rogers plan. In a letter to Senate Majority Leader Trent Lott, Sens. Pete Domenici of New Mexico and Kay Bailey Hutchison of Texas said they "strongly oppose" including INS restructuring in the omnibus bill.

The White House, which favors a less dramatic reorganization pushed by INS Commissioner Doris Meissner, also opposes inclusion of the Rogers plan, an administration official said Friday.

Immigrant groups mobilized Friday to bolster the White House's resolve.

"The administration continues to insist they will stand firm against Congress doing foolish things," said Cecilia Munoz of the National Council of La Raza. "We intend to hold them to it."

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Justice Department investigators and more than 100 FBI agents probing the White House campaign finance scandal for the past nine months.

Indeed, the only way Reno's investigative team found out about the White House tapes was because they were brought to light by *Time* magazine. Similarly, Reno's team only discovered

of the findings. So if Attorney General Reno truly wants to get to the bottom of campaign fund-raising illegalities, it is high time she gave the job to a special prosecutor. An impartial prosecutor can look at all the evidence, including the videotaped White House coffees, and decide whether federal laws were broken.

Focus on immigration

Improve Operation Gatekeeper, don't halt it

Operation Gatekeeper marches into the Imperial Valley desert, pushing the flow of illegal immigrants ever eastward. As it does, advocates for illegal immigrants complain more loudly that Border Patrol tactics are inhumane and result in the deaths of aliens.

They say the strategy of Operation Gatekeeper is to drive illegals into the desert, using the harsh elements to either deter them from crossing or kill them if they try. U.S. Attorney Alan Bersin, an advocate for Operation Gatekeeper, has been singled out for criticism.

That's unfair. The beef against Operation Gatekeeper is that it's working. And the INS plans to expand it in the Imperial Valley as part of an intelligent and workable plan to finally reduce illegal crossings. It's not the intention of the INS or Bersin to hurt anyone, just to stop them from breaking the law.

The west-to-east enforcement effort is the only sensible approach. Illegal immigration was at its worst in the San Ysidro area, so that's where Operation Gatekeeper began. The federal government does not have the resources to immediately build Border Patrol units along the entire U.S.-Mexican border. Nor would that be advantageous. Securing one area before moving on to the next is good enforcement strategy.

Critics of Operation Gatekeeper, such as California Legal Rural Assistance, San Diego La Raza Lawyers Association

and the U.S.-Mexico Border Project, are compassionate and diligent advocates for illegal immigrants, a population that should not be treated inhumanely. However, advocates for illegal immigrants ignore the fact that there is no nice way to combat illegal immigration. Either we enforce our immigration laws or we don't. And right now, for the first time, the federal government is making an honest attempt to do that with Operation Gatekeeper and other efforts.

Advocates criticized the U.S. Border Patrol for not carrying water in its vehicles to give to illegals apprehended in the desert. That's a valid criticism and apparently has been corrected. But it's not reason enough to oppose all of Operation Gatekeeper. Border enforcement, like any kind of law enforcement, must always be humane. But it shouldn't halt in its tracks if it falls below our standards once in a while. It should be improved.

What illegal-immigrant advocates and all levels of Mexican and American government need to do is inveigh more vigorously in Mexico against trying to cross the border illegally. Would-be illegal immigrants must be sternly warned about the dangers of putting themselves in the hands of smugglers who would send them out into the desert or tell them to cross a treacherous river.

The inhumanity of illegal immigration is not on the part of those who stop border crossers, but on those who encourage them to try.

ture of the canal. Some 30 chiefs of state were invited to a three-day ing, including the presidents of France and the United States.

Substantive matters to be discussed were widening the Gaillard Cut, which now is only usable in daylight and for one-way traffic, replacing the existing locks (110 feet wide) with locks that

Testing is

"I've been trying to figure out where I come down on this thing of national standardized tests," the cabbie said. "Looks to me like maybe there's some good some bad. What do you think?"

It's a subject I'd tried hard to think about, considering how able the pro-test and anti-test parties can be. "How 'bout those Orioles?" I said.

"As I recall the tests at my old school, they used them to divide us into 'bluebirds' and 'robins,'" the cabbie said. "I don't remember any 'orioles.' Besides, weren't those local tests? I was asking you about the national ones."

So much for subtlety. "OK," I said. America is going to be one country, we'd better start acting like it. It doesn't make sense to have one set of academic expectations in one state or school district and different standards in another. If your nephew is a teacher in Philadelphia, Miss., the requirements to have the same meaning to an employer in Philadelphia, Pa."

"Even if the parents and school boards in Mississippi and Pennsylvania want their children to know different things?" the cabbie said.

"What different things?" I demanded. "Whether you're looking to work in a North Philly bank or an Indian reservation casino, you still need math, skills, a sense of history and a knowledge of what's going on in America and the world."

"In other words," the cabbie said, "you're not just talking about national tests. You're pushing for a national curriculum. And maybe national teacher exams and national school architecture, too. Boy, you sure have a lot of faith in those Washington bureaucrats."

"OK, Mr. Newt Lite," I said, "Why don't you tell me what we should do."

"Well, for openers, we need to improve the schools for the kids right where they are."

San Diego Union Trib 10/7/97

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The San Diego Union-Tribune.

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INS overload

Nation should emphasize 'Americanization'

Shirley Hufstedler, head of the U.S. Commission on Immigration Reform, makes a valid point when she says the Immigration and Naturalization Service is plagued by "mission overload."

Among its multiple and often conflicting responsibilities, the INS is in charge of securing our borders against illegal immigrants; providing services to legal immigrants; overseeing the citizenship process; and enforcing sanctions against employers who hire illegals.

As last year's citizenship scandal illustrates, the agency does not carry out all of its missions well.

Under pressure from the Clinton White House to grant citizenship to as many immigrants as possible before the presidential election — on the presumption most would vote Democratic — the INS improperly swore in a slew of new citizens whose criminal backgrounds should have disqualified them from citizenship.

Against this backdrop, Hufstedler's panel has issued its final report, with a recommendation that the INS's duties be split up among three separate agencies:

- The first would be a streamlined Bureau of Immigration Enforcement in the Justice Department, consisting largely of the U.S. Border Patrol. Its job would be to police America's borders.

- The second agency would be in charge of the citizenship process and other benefits for legal immigrants. It would be under the State Department.

- The third would have the mission of cracking down on employers who hire illegals. It would become part of the Labor Department's Employment Standards Administration.

Not surprisingly, the Clinton adminis-

tration's knee-jerk reaction to the immigration commission's restructuring plan was to oppose it. We're not entirely convinced the proposed breakup is the solution to America's illegal immigrant problem. But we certainly believe Congress should take a hard look at the idea.

And while they're at it, lawmakers should examine the merits of consolidating the INS and the U.S. Customs Service. At present, INS and Customs personnel work side by side, carrying out the same responsibilities, at San Ysidro and other ports of entry. The only difference between them is that INS agents report to Attorney General Janet Reno, while customs inspectors report to Treasury Secretary Robert Rubin. The overlapping functions of these two competing agencies are a monument to bureaucratic empire-building and, more important, a waste of resources.

Beyond restructuring the INS, the immigration panel made a number of other solid recommendations.

They include a more reliable system to enable employers to verify quickly whether prospective workers are legal. This would mean a computerized national employment registry and, ultimately, a forgery-proof Social Security card.

One of the panel's most useful suggestions is that the nation as a whole should emphasize the value of an "Americanization" process for new arrivals. It would stress the importance of learning English, not only for immigrant children but for adults as well. And it properly would place a higher value on education for immigrants as the essential ingredient in becoming a successful American.

Abroad at Home

ANTHONY LEWIS

Fanning the Flames?

BOSTON

The United States is famously a country of immigrants. It is also a country with a strain of nativism going back at least to the Know Nothing movement of the 1850's, anti-Catholic and anti-immigrant.

That ambivalence was plainly felt by the bipartisan Commission on Immigration Reform, which over the last five years considered how to create a more rational system. Its final report, submitted to Congress this week, threaded its way between the two themes: the open door and fear of immigrants.

The report spoke in warm terms of what immigrants contribute to this country: "to its vibrant and diverse communities, its vital intellectual and cultural life, its job-creating entrepreneurship. . . ." Yet it called for a sharp cut in legal immigration starting five years from now — to 550,000 from the recent annual figure of between 700,000 and 900,000.

The commission indicated concern about harsh effects of changes made by Congress last year in immigration procedures, eliminating the right of appeal in many cases. The report called for a new Agency for Immigration Review to assure legality and accountability, subject to review in the Federal courts. It urged Congress to make clear that its changes in the rules were not meant to be applied retroactively, as Attorney General Janet Reno has ordered.

But the report put major emphasis on enforcement against those who violate the rules. Its most striking proposal was to abolish the Immigration and Naturalization Service

Ambivalence on immigration.

and split its functions. Enforcement would go to a new agency in the Justice Department. The State Department would have the service role: passing on applications for admission and naturalization.

That proposal drew cheers from the chairman of the House Appropriations subcommittee that handles I.N.S. funds, Harold Rogers, Republican of Kentucky. The I.N.S., he said, "cannot control our borders, process immigrants and safeguard U.S. citizenship. We've seen tens of thousands of criminals granted the most precious benefit our country has to offer: U.S. citizenship."

Representative Rogers's statement that "tens of thousands of criminals" were granted citizenship by the I.N.S. was, to put it politely, mistaken. And it indicates a danger of the commission report.

In the fiscal year 1996 the I.N.S., urged by Congress to reduce a naturalization backlog, granted citizenship to 1,049,000 applicants. It turned out later that 72,400 of those had been flagged by the F.B.I. when it examined their fingerprints. That led to angry denunciations by Republican members of Congress.

The I.N.S. then had an audit done by Peat Marwick. Of the 72,400 cases, 16,400 showed an arrest for a felony

of the kind that would make a person ineligible for naturalization. Most of those proved to be only arrests, not convictions, and hence would not bar naturalization. The audit, which is continuing, has so far found 300 cases where a convicted person was improperly naturalized.

The Immigration Service did make mistakes. After a series of columns on I.N.S. miscarriages of justice, I well know that it is not perfect. But by the standards of performance in any large organization, public or private, 300 mistakes out of 1,049,000 cases is not bad. And 300 is not "tens of thousands."

The danger of the line taken by the Commission on Immigration Reform is that, if inadvertently, it will encourage the worst in American attitudes on immigration. It will encourage members of Congress who at heart do not like immigrants. It will feed nativism.

Bashing immigrants turned out to be bad politics when the Republican Congress tried it. But there is a subtler way to do it: charge that criminal aliens are out of control, that the Government is incapable of solving the problem, that there must be a Draconian solution.

The commission, I fear, has given credence to that kind of argument. Splitting enforcement and service in the immigration field would most likely lead to more punitive enforcement, and to less responsive service from a State Department unequipped for the job. Changing an organization chart will not solve what are complex, ambivalent human challenges. □

Immigration won't improve without INS

Worried about the number of immigrants in this country? Here's an idea: Destroy the one agency that's responsible for them.

That's the logic guiding a proposal made last week by the U.S. Commission on Immigration Reform. Too many immigrants are pouring in; the legal ones don't get enough help and the illegal ones get too much. The solution, say these reformers, is to liquidate the Immigration and Naturalization Service.

The INS is an agency set up for failure. Other parts of the federal government — like the FBI and Pentagon — get money tossed to them like roses to beauty queens, while the INS picks popcorn off the auditorium floor and gets blamed every time the lights flicker or a seat gets stolen. Its budget has not kept pace with its burgeoning responsibilities. This year, 1.8 million people will likely apply for citizenship, up from 300,000 in 1992. No wonder there's a backlog. One million immigrants entered the country last year, 100,000 as refugees and 300,000 as illegal immigrants. The INS must welcome people and keep them out, swing the door open for "guest workers" — migrants who provide cheap farm labor — then find them, boot 'em out and slam the door shut.

The reformers' proposed solution is to divvy up the INS' responsibilities to three agencies. The Department of Justice would handle border patrols and inspections; the Department of State would cover citizenship, visas and other services; the Department of Labor would grapple with all work-related issues.

Immigrants already struggle with the monstrous bureaucracy of one agency. Try multiplying that by three. The INS already has trouble keeping complete files. Try three agencies monitoring the many aspects of each immigrant's life, then making group decisions. The laws that the INS must enforce are a mix of mean-spirited punishment, short-sighted generosity and economic self-interest. Destroying INS would be a gimmick. Making immigration laws consistent, and giving INS the resources to enforce those laws, would be real reform.

— Susan Nielsen, for the editorial board

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Denver Post 9/10/97

Fix the INS

When the overwhelmed INS decided six years ago to turn its citizenship-testing program over to private contractors, its intentions were good. But the move has backfired.

As more and more cases surface of corrupt subcontractors taking advantage of immigrants desperate for citizenship, it has become painfully clear that the U.S. Immigration and Naturalization Service needs to better police these private entities.

The move to private testing was touted as a way to reach legal residents who wouldn't apply for citizenship because they feared the INS.

That fear is gone. Amid tighter requirements for citizenship, applications hit 1.3 million last year — more than double the count from two years earlier.

But that explosion also underscores the agency's need for help — and that's where private contractors still can prove handy.

Denver immigrants already face a one-year backlog in getting applications processed, and that's speedy compared with the three-year waits elsewhere.

While contractors can conduct the first of two tests required for citizenship, the INS still has to issue the second test.

Imagine how torturous the pro-

cess would become if the contractors were eliminated. Preserving some privatization — while pouncing on the scofflaws who have infiltrated the system — would be preferable.

However, either route requires better performance from the beleaguered agency. And improvement won't come without radical changes.

The U.S. Commission on Immigration Reform wants the INS abolished and its duties divided among the departments of Justice, Labor and State.

We prefer INS Commissioner Doris Meissner's idea.

To help contend with a stampede of aspiring citizens, Meissner is seeking \$50.8 million to implement — by June 1 — a standardized computer system that achieves what INS spokesman Andrew Lluberes calls "absolute integrity — meaning every person naturalized as a citizen meets all the requirements, and that INS has, as it processes that application, all the information it requires."

"It ain't cheap," he says, "but it needs to be fixed."

Indeed, controlling immigration decently and fairly should be one of our nation's top priorities. Abolishing INS seems counterproductive. Fixing it, on the other hand, is an excellent idea.

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A commission on immigration has raised the intriguing question of whether the Immigration and Naturalization Service can be divided and conquered.

Reports indicate that a bipartisan panel on immigration issues, once headed by the late Barbara Jordan, will recommend that INS be disbanded and its responsibilities be divvied up to various agencies, including the Justice Department.

The panel argues that INS suffers from "mission overload," necessitating a whole new direction in immigration policy. Panelists and Congress, however, need to look seriously at whether dispersing the agency might prevent efforts to bring more cohesion to immigration policy.

The panel's recommendation will be greeted with elation in some quarters. Some members of Congress have long argued that INS tried to do too much with too little result. They have blamed INS for the increase in the illegal populations while they also heap on new regulations to enforce for legal immigrants.

When a case like the alleged plot to blow up the New York City subway system comes to light, as it did recently, INS is targeted as opening America's doors to criminal illegals as well.

Dispensing INS' various duties to existing departments would result in better results, the argument goes. Justice, for example, would take over border patrol enforcement duties. Labor would take over hiring enforcement. States would be responsible for immigration services, including citizenship applications.

Immigrant groups have criticized INS for being both border enforcer and benefits dispenser. They argue that the agency can't play both roles when services for immigrants get shortchanged.

But those same groups wonder if abolishing the agency will make the service side of immigration policy any better.

That's exactly why Congress and other critics must take their time in reviewing the panel's findings and in determining how best to proceed. Critics of the INS are often critics of immigration period. Weakening the agency could be a way to weaken immigration laws.

Certainly, the distinguished panel which made the recommendations appears to have no such bias. Members genuinely seem to want reform to ensure the system works.

But dispersing the agency isn't the only alternative to changing the current INS. Creating a new independent agency might serve the same purpose. It's not at all certain that breaking up the responsibilities to other departments would be advantageous. Certainly, the State and Justice departments have much wider responsibilities already under their purview without taking on additional duties.

And what about money? Will the additional money already promised to increase border patrols go with the enforcement duties?

This country is due for a debate on immigration policy and enforcement. The debate must begin not only with what's best for citizens, but what's best for immigrants. Those considerations must guide any discussion on the future of the INS. Some INS critics just oppose immigration

Immigration Solution?

FEW government agencies take more flak than the Immigration and Naturalization Service. Recently, for example, the INS has been blasted for allowing into the country an asylum seeker now under arrest for conspiring to launch a bombing campaign from a Brooklyn apartment.

The agency may soon take its biggest hit ever - from the US Commission on Immigration Reform. The commission is reported to be on the verge of recommending that the INS be dismantled and its functions farmed out to other branches of the federal government.

At first glance, this idea has some appeal. The State Department, the Labor Department, the Justice Department all have offices that already deal with immigration matters. And these departments may have better management track records than the much-maligned INS.

But a good argument can be made for keeping most of the important business of assessing applicants for citizenship and legal residence under one roof. The various tasks involved all interrelate. Some argue that the same agency shouldn't be involved in

providing both services (such as issuing VISAs and granting citizenship) and enforcement (patrolling the borders, apprehending illegal aliens). But there are plenty of other examples in government of two similar functions under one management.

More important, perhaps, INS has shown that it can respond to demands for reform. Even some longtime critics acknowledge progress in such key areas as Border Patrol effectiveness, work site checks on immigrants' legal status, and, yes, the politically sensitive asylum process (now causing criticism in the Brooklyn bomb case).

Oversight of the agency has never been stronger by Congress. This fall, a number of hearings on immigration will commence, and new legislation may surface - including some that embodies commission recommendations (not officially due out until Sept. 30).

Reform may reasonably lead to greater clarification of INS responsibilities, and some handing off of duties that have at times threatened to swamp the agency. However it's arrived at bureaucratically, better management of the country's growing immigration work load is a necessity.

Salvaging the I.N.S.

Few students of America's immigration policy would contest the notion that the Federal agency in charge of it has been a calamity. No organization could successfully seal the border, but the Immigration and Naturalization Service has proved exceptionally inept at its most essential tasks. It has done a poor job of keeping out illegal aliens, deporting criminals, processing requests for asylum, visas or citizenship in a reasonable amount of time and even maintaining basic courtesy in the district offices that serve legal immigrants.

While nearly everyone who watches over the agency in Washington, including White House officials and members of Congress, wants to eliminate the problems, there is little agreement on how best to do so. The latest reform proposal comes from the United States Commission on Immigration Reform, a bipartisan advisory group appointed by Congress and the President in 1990. Word came last week that the commission intends to recommend abolition of the I.N.S. The panel, which has advocated sensible reforms in the past, does a service by drawing public attention to the agency's failures. But the group's recommendations, if carried out, would likely just make the problems worse.

The commission recommends parceling out I.N.S. functions. The Labor Department would catch illegal aliens on the job. The Justice Department — currently the I.N.S.'s parent agency — would continue to patrol the borders, catch and deport illegal aliens and prosecute alien smugglers. The State Department would take over all visa and naturalization services.

The Commission is correct that the I.N.S.'s dual job as policeman and social worker has ended up emphasizing police work to the detriment of serving

legal immigrants. But that is only partly attributable to the influence of the agency's enforcement-minded culture. A better explanation for failure, particularly on the service side, is chronic underfunding. The service staff, whose clients are mostly powerless and scorned, lacks sufficient training to deal with them.

The State Department is not equipped for this sort of work, which would be largely inside the United States. In addition, service and enforcement officers must consult whenever a suspicious visa application appears and an investigation may be warranted. Poor coordination in such cases usually accounts for the entry of unqualified immigrants into the country. Coordination would only worsen if enforcement and service responsibilities were placed in different departments.

Nor does moving workplace immigration checks to the Labor Department make sense. That would discourage sweatshop workers from reporting abuses, getting in the way of Labor's primary objective of enforcing wage and safety standards.

The I.N.S. may not be as hopeless as many politicians and the public think. It is extremely troubled, but has improved under the leadership of Doris Meissner. Since her appointment in 1993, the budget has doubled to \$3.1 billion, with most of the increase going to enforcement. The border is tighter, and the I.N.S. is deporting record numbers of criminal aliens. On the service side, naturalizations are moving faster and so is the asylum process. Unfortunately, the district offices remain disastrously run. Still, given the overall improvements in recent years, it is too soon to give up on the I.N.S. Changing the agency is not easy, but that path offers more hope than breaking up the agency.

U.S. STUDY PANEL RECOMMENDS PLAN TO BREAK UP I.N.S.

AGENCY AWASH IN CRITICS

Immigration Officials Prepare to Fight Plan to Parcel Out Jobs to 3 Departments

By ERIC SCHMITT

WASHINGTON, Aug. 4 — In an effort to improve the nation's immigration system, a Federal advisory panel has decided to recommend abolishing the troubled Immigration and Naturalization Service and assigning its duties to other Government agencies.

Declaring that the immigration service suffers from "mission overload," the panel, the United States Commission on Immigration Reform, is proposing that the Justice Department, the immigration service's parent agency, retain responsibility for controlling the border and moving illegal immigrants.

The State Department, which now deals with visas at American embassies overseas, would handle immigration services and benefits, like citizenship requests.

The Labor Department, which already monitors wage and hour regulations, would also enforce rules covering the hiring of foreign workers, according to a draft copy of the report, "Structuring, Organizing and Managing an Effective Immigration System," obtained by The New York Times.

"It's very hard for one agency with so many conflicting missions and so much fragmentation to have priorities set and missions realized," said Bruce A. Morrison, a commission member and a former Democratic Congressman from Connecticut, explaining the panel's reasoning for dismantling the immigration service.

Democrats and Republicans in Congress who have been briefed by the commission in the last few weeks generally embrace the proposal to separate along functional lines the disparate immigration duties.

But the immigration service and Justice Department are gearing up to fight the proposal.

NEW YORK TIMES

"We're against splitting up I.N.S.," said Carole Florman, a Justice Department spokeswoman. "We believe the enforcement functions and benefits functions really do work hand in hand."

The proposal comes at a time when Congress and many of the nation's governors are growing increasingly exasperated with the immigration service's inability to cope with soaring requests for citizenship, weed out criminal aliens living in the United States and crack down on the steady stream of illegal immigrants entering the country.

"The message to the Administration is that this is not about rearranging deck chairs on a sinking ship, it's about getting results," said Allen Kay, a spokesman for Representative Lamar Smith, the Texas Republican who heads the House immigration subcommittee and has been briefed on the proposal.

The House Appropriations Committee last month directed Attorney General Janet Reno to review the commission's report and, along with other Federal agencies, "develop a restructuring plan" to perform the

Continued on Page A15

nation's immigration duties more efficiently.

House members, led by Representative Harold Rogers, the Kentucky Republican who heads the appropriations subcommittee that oversees the Justice Department, are urging the Administration to act on the proposal by October 1998. The commission's report is to be released by late September.

The scope of the panel's recommendations has surprised many senior Administration officials. Policymakers who have been briefed on the commission's findings, including Patrick F. Kennedy, the acting Under Secretary of State for Management, declined today to comment on the conclusions.

Privately, though, Administration officials said the report would be a starting point for a spirited debate on how to manage the country's burgeoning immigration system.

Many of the nation's governors also find the commission's proposals intriguing.

"The I.N.S. has done an abominable job in so many areas, including patrolling the border, that we are certainly open to looking at other options," said Sean Walsh, deputy chief of staff to Gov. Pete Wilson of California, a Republican.

Officials at the immigration service, one of the fastest-growing agencies in the Government whose budget has doubled to \$3.1 billion this fiscal year from four years ago, said the commission's proposal would reverse this financial investment and ignore improvements the agency had made in recent years in response to Congressional criticism.

"We'd be redoing all the work we've done in the past," said Chris Sale, the immigration service's deputy commissioner.

Independent immigration experts who criticize the immigration service's dual role as border cop and benefit provider, today gave mixed reviews to the commission's propos-

(cont'd.)

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AP: The Wire

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Report: Panel to urge breakup of INS

NEW YORK (AP) - The Immigration and Naturalization Service would be disbanded and its responsibilities farmed out to other federal agencies under a proposal by a bipartisan commission, The New York Times reported today.

The INS in its current form suffers from "mission overload," according to a draft copy of a report by the U.S. Commission on Immigration Reform obtained by the Times.

Under the proposal, the Justice Department - currently the parent agency of the INS - would retain responsibility for controlling the border and removing illegal immigrants, the Times said.

The State Department would oversee immigration services and benefits, such as citizenship applications. The Labor Department would be charged with enforcing laws governing the hiring of foreign workers, the report said.

"It's very hard for one agency with so many conflicting missions and so much fragmentation to have priorities set and missions realized," said commission member Bruce Morrison, a former Democratic congressman from Connecticut.

Morrison said the eight-member, bipartisan commission considered a proposal to create an independent immigration agency, but decided it would be more effective to assign the INS' duties to other agencies.

The commission's report, "Structuring, Organizing and Managing an Effective Immigration System," is to be released by the end of next month.

Clinton Administration officials expect the report to be the starting point for a debate over how to manage the country's immigration system, according to the Times.

The report said some members of Congress who were briefed on the proposal were supportive. Last month, the House Appropriations Committee directed Attorney General Janet Reno to review the commission's report and, along with other federal agencies, come up with a plan to restructure the immigration system.

The INS and the Justice Department would oppose any dismantling of the agency.

"We're against splitting up INS," Justice Department spokeswoman Carole Florman told the Times. "We believe the enforcement functions and the benefit functions really do work hand-in-hand."

INS deputy commissioner Chris Sale said discarding the agency would reverse its years of efforts to respond to criticisms.

Many state and federal leaders have expressed frustration with the INS' failure to control rising citizenship applications, a steady flow of illegal immigrants entering the country and criminal aliens living in the United States.

The arrest in Brooklyn last week of two illegal aliens charged with plotting to bomb New York City subways drew harsh criticism of the INS by Mayor Rudolph Giuliani. He suggested the agency let one of the men into the country even though he had a criminal record in Canada and may have had terrorist ties.

The INS has been one of the federal government's fastest-growing agencies in recent years. Its \$3.1 billion budget this fiscal year is double its budget of four years ago.

AP-WS-08-05-97 0546EDT



Opinion

THE INS • SOCIAL SECURITY • TERRORISM IN THE '90S

whether it Ameri-
ca's govern- run pen-
sion system took early re-
tirement.

—Columnist Daniel J. Mitchell

Plan to parcel out immigrant services would create more red tape

Fix, don't dismantle, the INS

The Immigration and Naturalization Service may be one of the nation's worst-run federal agencies, but dismantling it altogether would cause more problems than it would solve.

In a report leaked to the New York Times last week, the U.S. Commission on Immigration Reform proposes to carve the INS into three separate bodies:

Editorial

**The opinion
of the
Mercury
News**

■ The Justice Department would control borders and enforce immigration regulations on U.S. soil:

■ the State Department — not renowned for its foreigner-friendly behavior processing American visas overseas — would handle immigration services and citizenship requests;

■ and the Labor Department would enforce rules covering the hiring of foreign workers. Currently all of these services are under the Justice Department.

As far as we're concerned, the commission's proposals would take immigrants served by the agency out of the frying pan and into the fire. While the INS clearly needs a major overhaul, dividing it into three separate entities would unnecessarily complicate a system that already leaves immigrants tied up in red tape.

proved itself unpopular and unresponsive to immigration regulations in its role overseas, and there is too little interaction between the State Department and the INS. And the Labor Department already has its hands full enforcing federal health and safety laws.

While some immigrants might be less reticent to approach the INS in its service role if the agency were not so strongly associated with border

Give the INS more resources, and make San Jose a district office.

controls and deportation, the resources it would take to implement a split would be better spent ensuring that one agency is run efficiently and with up-to-date technology. Although federal funds earmarked for the INS have doubled in the last four years — totaling \$3.1 billion this fiscal year — most of these resources have been dedicated to law enforcement, leaving the immigration and naturalization service departments woefully understaffed at a time when more and more immigrants are applying for citizenship.

To help clear San Jose's 12-month backlog of citizenship applications, Santa Clara County has offered to provide \$20,000 for criminal background checks on applicants for 10 new clerical jobs. And while Santa Clara's County Executive Richard Wittenberg has been frustrated by the slow processing of applications during the county's recent citizenship drive, he says that things are getting better at San Jose's INS office since a new permanent director was hired.

"This is a heck of a time to start changing things around," he says. "I'd like to work with what we have. Giving the INS adequate resources and training would be the answer."

Wittenberg and others, including U.S. Rep. Tom Campbell, argue that San Jose's office — which has one of the biggest citizenship backlogs in the country — should receive the same resources and staffing as district offices such as San Francisco. San Jose is currently a subdivision of San Francisco's INS.

We're not convinced that the State Department or the already overburdened Labor Department could do a better job than the INS. I am the INS under the Justice Department. But give it more resources, and by all means make San Jose a



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