

**Proposed 1997 Reorganization
of the Immigration and Naturalization Service**

I. STATEMENT OF PURPOSE

A. PROBLEM IDENTIFICATION AND DEFINITION

The proposed 1997 reorganization follows on and further implements institutional reforms that began in Fiscal Year 1994. The 1994 INS reorganization was the first step in a long-range managerial effort to overcome severe problems within the Service. Many of those problems were described in public reports released during the late 1980s and early 1990s. For example, the GAO 1991 Report, entitled "Immigration Management: Strong Leadership and Management Reforms Needed to Address Serious Problems," documented a series of organizational issues that INS management sought to begin to resolve with its 1994 reorganization.

The 1994 reorganization set out several new directions for the INS. First, it sought to institutionalize the INS Strategic Plan that outlined directions for organizational growth and focus through 1999. Second, it restored a regional field structure in the chain of command to narrow the span of control between headquarters and the districts and sectors. Third, it brought the Deputy Commissioner into the chain of command. Fourth, it divided a single Operations Division into the Office of Field Operations and the Office of Programs to bolster program review and development. Fifth, it created a new Office of Policy and Planning to provide strategic planning and policy formulation.

The proposed 1997 reorganization advances this long-range institutional reform. After several years of experience with the 1994 changes, INS management has identified the need for additional organizational change in several areas. In some cases, the need follows efforts to extend the 1994 reorganization. Other areas result from dramatic changes in the Service's work during the last three years. Foremost among these changes has been the dramatic growth in size and complexity of Service-wide activities. Since Fiscal Year 1993, the INS budget has increased by 105 percent, and in that same period, staffing increased by more than 6000 people. The consequences of this organizational growth for hiring, training, and supervising INS employees permeates the daily activities of every district and sector office. The expansion in INS workload requires new, intensified efforts to strengthen managerial authority and to enforce accountability. In late 1996, Congress also passed three new laws that will have a tremendous impact on how the Service does its job, its training needs, and its ability to fulfill heightened expectations.

In addition, the Government Performance and Results Act (GPRA) imposed new requirements on all agencies for strategic plans and annual performance plans and reports. These requirements are phased in over several years beginning in 1997. These new mandates call for a continuous cycle of planning, program development, measurement,

and evaluation, which requires closer coordination of policy development, planning, budgeting and program activities than in the past.

B. REASON FOR THE ORGANIZATIONAL CHANGE

1. How will the change resolve the problem?

The proposed 1997 reorganization responds to these new demands. Its goal is to deepen and underscore the integrity of Service-wide operational and program activities, to build a professional workforce for the 21st century, and to provide an organizational structure that facilitates effective and efficient implementation of the immigration laws. The proposed changes are based on the following principles:

- Clarify roles and responsibilities between programmatic and operational branches;
- Consolidate policy and program development, review and planning;
- Improve program development capacities;
- Enhance managerial accountability and career development;
- Improve clarity of communication and assure more integrated mission support in the field;
- Strengthen the chain of command by strengthening the regions and increasing the roles and responsibilities of the Regional Directors and the Office of Field Operations; and
- Improve records services and data integrity to support significantly expanded internal and external demands.

2. Purpose and rationale for the change.

a) Strengthen Field Operations: create a single unified field structure that achieves several critical reforms.

The proposed 1997 reorganization seeks to strengthen the regional field structure primarily in response to changes in workload in the last three years. An extraordinary growth in personnel, funding, and tasks has expanded the range and complexity of activities that field managers, especially the Regional Directors, must supervise. The passage of new immigration and welfare reform laws also changed the way fundamental enforcement tasks are conducted, added new priorities, and put greater demands on Service performance.

The following changes will improve communication between the Office of Field Operations and the field as well as increase accountability:

- Streamline the chain of command so that Regional Directors are in a direct reporting relationship with the Executive Associate Commissioner for Field Operations;
- Transfer Intelligence to Field Operations to ensure consistency and immediate access to intelligence information;
- Transfer Border Patrol Operations to the Office of Field Operations;
- Develop a formal rotation program for field managers to Headquarters positions to achieve a broader range of experience and perspective throughout the Service; and
- Realign Service Centers, Forms Centers, and Telephone Centers to Field Operations to support the field structure. This will provide better coordinated support to Field Operations. As a national resource, these centers will report directly to Headquarters Field Operations.

In addition, the proposed reorganization will increase the capacities and authority of the Regional Directors and Regional offices through the following changes:

- Provide increased spending authority and flexibility to Regional Directors and decreased dependence of Regional Directors on Headquarters Field Operations budget decisions, as recommended by the National Association of Public Administrators (NAPA) in their report on the INS budget process. Increased authority will be accompanied by closer monitoring of milestones, operational performance and the use of quarterly priority reviews to hold the Regional Directors accountable for the use of funds;
- Move Administrative Centers under the Regional Directors, as recommended by the Justice Management Division in their February 1996 report on INS Administrative Services; and
- Delegate additional authority to the Regional Directors to make personnel appointments at a higher grade level than was previously permitted.

Under the proposed reorganization, the job responsibilities and functions of management staffs in the field and the administrative centers will remain essentially the same. Currently, there are specific delegations of authority given to the regions, districts, and sectors as well as the administrative centers. The significant change will be a redelegation of most authority from the administrative center directors to the regional directors. This change will strengthen the necessary administrative control of the regional directors.

Delegations to specific administrative positions (i.e., contracting, personnel, etc.) which result from certain policies, regulations or laws would not be appropriate to change. Further, the authorities delegated to field officials, such as district directors and sector chiefs, to manage local operations would not be changed.

b) Realign and clarify the position of the Border Patrol in INS.

The 1997 reorganization proposal establishes a strong chain of command and improves field/headquarters communication by making the Chief of the Border Patrol the second-line supervisor over Sector Chiefs. Regional Directors will continue to be the first line of supervision. The Chief of the Border Patrol will provide strong leadership in uniform to ensure consistency of operations and full execution of strategies by officers in the field. The Chief of the Border Patrol will coordinate program implementation and serve as a representative of field interests to policy and program functions. In addition, the Border Patrol's visibility with the public and Members of Congress requires senior representation and advocacy. This move will raise the stature, management authority, and visibility of the Border Patrol within the Service.

c) Establish an integrated structure within the Office of the Executive Associate Commissioner for Field Operations.

More than ever before, it is essential to pursue a fully coordinated strategy across the entire border and to more fully knit together the Border Patrol with other Service activities on a daily basis. This proposal facilitates this essential coordination by establishing an integrated structure within the Office of the Executive Associate Commissioner.

A Deputy Executive Associate Commissioner and the Chief of the Border Patrol serve as deputies to the Executive Associate Commissioner. Reporting lines run directly from District Directors and Chief Patrol Agents to Regional Directors, and from the Regional Directors, to the Executive Associate Commissioner. In this model, the District Directors' second line of supervision is the Deputy Executive Associate Commissioner. Chief Patrol Agents' second line supervisor is the Chief of the Border Patrol. Regional Directors report directly to the Executive Associate Commissioner for rating and chain of command purposes. The Deputy Commissioner is the Regional Directors' second-line supervisor.

The Executive Associate Commissioner is supported by two Associate Commissioner – for Enforcement Operations and Service Operations – who serve a dual role. They directly supervise centralized operations, i.e., Intelligence, Asset Forfeiture, the Law Enforcement Support Center (LESC), Detention resources, and the Justice Prisoner Air Transportation System (JPATS) on the Enforcement side, and Service Center Operations, Telephone Centers, Forms Centers, and the National Fines Office on the Services side. In addition, they serve in a staff capacity and provide analysis and advice to the Executive

Associate Commissioner on matters relating to consistency and quality across Service operations.

The division of responsibility between the two Associate Commissioners is as follows. The Associate Commissioner for Enforcement Operations is responsible for Inspections, Investigations, Removals, Intelligence, Detention, Asset Forfeiture, and the Law Enforcement Support Center. The Associate Commissioner for Service Operations oversees Adjudications and Naturalization, Service Center Operations, Telephone Centers, Forms Centers, and the National Fines Office.

d) Improve program development capabilities.

The 1994 reorganization sought to create a capacity for program development activities separated from the demands of day-to-day operations. Relieved of responsibility for day-to-day activities, the attention of program offices shifted to program development, integration and effectiveness. The 1997 reorganization proposes not only to move some residual operational activities from Programs to Field Operations, but also to clarify and integrate programmatic efforts. This will be accomplished by realigning units along functional lines rather than along occupational lines as in the past. New divisions reporting to the Associate Commissioner for Program Development include: Border Management, Enforcement Programs, Adjudications and Services, Status Verification, and Information Systems Requirements.

The Office of Naturalization Operations is a special project office tasked to lead INS' efforts to implement the Naturalization Quality Procedures and improve the overall naturalization process. This special project office reports directly to the Commissioner. At the completion of the project, naturalization procedures, policy analysis, and project development functions will be merged into the Adjudications and Services Branch of the Office of Program Development; while the Naturalization Field Operations Branch will merge into Field Operations.

e) Consolidate policy and program development and review.

The 1994 reorganization sought to strengthen broad policy and planning capabilities at INS by creating an Office of Policy and Planning, and to bolster program development and review by dividing a single Operations Division into the Office of Field Operations and the Office of Programs. The next step in the evolution of policy and program development is to consolidate the non-operational aspects of the Office of Programs within the Office of Policy & Planning into a new Office of Policy and Programs. This responds to mandates of the Government Performance and Results Act (GPRA), which requires greater coordination of policy, planning, and program activities through a continuous cycle of planning, program development, measurement, and evaluation.

This realignment is also consistent with the principles guiding restructuring of the Office of Field Operations. The proposed realignment will streamline the headquarters organization, reducing the number of independent reporting lines to the Commissioner; improve integration of policy formulation and strategic planning with program development and evaluation; increase accountability and ensure consistent translation of policies and plans into programs; enhance communication across all analytic functions; and achieve effective allocation of resources by clarifying roles and responsibilities and avoiding duplication of monitoring and evaluation efforts.

The Office of Policy and Programs will consist of four major units:

1. Program Development;
2. Planning;
3. Statistics and Evaluation; and
4. Community & Intergovernmental Programs.

Benefits of this structure include: linking the Program Development function to statistical analysis and support; better integration of planning with program development; facilitating development of measures of Service activities; consolidating all evaluation functions under one Executive Associate Commissioner; and providing greater visibility and access to evaluation and statistics.

The Service's policy role will be strengthened by establishing a Policy Council, chaired by the Executive Associate Commissioner for Policy and Programs, and staffed through the Office of Policy and Programs. The Policy Council will initiate, develop, and make recommendations on selective issues that are of broad institutional and Administration-wide policy concern.

f) Restructure the Office of Management to focus management responsibility and to reduce a layer of oversight.

The reorganization proposes to create a Deputy Executive Associate Commissioner for Management to serve as a second in command for all activities in the Office Management and to act for the EAC in his absence. To further strengthen the office, two management positions that do not add value to the operation will be eliminated. This restructuring will eliminate the Associate Commissioner for Finance and the Associate Commissioner for Human Resources and Administration. Reducing this layer of senior-level management will improve the quality of service by focusing authority and responsibility at the operational level. Separating these subordinate offices will provide the proper management attention and oversight necessary to maintain controls over these critical functions.

Improved communications between Budget and Financial Management will continue to be facilitated by the Executive Associate Commissioner for Management, as INS' chief financial officer (CFO). In that role, the EAC will continue to improve and enhance

financial management within INS by streamlining the authority, responsibility and span of control for budget and financial management.

The Office of Administration and the Office of Human Resources and Development are very distinct and separate functions, and separating these offices will provide the proper management attention and oversight necessary to maintain controls over each. By eliminating an unnecessary layer of oversight, each will be better positioned to direct their critical duties. With the creation of the hiring center, all hiring functions are now placed under the direct management of the Associate Commissioner for Human Resources and Development, consistent with existing functional statements. What is new is the need to emphasize the critical importance of INS' personnel management and training.

Finally, this proposal consolidates the Office of Files and Form Management and the Office of Records into a new Office of Records Services. This consolidation will focus the management and operations responsibilities into one unit, improving the efficiency of these activities in the Service.

g) Streamline the Office of Management structure to reflect the realignment of the Administrative Centers and to assure more integrated mission support in the field.

Each of the Regional Directors will assume responsibility for coordinating program and administrative operations within their assigned geographic areas. This realignment will clarify and stabilize reporting and communication channels by establishing a one-to-one correspondence between regional and administrative service areas that will result in improved effectiveness. (Please see Attachment C for Administrative Centers proposal).

h) Consolidate hiring, records and financial functions to provide more effective, consistent services with finite resources.

In the areas of hiring, records and financial transactions, the Service has experienced rapid growth in demand on existing resources. Consolidation will allow the Service to provide more effective, consistent services with finite resources. Many Federal agencies have consolidated selected functions to produce more effective, consistent services with limited resources. This approach achieves a critical mass of staff in a single location; improves consistency and communication; saves on layers of supervision; and facilitates reengineering and automation of process and system improvements.

The consolidation of records management at INS will improve records and verification services, unify authorities, and clarify the responsibility for policies and procedures. It will also support a critical requirement to plan, implement and operate centralized records support activities for the Service.

Likewise, a centralized, consolidated personnel processing operation will provide for standardization of processes and efficiencies in monitoring, tracking and reporting on the

status of hiring efforts. The efficiencies and economies gained using the redesigned hiring process will lend itself to establishing a National Hiring Center that can assist field managers in meeting their hiring goals.

The four administrative centers and Headquarters accounting have similar staffs that perform similar transactional processing functions associated with recording, processing, reconciling, and reporting all obligations, payments, cash transactions, and receipts. This has caused a significant amount of inconsistency, making the compilation and reconciliation process impossible. Consolidation of these functions, especially when combined with INS' implementation of a new financial accounting system, will permit the Service to capitalize on the efficiencies and economies, and to overcome the inconsistencies that currently plague financial operations.

The overall collection of fees and fines by the Service is expanding quickly, providing a growing source of funding for mission objectives. However, debt management/collection activities differ in nature from standard financial transaction operations, and the management of these collection activities is currently fragmented and decentralized throughout the INS organization. The creation of a separate debt management/collection operation within INS will permit the consolidation of the numerous decentralized collection activities, thereby laying a solid foundation for improving the management of these efforts, supported by the efficiencies and economies of consolidations.

C. ADVANTAGES/DISADVANTAGES OF THE CHANGE

The proposed realignment will streamline the Headquarters organization, reducing the number of independent reporting lines to the Commissioner. It will tighten accountability within the field chain of command and ensure consistent translation of policies and plans into programs and consistent implementation of those programs in the field. It will enhance communication both within Headquarters and within the field chain of command. It will achieve effective allocation of resources by clarifying roles and responsibilities, consolidating and centralizing functions where appropriate, and avoid duplication of monitoring and evaluation efforts.

II. IMPLEMENTATION AND EFFECT OF CHANGE

A. IMPLEMENTATION PROCESS: BEFORE/AFTER COMPARISON.

Before	After
PROGRAMS	
Office of Programs manages all aspects of the Service's enforcement and examinations programs' development, review and integration.	The Office of Programs is renamed the Office of Program Development. The scope of responsibilities is redefined to focus on program development activities. It reports to a new EAC for Policy & Programs. Operational functions transfer to Field Operations.
Service Center Operations process and adjudicate benefits applications. The Operations report to the Associate Commissioner for Examinations in the Office of Programs.	Service Center Operations is realigned. It reports to the Associate Commissioner for Service Operations in the Office of Field Operations. Functions remain the same.
Telephone Centers answer public informational inquiries. The Centers report to the Associate Commissioner for Examinations in the Office of Programs.	Telephone Centers are realigned. They report to the Associate Commissioner for Service Operations in the Office of Field Operations. Functions remain the same.
Forms Centers distribute INS forms in response to public requests. The Centers report to Files & Forms Management in the Office of Management.	Forms Centers are realigned. They report to the Associate Commissioner for Service Operations in the Office of Field Operations. Functions remain the same.
Records develops policy and procedures for agency records on aliens. The unit reports to the Associate Commissioner for Examinations in the Office of Programs.	The unit is realigned and consolidated with Files & Forms Management. The merged unit is renamed Records Services in the Office of Management.
Administrative Appeals Office handles appeals of decisions on immigration benefits. It reports to the Associate Commissioner for Examinations in the Office of Programs.	The Administrative Appeals Office is realigned. It reports directly to the EAC for Field Operations. Functions remain the same.
Intelligence collects and disseminates intelligence information. It reports to the Associate Commissioner for Enforcement in the Office of Programs.	Intelligence is realigned. It reports to the Associate Commissioner for Enforcement Operations in the Office of Field Operations. Functions remain the same.
Border Patrol maintains control of U.S. borders by preventing illegal crossings by aliens between ports of entry. It reports to the Associate Commissioner for Enforcement in the Office of Programs.	Border Patrol is realigned. Program functions are assigned to the Office of Program Development. Management of Border Patrol line operations move to the Office of Field Operations.

Before**After**

Asset Forfeiture manages the agency's asset forfeiture activities in accordance with the Attorney General guidelines. It reports to the Associate Commissioner for Enforcement in the Office of Programs.	Asset Forfeiture is realigned. It reports to the Associate Commissioner for Enforcement Operations in the Office of Field Operations. Functions remain the same.
National Firearms Unit manages inventory, sets standards and procures agency weapons. It reports to the Associate Commissioner for Enforcement in the Office of Programs.	National Firearms Unit is realigned. It is part of the Office of Administration in the Office of Management. Functions remain the same.
FIELD OPERATIONS	
Office of Field Operations manages most line operations of the agency.	The Office of Field Operations is clarified and enhanced. It directly manages all line operations and direct support functions, including: Intelligence, Asset Forfeiture, Border Patrol, Service Center Operations Phone Centers, Forms Centers, and Administrative Centers.
Regional Directors manage regional operations.	The regional directors' scope of responsibility is enhanced. Their scope of supervision now includes the Administrative Centers and their hiring and budgetary authority is enhanced. They continue to report directly to the EAC for Field Operations.
MANAGEMENT	
Administrative Centers provide administrative support for the agency.	Administrative Centers are realigned. Field administrative support functions move to Regional Directors. National administrative support functions are retained in the Office of Management. They will report to the Regional Directors in the HQ Office of Field Operations.
Files & Forms Management administers the Freedom of Information and Privacy Act Program as well as manages and develops policy for the Status Verification program. It is under the EAC for Management and is one of two offices performing records functions within the Service.	Files & Forms Management is consolidated with Records into a new Office of Records Services within the Office of Management. The new unit manages alien records files, the Freedom of Information and Privacy Act Program, and the Status Verification Program. Forms distribution moves to the Office of Field Operations. Policy development for the Status Verification

<u>Before</u>	<u>After</u>
	program moves to the Office of Program Development.
POLICY AND PLANNING	
Office of Policy & Planning manages the agency's strategic policy and planning functions.	The Office is renamed the Office of Policy & Programs. Policy and planning functions remain. Program development functions are incorporated.

B. EFFECT ON OPERATIONS

1. Changes in working relations between Headquarters and the field.

More than ever before, it is essential to pursue a fully coordinated strategy across the entire border and to more fully knit together the Border Patrol with other Service activities on a daily basis. This proposal facilitates this essential coordination by establishing an integrated structure within the Office of the Executive Associate Commissioner. The intent of the 1997 reorganization is to further strengthen reporting relationships for the field by adding within the Office of the EAC for Field Operations two deputies to the Executive Associate Commissioner – a Deputy Executive Associate Commissioner and the Chief of Border Patrol – to provide coequal yet mission-specific second-line supervision for the field. In this model, District Directors will report through their Regional Directors to the Deputy EAC. Chief Patrol Agents will report through their Regional Director to the Chief of the Border Patrol. Regional Directors and the Director of International Operations will continue to report directly to the EAC for Field Operations.

The Regional Directors will be the senior managers in the field. They will manage, oversee, direct, and monitor the activities of the Districts and Sectors within their geographic jurisdiction, including but not limited to: budget, facilities, automated data processing and systems implementation, personnel, planning and policy direction, and Congressional and media relations. They also will manage the activities of the Administrative Center in their region.

The Regional Directors will be line managers over the District Directors and Sector Chiefs within their jurisdiction, and in that context, coordinate activity between Sectors and Districts. The Border Patrol Chief's focus will be on nationwide planning and coordination for the Border Patrol, acting in consultation with the Regional Directors. Day-to-day supervision of the Sector Chiefs and tactical planning at the field level will be the responsibility of the Regional Director, with the Border Patrol Chief serving as the Sector Chiefs' second-line supervisor.

The working relationship between Headquarters and the field will also be positively changed by the creation of the Associate Commissioners for Service Operations and

Enforcement Operations, with functions arranged to mirror the organization of field offices. The Associate Commissioners for Service Operations and Enforcement will not manage or direct regional activities. They will serve in a staff capacity to the Executive Associate Commissioner. First, they will provide central supervision of the field's national support assets, including Intelligence, Service Center Operations, Telephone and Form Centers, Law Enforcement Service Center, and Asset Forfeiture. Second, they will provide staff support for the direction and oversight of day-to-day field activities to ensure operational consistency and quality across district, sector, and regional lines. The Associate Commissioners for Service Operations and Enforcement will report to the Executive Associate Commissioner through the Deputy Executive Associate Commissioner.

2. Change in the structure and functions of financial management.

INS recognizes that the Chief Financial Officers Act of 1990 and subsequent management reform acts have mandated improvements in virtually all aspects of financial management. INS also recognizes that the number of Federal financial management requirements have grown in quantity and complexity. In the last 12 months, INS has taken strong and effective measures to improve INS' financial management systems, to implement corrective actions to resolve identified financial management weaknesses, and to reorganize the Office of Financial Management, upgrading financial management positions to the GS-15 level for functions previously classified at lower levels.

The proposed reorganization is designed to significantly improve communications between Budget and Finance. Managing the budget and financial operations of complex INS programs requires discrete and specific skills and abilities. This proposal seeks to ensure that INS' top budget and financial management positions are appropriately structured and placed visibly within the organization to address the financial management goals and objectives of INS, DOJ, Congress, and the President. Through reallocation of an existing position, the position of Assistant Commissioner for Financial Management would be upgraded to the SES level and designated as the Associate Commissioner for Financial Management. This upgrade would address DOJ's concern about INS' ability to attract and/or retain highly qualified financial management professionals with the skills, education and experience needed to direct the complex INS financial duties and functions. This proposal also provides for an Associate Commissioner for Budget, replacing the current Assistant Commissioner for Budget. This upgrade recognizes the dramatically increased size, scope and complexity of INS programs and the level of coordination required at the Department, OMB and Congress to formulate and execute the INS budget.

Creation of a Chief Financial Officer position that reports to the Deputy Commissioner is not the answer. Given the already large portfolio managed by the Deputy Commissioner, this would not be practical. The Office of Budget, the Office of Financial Management, and the Regional Directors will all have key roles in improving communications and streamlining financial management functions of INS. The organizational changes for

these offices outlined herein will also empower the Executive Associate Commissioner for Management to function more efficiently and effectively as INS' Chief Financial Officer.

Office of Budget

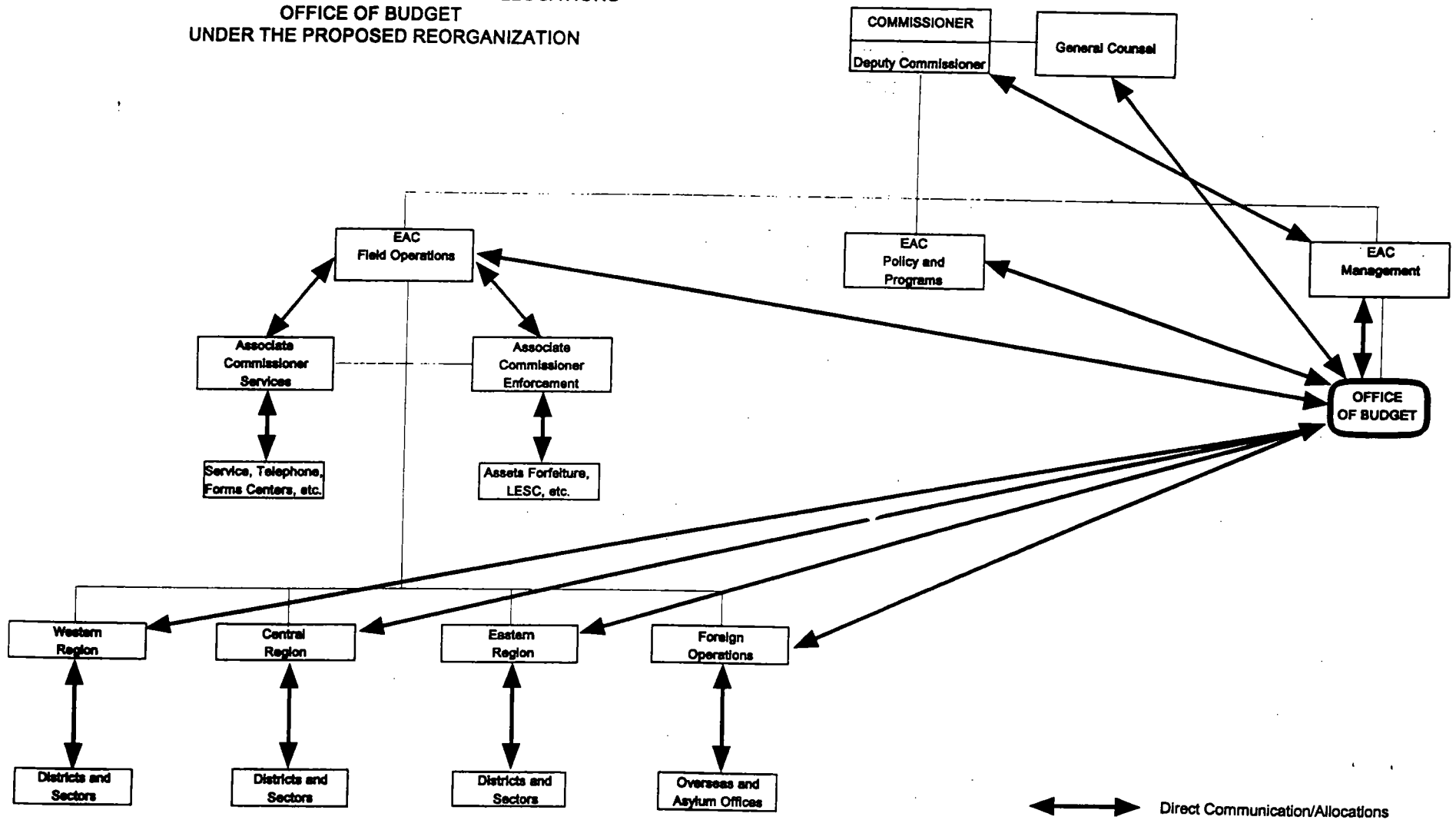
The Office of Budget is responsible for the accurate, timely and effective planning, execution and control of INS wide budgetary resources. For a number of reasons, accomplishment of these objectives has become unnecessarily complex, time consuming, and exceedingly difficult. This has added to the inefficiencies of the budget process within INS. A main focus of the reorganization proposal is to correct these inefficiencies. Implementation of the actions described below will substantially improve the efficiency and effectiveness of the INS budget processes (see Figure 1 attached).

- Include the Associate Commissioner for Budget as a member of the Commissioner's Executive Staff.
- Beginning with the FY 1998 Budget Execution Plan, hold all PS&B funds in the Headquarters Office of Budget rather than allocate to the EACs. Instead, all organizations would be given positions based on the Table of Organization and full time equivalents (FTEs) to fund other than permanent staff. The Office of Budget would work directly with the regional office staff to effect the allocations.
- Transfer responsibility for management of the Mandatories to Office of Budget. Mandatories are an uncontrollable cost that must be paid and crosses all EACs. The budget office would develop its own calculation for mandatories based on prior years' costs that are adjusted for annualizations, reprogrammings, transfers, and cost changes.
- Allocate general expense funding by quarter directly to the regional offices, which in turn would allocate resources to the districts and sectors. Offices would be required to provide operating plans for the use of GE funds. Funding that could not be justified based on spending rates and operating plans would then be used for the Commissioner's priorities such as facilities build-out, vehicles, etc. (This proposal would be implemented once a new financial management system is in place.)

The single most important factor affecting the successful implementation of the proposals recommended above is the redefinition of the roles of the Office of Budget and other resource management staffs within the recently proposed reorganization plan. Two significant recommendations of the recent NAPA report relate directly to organizational roles and relationships. The two recommendations are:

- Delegate authority for determining all sector and district allocations to the

FIGURE 1
LINES OF COMMUNICATION/FUNDS ALLOCATIONS
OFFICE OF BUDGET
UNDER THE PROPOSED REORGANIZATION



Regional Directors, and transfer from the EAC for Field Operations, Resource Management Staff, to the Office of Budget responsibility for allocating and managing funds designated for field use.

- Redefine and clarify the roles and responsibilities of all EAC's headquarters personnel involved in funds management and allocation functions.

While the organizational position of the Office of Budget is not planned to change, its relationships with the other INS components will be strengthened. Careful redesign of some lines of communication and functional responsibilities (and accountability) for funds management and allocations will be of paramount importance to improving the efficiency and effectiveness of the INS budget process.

Office of Financial Management

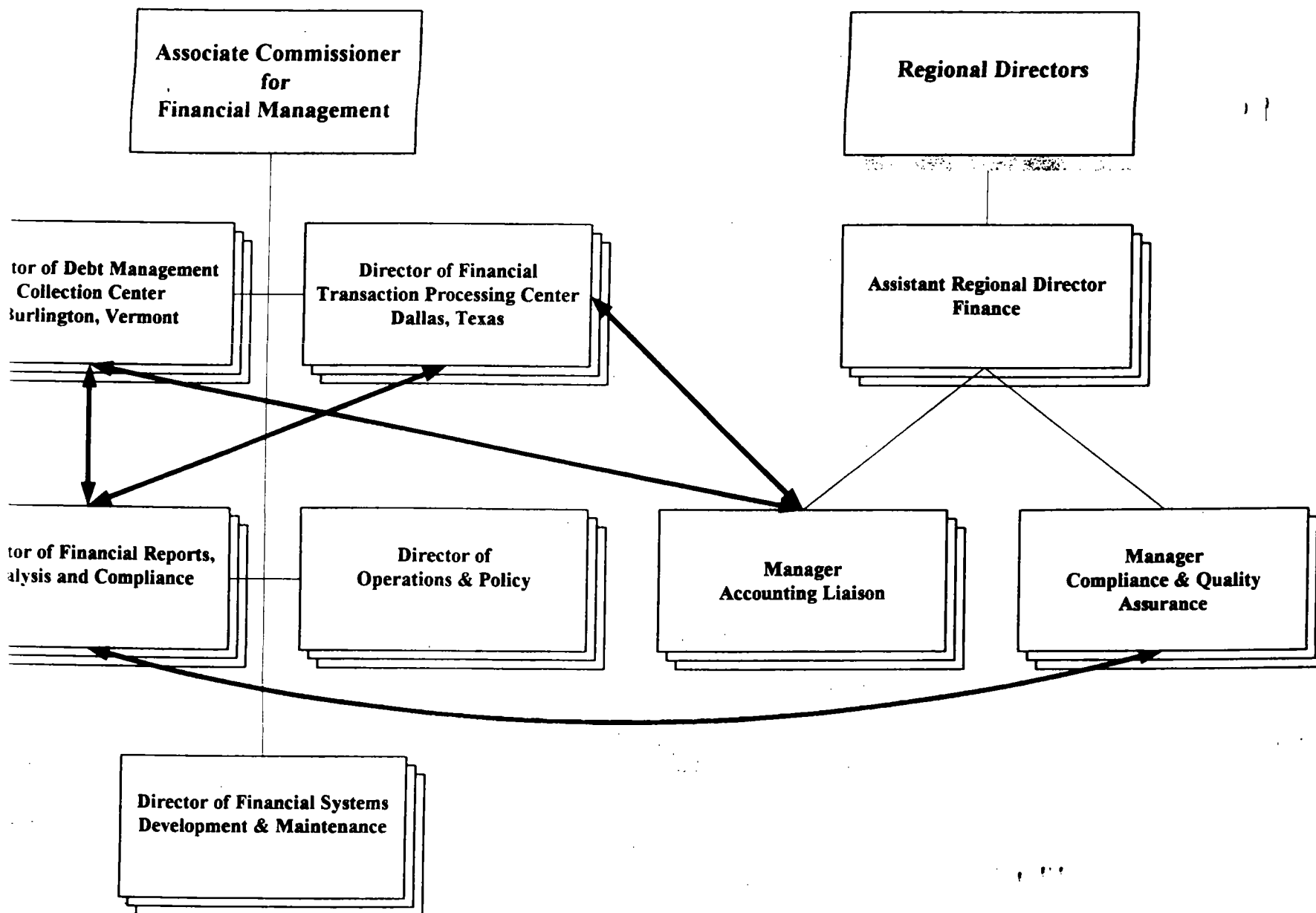
The head of financial management within INS is tasked with a myriad of responsibilities including ensuring accountability over all funds collected by, appropriated to, and expended by INS. In fiscal year 1996, INS' resources amounted to over \$2.6 billion. Other responsibilities include (1) implementing and maintaining integrated financial management systems by which to adequately account for, control, manage, and report on INS' resources; (2) developing and implementing financial management policies and practices to enhance effectiveness and efficiency of programs; (3) through recurring and ad hoc reports to OMB, DOJ and the Department of Treasury, providing assurance that assets are being safeguarded and financial results are reported accurately; and (4) working with budget program managers to achieve full integration of financial, program, and oversight information and processes.

The many diverse, complex programs and operations within INS require a high level of financial and budgetary customer support services. The effort to coordinate and consolidate budgetary and financial information that is maintained and manipulated throughout the complex INS organization requires extraordinary efforts. Strong financial management leadership is crucial to ensuring that INS' day-to-day and long-term budgetary and financial management needs are addressed and met. A major challenge of the Associate Commissioner for Financial Management will be to work with program managers throughout INS to ensure that they embrace responsibilities for management and reporting on financial resources at their local level. This effort will be facilitated by the proposed restructuring of financial management positions and functions throughout the organization to ensure adequate controls (see Figure 2 attached).

Regional Directors

Under the proposed reorganization, the Regional Directors will be responsible for ensuring that all financial information maintained within their respective regions is coordinated and consolidated with Headquarters Office of Financial Management. The Regional Accounting Liaison function will ensure that field offices and the Regional

Figure 2
Lines of Communication - Office of Financial Management
Under the Proposed Reorganization
 September 19, 1997



Offices provide the Financial Transaction Processing Center and the Debt Management Collection Center with all necessary information on obligations, payments, collections, debt, etc. The Regional Accounting Liaison function will also be responsible for providing the Assistant Regional Director for Finance with management oversight and analysis of general expenses, personal services and benefits, FTE's, and overtime for the Region.

The Regional Directors will also be responsible for coordinating and conducting financial compliance reviews in the districts and sectors within their respective Regions. The Regional Compliance and Quality Assurance function is sorely needed within each Regional Office to conduct compliance reviews and to provide ongoing guidance to field offices regarding internal procedures for the handling of fees, collections, vehicle seizures, obligation documents, imprest funds, VISA credit card usage, alien funds and valuables, PC TARE and Time and Attendance processing. A parallel Compliance and Quality Assurance function has also been established at Headquarters, and is tasked with conducting financial compliance reviews of the Financial Processing Center and the Debt Management Collection Center. The Headquarters Compliance and Quality Assurance function will also assume responsibility for coordinating the parallel efforts being conducted in the Regions, and with other financial compliance reviews being conducted by INS' Office of Internal Audit, and the DOJ Office of the Inspector General.

3. Impact on Information Resource Management

The management and working relationships among the field administrative and operational components of the INS and IRM will not change under the proposed reorganization. IRM is a national program that provides management oversight of all agency automation and selected technologies (e.g., radios, night vision, camera systems, and sensors). All ADP acquisitions are based on set national plans and standards, and require coordination and approval from IRM. These national plans and standards respond directly to national initiatives and operational demands.

IRM communicates these plans and program standards through the HQ Office of Field Operations to the Regions and the Sectors/Districts. On a practical, day-to-day basis, IRM also works at the lowest field levels to implement ADP programs and equipment. The ADP staffs in the Office of Field Operations and the three regions are customers of the IRM national program. Program needs and operational demands are communicated either directly to IRM or through the field command structure. In addition to continued Field Operation participation, INS program needs and operational demands will be determined by the new Executive Associate Commissioner for Policy and Programs.

To facilitate program delivery at the local levels, IRM staff also reside in the field at designated INS field offices. These positions are responsible for implementing the IRM national program. These staff facilitate communications with the field and the national program, plus execute within their theater of support the national programs, projects and contract resources.

4. Change in working relations between internal and/or external entities.

The establishment of clear lines of reporting and clarified roles and responsibilities within INS Headquarters and between Headquarters and the field will necessarily improve communication and working relations between the Service and the Department of Justice, other federal, state and local agencies, the Congress and non-governmental organizations.

5. Planned effective date for implementation.

The proposed effective date for the reorganization is six months after Congressional approval. In the interim, temporary reassignments may be expected in some critical functions.

C. EFFECT ON PERSONNEL

Changes in the Headquarters' organization will be accomplished by realignment actions. There will be no Reductions In Force and no forced physical transfers. The Service will minimize the adverse impact on individual employees to the greatest extent possible. The effect on personnel resulting from the Administrative Center reorganization is discussed in more detail in Attachment C.

A lesson learned from the 1994 Reorganization is that there must be more comprehensive follow up actions in implementing new roles and reporting arrangements. INS plans to conduct a series of in-depth training sessions for key staff. This entails creating scenarios to illustrate how the new structure is intended to work and to identify any unforeseen ambiguities in the new arrangement.

1. SES requirements

The Service is requesting five additional Senior Executive Service positions to implement the INS proposed reorganization. They are:

- **Associate Commissioner for Enforcement Operations**

This is a new position reporting to the Deputy Executive Associate Commissioner for Field Operations. The incumbent of this position will have direct line authority over national INS enforcement functions, including Intelligence, Asset Forfeiture, and the Law Enforcement Support Center. In addition, the incumbent will provide staff support for the direction and oversight of all law enforcement activities undertaken by the 33 INS domestic district offices. These law enforcement activities include investigations, anti-smuggling, detention and removal, and inspections.

- **Associate Commissioner for Service Operations**

This is a new position reporting to the Deputy Executive Associate Commissioner for

Field Operations. The incumbent of this position will have direct line authority over national INS service assets, including Service Centers, Telephone Centers, and Forms Centers. In addition, the incumbent will provide staff support for the direction and oversight of the adjudications and naturalization programs in the 33 domestic district offices, as well as the four Service Centers.

- Associate Commissioner for Records Services

This is a new position reporting to the Deputy Executive Associate Commissioner for Management. The incumbent of this position is responsible for the development, coordination, and administration of programs for the collection, access, maintenance and storage, security, and disposal of information necessary to support the enforcement and benefits programs of the INS. The employee verification program and records centralization project are also responsibilities of this position. Under a prior INS organization, this position was classified at the SES level.

- Assistant Commissioner, Border Management

This is a new position which will report to the Associate Commissioner for Program Development. The incumbent of this position will be responsible for the development of an integrated strategy to ensure border integrity while facilitating lawful entry into the United States. The Border Management unit will integrate the design of programs along the land, sea, and air borders, primarily involving the activities of the Border Patrol and Inspections, but also other operational units within the Service. It will also coordinate with related program development work in the Office of Enforcement Programs, as well as with other Federal agencies (Customs Service, Coast Guard, etc.).

- Assistant Commissioner, Enforcement Programs

This is a new position which will report to the Associate Commissioner for Program Development. The incumbent of this position will be responsible for the development of a comprehensive, integrated approach to expedite the identification, detention, and removal of aliens not entitled to be in the United States. The Enforcement Programs unit will analyze enforcement needs and requirements, establish consistent standards, and design and test methods to improve the effectiveness and efficiency of enforcement programs throughout the Service. Its focus will include removals, detention, criminal alien processing, fraud, alien smuggling, worksite enforcement, and absconders. The incumbent of this position will coordinate with other Service offices, as well as Federal, state, and local law enforcement and criminal justice agencies.

This request must be seen in the context of an outstanding request for 18 SES positions, 17 of which are for field managers. We are vigorously pursuing this request to support our goal of strengthening the field structure by shifting responsibility and accountability to field managers. The outstanding request for 18 positions in combination with the five positions for the Headquarters are key to this reorganization's successful implementation.

D. EFFECT ON DECISION UNIT

There is no reprogramming effect in this reorganization proposal.

E. EFFECT ON OTHER RESOURCE REQUIREMENTS

There will be minimal impact on equipment and space requirements. Existing resources will be utilized to accommodate the realignment of functions and reassignment of staff. Some minor costs will be incurred for moving personnel to new assignments within Headquarters facilities and for service changes, such as telephones and computer communications. See Attachment B for current and proposed staffing-level charts.

F. MEASURABLE IMPACT

In order to evaluate the success of the proposed reorganization, the INS will assess the extent to which the guiding principles and goals set out have been understood and effectively implemented. Measures of success might include the following: improved communication between Headquarters and the field; clearer lines of responsibility and accountability for programmatic and operational branches; greater consistency across Service operations; clearer lines of reporting through the chain of command; improved program development capacities; more effective allocation of resources; and more effective integration of mission tasks.

III. ORGANIZATION CHARTS (see Attachment A)

IV. MISSION AND FUNCTION STATEMENTS, CURRENT AND PROPOSED

EXECUTIVE ASSOCIATE COMMISSIONER FOR FIELD OPERATIONS

Executive Associate Commissioner for Field Operations – Current

The Office of Field Operations directs all aspects of the Service's field operations. The office has primary responsibility for oversight and coordination of all field operations relating to the administration of immigration law, including the granting of benefits and privileges to those qualified to receive them; withholding of benefits from those who are ineligible; control of the borders and prevention of illegal entry into the United States; detection, apprehension, detention and removal of illegal aliens; and enforcement of employer sanctions and other provisions of immigration-related law.

Executive Associate Commissioner for Field Operations – Proposed

The functions of this office will remain the same, with the addition of direct line responsibility for Intelligence, Border Patrol, Service Centers, Telephone Centers, Forms Centers, Law Enforcement Support Center (LESC), the National Fines Office, Asset Forfeiture and the Administrative Appeals Unit.

Deputy Executive Associate Commissioner for Field Operations – Proposed

The Deputy Executive Associate Commissioner for Field Operations serves as second in command of all operations relating to non-Border Patrol activities in the Office of Field Operations and acts for the EAC, Field Operations in his/her absence on these matters. The Deputy EAC for Field Operations has direct supervisory responsibility over the Associate Commissioners for Service Operations and Enforcement Operations and serves as the second line of supervision over District Directors.

Chief, Border Patrol – Proposed

The Chief, Border Patrol serves as Deputy and second in command of all operations relating to Border Patrol activities in the Office of Field Operations. The Chief acts for the EAC, Field Operations, in his/her absence on these matters. The Chief of the Border Patrol is the second line supervisor over Sector Chiefs. The Chief also provides senior representation and advocacy for the Border Patrol within the Administration and with Congress.

Regional Directors – Current

The Nation is divided into three Regions, each headed by a Regional Director, who directs all aspects of the Service's field operations relating to the administration of immigration laws within their assigned geographic areas. This includes the granting of naturalization and other immigration services and benefits to those qualified to receive them; withholding of benefits from those ineligible; control of the borders and prevention of illegal entry into the United States; detection, apprehension, detention and removal of illegal aliens, and enforcement of employer sanctions and other provisions of immigration law. Regional Directors direct and supervise regional operations staff, District Directors and Chief Patrol Agents. They also serve as representatives of the Service before state and local governments and the public.

Regional Directors – Proposed

In addition, the proposed reorganization will strengthen the Regions by giving them direct authority for supervising the Administrative Centers. They will also have increased spending authorities and additional authority to make personnel appointments.

International Affairs – Current

The Office of International Affairs is responsible for ensuring that the foreign affairs mission of the Service reflects a full partnership between INS, the Executive Branch agencies, and the Congress. Through subordinate District Directors, the Director of International Affairs is responsible for the administration of U.S. immigration law on foreign soil. The office also develops policy for refugee and asylum issues, directs a centralized political asylum program, and maintains a Resource Information Center to provide accurate and timely country conditions information.

International Operations – Proposed

Functions will remain the same; only the name of this office will change.

Associate Commissioner for Enforcement Operations – Proposed

This office will perform a dual role. It will have direct line authority over Intelligence, Asset Forfeiture and the Law Enforcement Support Center. In addition, it will provide staff support to the Executive Associate Commissioner and the Deputy Executive Associate Commissioner in all matters related to the inspections and enforcement missions of the service, to serve as Headquarters point of contact for the Regions and field offices in a configuration that mirrors the organizational structure in the field. Each component of this Office will afford field offices a single focus for their respective operational issues and concerns involving the enforcement mission of INS. In addition, the Associate Commissioner overseeing Enforcement Operations will ensure consistency in policy application and implementation of field programs through coordinated staff work within the unit.

Associate Commissioner for Service Operations – Proposed

This office will perform a dual role. It will have direct line authority over Service Centers, Telephone Centers, and Forms Centers. In addition, it will provide staff support to the Executive Associate Commissioner and the Deputy Executive Associate Commissioner in all matters relating to the processing and adjudication of applications for naturalization and immigration services under the Act. In addition, it will provide field offices with a Headquarters point of contact for issues arising from these areas. Each component of this Office will afford field offices a single focus for their respective operational issues and concerns involving the services mission of INS. In addition, the Associate Commissioner overseeing the Service Operations Division will ensure consistency in policy application and implementation of field programs through coordinated staff work within the unit.

Administrative Appeals – Proposed

The Administrative Appeals Office within the Office of Field Operations will be responsible for the timely adjudication of appeals and certification concerning applications and petitions for benefits available under the Immigration and Nationality Act (INA).

Office of Policy & Programs. The Office of Programs and the Office of Policy & Planning will be consolidated under the proposed reorganization into a new Office of Policy & Programs. Mission and Function statements for the current Offices of Programs and Office of Policy & Planning, as well as for the proposed Office of Policy & Planning follow.

EXECUTIVE ASSOCIATE COMMISSIONER FOR PROGRAMS**Executive Associate Commissioner for Programs – Current**

The Office of Programs is responsible for all aspects of the Service's enforcement and examinations programs development, review, and integration. It has primary responsibility for the planning, oversight, and advancement of programs engaged in the enforcement of the immigration and nationality laws.

Investigations Division – Current

The Investigation Division within the Office of Programs is responsible for developing, planning, implementation, coordination and assessment of INS' investigation of criminal and administrative violations of the Immigration and Nationality Act (INA) and other federal statutes relating to illegal immigration. This involves detecting violations and apprehending and prosecuting violators of the criminal and administrative provisions of the INA and related federal statutes.

Detention and Deportation Division – Current

The Detention and Deportation Division within the Office of Programs is responsible for developing, planning, coordination, and assessment of the INS program for maintenance and custody of persons in detention under exclusion, expulsion or deportation proceedings; for exercise of other appropriate control during such proceedings for persons not detained; and for their removal from the United States or release under appropriate conditions upon the conclusion of proceedings.

Intelligence Division – Current

The Intelligence Division within the Office of Programs provides national coordination of the collection, analysis and dissemination of intelligence information in support of all mission activities Service-wide. It develops national intelligence and threat assessments and ensures that relevant tactical intelligence is provided to the appropriate field office in a timely manner. It also oversees the activities of the Forensic Document Laboratory.

Asset Forfeiture – Current

The Office of Asset Forfeiture within the Office of Programs is responsible for all policies and procedures relating to the seizure and forfeiture of assets and for ensuring agency compliance with the *Attorney General's Guidelines on Seized and Forfeited Property*. The office is also responsible for administration of the INS portion of the annual Assets Forfeiture Fund Budget.

Adjudications and Nationality – Current

The Division of Adjudications and Nationality within the Office of Programs is responsible for the development, planning, coordination and assessment of the INS programs' policy which provide to the public, both alien and citizen, the benefits and privileges to which the provisions of the Immigration and Nationality Act (INA) entitle them, and to prevent those benefits and privileges from being afforded to ineligible or unqualified persons.

Service Center Operations – Current

The Service Center Operations Division within the Office of Programs is responsible for providing program guidance and technical direction and support for program implementation and for providing line supervision to the four Service Center Directors and to the Immigration Card Facility Director.

Inspections Division – Current

The Inspections Division within the Office of Programs is responsible for the development, coordination and assessment of the INS program policy for the inspection of all person seeking admission to the United States.

Border Patrol – Current

The Border Patrol Division within the Office of Programs is responsible for developing, planning, coordination, and assessment of the INS program to maintain control of the international boundary between port of entry. This involves the prevention of illegal entry and transportation or smuggling of aliens into the United States, as well as the apprehension within the immediate border area of illegal entrants. An ancillary mission is to interdict narcotics and contraband while conducting operations in support of the Border Patrol's primary mission.

Administrative Appeals – Current

The Administrative Appeals Office within the Office of Programs is responsible for the timely adjudication of appeals and certification concerning applications and petitions for benefits available under the Immigration and Nationality Act (INA).

Records – Current

The Records Division within the Office of Programs is responsible for Servicewide development, planning, organizing, coordinating, budgeting, training and evaluating the Records Programs pertaining to records operations; records technology; and records systems. This includes the collection, storage, maintenance, and program use of alien data throughout the Service.

EXECUTIVE ASSOCIATE COMMISSIONER FOR POLICY & PLANNING**Executive Associate Commissioner for Policy and Planning – Current**

This Office of Policy and Planning serves as a clearinghouse for INS policy and as the clearance point for the coordination and dissemination of program-specific policy, regulations, guidelines, and directives. It informs the Administration position on broader-than-INS immigration policy questions, through the initiation of interagency deliberations, stimulation and sharing of non-governmental research, and the examination of broad policy questions. It develops and coordinates the agency-wide planning process, which includes long-range strategic plans and the annual Priorities Management System. It performs organizational analysis to assist in the proper allocation of resources, the identification of structural deficiencies, and avoidance of duplication of functions; implements federally-directed government-wide initiatives such as the National Performance Review; provides high-quality agency-wide statistical information for use in decision-making; and improves and expands technology assessment and research, ensuring that the Service's needs in the improvement of operations are met.

EXECUTIVE ASSOCIATE COMMISSIONER FOR POLICY & PROGRAMS

Executive Associate Commissioner for Policy and Programs – Proposed

The 1997 reorganization takes the next step in the evolution of policy and program development begun in 1994 by consolidating the Offices of Programs and Policy & Planning into a new Office of Policy and Programs. The Executive Associate Commissioner for Policy and Programs will serve as the principal advisor to the Commissioner and Deputy Commissioner on matters of policy, program development and planning. The Executive Associate Commissioner for Policy and Programs will also direct a Statistics and Evaluation program as well as Community and Intergovernmental programs. The consolidation of these programs under one Executive Associate Commissioner will promote greater coordination of policy, planning, and program development and evaluation activities and facilitate a continuous cycle of planning, program development, measurement and evaluation as required by the Government Performance and Results Act.

In order to further strengthen the Service's policy making role, the 1997 reorganization establishes a Policy Council.

Policy Council – Proposed

The Policy Council, consisting of the senior SES managers of the agency on a collateral basis and chaired by the Executive Associate Commissioner, will initiate, develop, and make recommendations on selected issues that are of broad institutional and Administration policy concern. The Council will have the lead on preparation of position papers for the Commissioner and will serve as the point of clearance for those policy issues.

The 1997 reorganization also proposes to create the following four divisions within the new office: Planning, Program Development, Statistics & Evaluation, and Community & Intergovernmental Programs.

The Office of Planning – Proposed

The Office of Planning will develop and coordinate the agency-wide planning process, which includes long-range strategic plans and the annual performance plans and priorities management system. It will also perform organization analysis to assist in the proper allocation of resources, to identify the implications of changing technology and workload shifts on the organizational structure, and to avoid duplication of functions. This division will also engage in long-range planning and research activities to develop and maintain the INS Strategic Plan; prepare the annual Government Performance and Results Act (GPRA) report; develop and monitor the Annual Performance Plans; and perform organizational planning and analysis on the short-term horizon.

Office of Program Development – Proposed

The Office of Program Development will develop and manage new or revised program designs and initiatives in response to emerging needs, changing conditions, new

legislation, internal/external program analyses or new technologies; write new and revised regulations, program guidance, operating instructions, procedural manuals, and materials for staff training and public education; develop performance measures and standards for individual program performance and establish annual program objectives; analyze program performance and effectiveness; identify and integrate program requirements for information systems; and develop and respond to proposals for legislative changes in programmatic areas.

The Office of Program Development divisions will be aligned along functional lines, rather than along occupational lines as in the past. Program Development will consist of the following five divisions:

Border Management Division – Proposed

The Border Management Division will focus on programs which ensure border integrity while facilitating lawful entry into the United States. The division will integrate the design and analysis of programs along the border and at ports of entry. It will also coordinate with related program development work in other Federal agencies such as the Customs Service and the Coast Guard.

Enforcement Programs Division – Proposed

The Enforcement Programs Division will develop programs to ensure a comprehensive, integrated approach to expedite the identification, investigation, detention and removal of aliens not entitled to be in the United States. It will analyze enforcement needs and requirements, establish consistent standards, and design and test methods to improve the effectiveness and efficiency of enforcement programs throughout the Service. The unit will coordinate with numerous other Service units, as well as other Federal, State and local law enforcement and criminal justice agencies.

Adjudications and Services Division – Proposed

The Adjudications and Services Division will focus on programs to determine the eligibility of persons seeking entry to the United States, permanent residence, and citizenship through naturalization. These include programs to qualify for the adjustment of immigration status, and naturalization; and also programs for admitting aliens on a temporary basis. The unit will develop effective methods and procedures for verifying the eligibility of persons applying for such statuses and deterring fraud, as well as ensuring efficient, timely and accessible services to applicants. The unit's responsibility also entails design of programmatic activities to provide information to the public. The unit's work will involve substantial contact and coordination with numerous other public and private organizations.

Status Verification Division – Proposed

The Status Verification Division will focus on developing the program which provides verification of individuals' immigration status to employers and public agencies. In particular, attention will be paid to developing criteria for appropriate access to information, addressing the need for efficiency, ease of use and privacy rights. The

Service's work in this area is expanding dramatically and includes rapidly changing technology, developing legal standards, and frequent legislative action, which all require thoughtful consideration in developing policies, procedures and standards.

Information Systems Requirements Division – Proposed

The Information Systems Requirements Division will have responsibility for establishing comprehensive information strategies and leverage the development of emerging technologies throughout the agency. It will coordinate and integrate the “customer needs” for developing information systems from various Service units -- a function that is currently being performed by users’ groups. Within the ISR unit, analysts and operation experts will identify, assess and link the business needs (i.e., functional requirements) of each program, from which the office of Information Resource Management (IRM) will seek to develop integrated systems solutions. It will also serve as the ongoing liaison and “customer advocate” to IRM.

Community and Intergovernmental Programs – Proposed

Community and Intergovernmental Programs will promote mechanisms for building partnerships with state and local governments, community-based organizations and the business and legal communities in order to enhance Service effectiveness and to strengthen the stability and well-being of communities in which the Service operates. Outreach and programmatic activities will include working with local Law Enforcement Agencies (LEAs) to plan and implement new immigration legislation in ways that serve local governments and working proactively with an array of community-based organizations to build a broad understanding of immigration policies and practices. Methods for achieving these goals include but are not limited to public education campaigns, training, joint projects, including problem-solving forums and media workshops with ethnic press.

Statistics and Evaluation – Proposed

Statistics and Evaluation is responsible for developing policies and procedures to ensure the quality, relevance, and utility of the Service's evaluation and statistics activities; preparing, reviewing and coordinating evaluations of program initiatives and pilot projects; and providing technical and support services for studies developed within the office or by other offices within INS; collecting and maintaining high level statistical information from which to produce and disseminate timely statistical reports of direct relevance to program planning, monitoring and evaluation. This office will also be responsible for analyzing and reporting on the characteristics of immigrants, naturalized citizens, refugees, asylees and other specialized reports required by Congress.

EXECUTIVE ASSOCIATE COMMISSIONER FOR MANAGEMENT

Office of the Executive Associate Commissioner for Management – Proposed same as Current

The Office of the Executive Associate Commissioner for Management is responsible for the planning, developing, directing, coordinating and reporting on Service management

programs and activities. In addition, it promulgates Servicewide administrative policies and coordinates all budget, administrative, financial, security, human resources, training, records and verification, equal opportunity, and information resources management functions.

Deputy Executive Associate Commissioner for Management – Proposed

The Deputy Executive Associate Commissioner for Management serves as second in command of the Office of Management and acts for the EAC, Management, in his/her absence. The Deputy EAC is responsible for the management of routine activities within the Office of Management.

Office of Budget – Proposed same as Current

The Office of Budget's primary functions are to effectively and persuasively develop and advocate to the Department of Justice, the Office of Management and Budget, and the Congress the resources needed, both near and long term, to administer the Nation's immigration laws, facilitate and communicate efficient and effective distribution and use of resources within the Service, and ensure compliance with statutory requirements.

Office of Financial Management – Current

The Office of Financial Management is responsible for all financial accounting and reporting responsibilities for the INS nationwide, and to ensure that these activities are conducted in conformance with statutory requirements. It formulates, disseminates, implements, and interprets nationwide accounting, debt, cash and travel management and other financial policies and procedures for INS. OFM also produces timely and accurate internal and external financial reports and statements to support decision-making and to improve the effectiveness of financial programs within INS, provides analytical studies/reports to provide direction and guidance to INS financial programs and conducts compliance and quality assurance reviews. In addition, OFM acquires, develops, implements and maintains all aspects of automated financial accounting information systems for INS.

Office of Financial Management – Proposed

In addition, through a specialized service center to be located in Dallas, Texas, the Office of Financial Management will perform all financial and accounting functions that are transactional in nature for the entire Service, including preparation and certification of payments, maintenance of commitment/obligational accounts, auditing of all incoming invoices and vouchers. Also through a specialized service center to be located in Burlington, Vermont, the office will perform all financial functions related to debt management and collections, including the maintenance and management of INS' field deposits and fee/fine payments, management and accountability of all fee and fine income (including Carrier Fines currently managed from the National Fines Office), and support of aggressive nationwide debt collection activities.

Office of Administration – Current

The Office of Administration is responsible for the planning, development, implementation, and evaluation of Servicewide programs for facilities, procurement, personal property, firearms program, fleet management, printing and distribution, safety and health, internal controls and other administrative support services; the operation of centrally managed Servicewide support activities; and the delivery of direct operational support to Headquarters and overseas operations.

Office of Administration – Proposed

In addition, the Office of Administration will be responsible for the Firearms Unit, previously assigned to the Office of Programs.

Office of Security – Proposed same as Current

The Office of Security is responsible for all security programs to ensure the protection of the people, facilities, property, and information of the Service.

Office of Human Resources and Development – Current

The Office of Human Resources and Development is responsible for the development, planning, coordination, and assessment of the Service programs for personnel management and training; the operation of nationally centralized personnel and training activities; the provision of direct personnel support to the Headquarters, its attached centralized activities and for overseas operations; and the production of state-of-the-science design, development, validation, and evaluation of all tests and other assessments used by the Service for both entry-level selection and promotion.

Office of Human Resources and Development – Proposed

In addition, the Office of Human Resources and Development will be responsible for a centralized national hiring center to be located in the Twin Cities, MN.

Office of Information Resources Management – Proposed same as Current

The Office of Information Resources Management is responsible for the overall coordination, planning, technology strategies, evaluation, acquisition management, design, development, implementation, and sustaining engineering of automated data systems, data and voice communications, electronics technology equipment and related systems of the Service. These responsibilities include information technology policy, planning, and standards; the translation of functional customer requirements into technical alternatives and integrated systems solutions; the evaluation and selection of current and emerging technologies; and the management of technology and services acquisitions.

Office of Equal Employment Opportunity – Proposed same as Current

The Office of Equal Employment Opportunity is responsible for developing, planning, directing, managing, coordinating, and implementing equal employment opportunity programs and evaluating programs relating to the civil rights of all employees and applicants to ensure compliance with the law; and for coordinating the affirmative

employment and discrimination complaints programs of the Service and those of the Department of Justice as they apply to the Service.

Files and Forms Management – Current

The Office of Files and Forms Management within the Office of Management is responsible for planning, developing, evaluating, formulating policy, implementing and managing the Files and Forms Management Program.

Office of Records Services – Proposed

Created by the consolidation of Records and Files and Forms Management, the Office of Records Services will be responsible for planning, developing, organizing, training, evaluating delivering, and supporting Service-wide records programs and operations. This will include the collection, storage, maintenance, use, and verification of alien data throughout the Service. This office will also be responsible for providing and directing the application of agency capabilities for timely and accurate responses on the immigration status of individual seeking lawful employment and/or government entitlements as well as organizing and oversight of the Service Freedom of Information Act and Privacy Act.

Regional Administrative Offices – Current

The Administrative Centers Division within the Office of Management is responsible for planning, development, implementation, and evaluation of Servicewide programs for facilities, procurement, personal property, fleet management, printing and distribution, safety and health, management controls, and other administrative support services; for the operation of centrally managed Servicewide support activities; and for the delivery of direct operational support to the Headquarters and overseas operations. (Regional Administrative Centers will be transferred under the Regional Directors).

V. LEGISLATIVE AND/OR REGULATORY CHANGES

In accordance with the National Performance Review's regulatory reform initiative guidelines, the Service will publish a final rule to remove INS' Statement of Organization from Title 8 of the Code of Federal Regulations, Part 100.2. Once approved, the new organizational structure will be published separately as an agency organization manual.

OMB

MANAGEMENT OBJECTIVES

ON DIRECTOR'S LIST: PRIORITY OBJECTIVE ___/OTHER X/RECOMMENDED FOR DIRECTOR'S LIST: ___

TITLE: INS Reorganization Proposal

OBJECTIVE: Reorganize the INS to address long-standing internal management weaknesses and establish a structure that can accomplish the agency's dual mission of law enforcement and service provider.

BACKGROUND: INS has a complex and diverse mission. In its enforcement role, it serves as the Nation's border management agency through the Border Patrol, port-of-entry inspectors, interior investigators, and detention officers. INS also serves the immigrant community by providing immigrant benefits -- the highest and most visible being citizenship.

Over the past year, INS has come under intense Congressional scrutiny related to problems in its management of the naturalization program and incomplete implementation of some Congressional enforcement, detention and removal initiatives. This heightened attention comes at a time of unprecedented growth for INS. Since 1993, total agency staffing has increased by 7,750 (37 percent) and funding both from discretionary and fee sources has increased a total of \$2,111 million (138 percent).

On September 30, the Commission on Immigration Reform (CIR) issued its final report. The report recommended a reordering of immigration policy and a restructuring of responsibilities. The CIR cited "mission-overload" as an overriding criticism of the INS and recommended reorganizing the agency structure and reallocating responsibilities both within the Department of Justice (DOJ) and outside the agency. Under the CIR proposal, all enforcement responsibilities would be consolidated and remain within the Department of Justice in a Bureau of Immigrant Enforcement; and all visa and benefit functions would be transferred to the Department of State to a newly established Undersecretary of State for Citizenship, Immigration and Refugee Admissions. The CIR also recommended that all immigrant appeal processes be established in an independent agency (currently the Executive Office of Immigration Review conducts administrative hearing under the authority of the Attorney General) and that the Department of Labor expand its enforcement role by verifying employer compliance with laws requiring employers to hire only legal aliens.

ANALYSIS: The CIR proposal would sever the link between INS benefit/services and enforcement. INS believes that these two functions, while distinct, are not mutually exclusive -- linkage is necessary for both functions to perform effectively (e.g., enforcement needs to know an alien's status to effectively perform its role). The passage of the recent immigration reform law makes the link between enforcement and adjudications even more important. Enforcement officers are now required to make eligibility

where? (at what pt. will enforcement officer be involved?)
determinations on the spot and work in tandem with benefit and asylum officers to determine an alien's eligibility to remain in this country, hear a possible appeal, and expeditiously remove those who don't meet a "credible fear" threshold within a prescribed timeframe.

We question the CIR's assumption that the Department of State is better equipped from a mission perspective or with the necessary management infrastructure and resources to assume INS' naturalization and benefit responsibilities and perform them better than the INS. A CIR commissioner who dissented from the report's restructuring proposal stated,

"The Department of Justice has long experience with and is the preeminent repository of expertise in both the immigration enforcement and adjudication functions...[it] epitomizes the values of due process and the rule of law, which are especially important in achieving effective enforcement and fair, accurate adjudications for a well-regulated, highly selective legal immigration system."

Unlike the DOJ's mission of enforcing the rule of law, the Department of State's mission is the conduct of foreign affairs. This activity includes the conduct of consular affairs -- a major part being the adjudication of immigrant and non-immigrant visas -- that provide for the lawful entry of foreign nationals into the United States. Incorporation of a major domestic function -- adjudication of citizenship -- would be incongruous to the Department's mission of implementing the foreign policy of the United States both domestically and overseas. Placing naturalization within State would fundamentally redefine citizenship and related naturalization activities as within the realm of foreign policy.

The CIR report asserts that competition for management attention and resources is a serious problem with the current INS. We largely disagree. While competition for management time is inevitable regardless of placement in either the Department of State or Justice, there is little funding competition between the benefit and enforcement sides since the source of funding is separate: benefits operations are fee funded and enforcement money is appropriated. We further believe that splitting the agency will ultimately diminish the management attention and resources focused on what are would then be two smaller pieces,

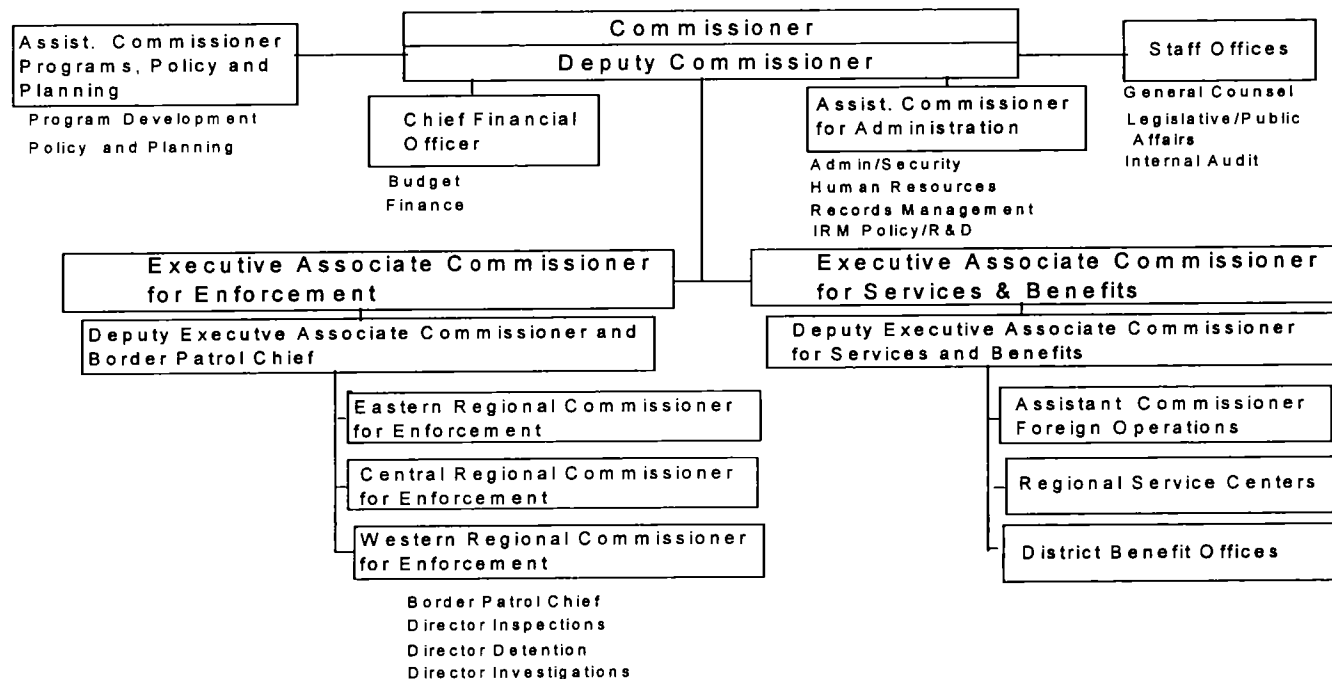
→ Certain CIR recommendations for improving enforcement operations have merit, such as merging all of INS' law enforcement agents into one uniform service. Similarly, CIR recommendations for streamlining and improving the integrity of the benefits process and strengthening INS systems, statistical measurement and management processes are on target and are currently being either addressed or implemented by INS.

PLAN: Up until 1993, INS operated with insufficient resources, weak or non-existence management systems and processes, and lackluster internal management. Under the current Commissioner, INS has made progress in implementing major changes to enforcement and benefit systems, improving management practices, and upgrading staff capabilities while INS' resources and

responsibilities have grown significantly. Instead of dismantling an improving INS, an effort should be made to build on the accomplishments of the past four years. What INS needs is a streamlined organizational structure based on programmatic priorities with clear lines of authority, responsibility and accountability. Such a structure would focus attention and assign responsibilities to those charged with carrying out INS' dual enforcement and benefit roles. We believe these dual but interrelated responsibilities should remain within one agency and properly within DOJ. A future INS organization should have these features:

- **INS Headquarters**, lead by a Commissioner and Deputy Commissioner, would focus on policy, strategic planning and management support (finance, records, Information Resource Management (IRM) policy and R&D); budget formulation; and compliance with policy and procedures. All line management and operational authority for agency-wide support systems like finance, budget, IRM policy, R&D, and records management would be consolidated in Headquarters.
 - Reflecting the importance of INS' fee and fine account receipts (\$1.3 billion) and the deficient condition of INS' financial operations, a separate Chief Financial Officer (CFO) would be established and report directly to the Commissioner. The CFO organization would include agency-wide budget formulation and execution.
 - IRM policy and standards and all R&D initiatives would be consolidated within Headquarters. Operational and support IRM functions would report to the respective program offices.
 - A small policy and planning office would develop long-range strategic plans, perform GPRA implementation and monitoring, and improve INS' important statistically policy and measurement responsibilities.
 - Headquarters Administration should focus on consolidating records management, improving agency facilities, and managing a streamlined administrative service center operation to effectively meet the needs of field operations.
- While the CIR recommends splitting the agency, a programmatic split that maintains the enforcement/benefit link necessary to function effectively accomplishes the same goal. The reorganization would separate Enforcement and Services under the leadership of two Executive Associate Commissioners (EAC). The EACs would ensure that clear lines of authority, responsibility and accountability exist in program operations, and bring a field perspective to Headquarters decision making. The CIR recommendation to merge INS' enforcement agents (Border Patrol, inspection and detention) into one uniform service and a white-collar investigative service should be implemented. Our proposal supports this evolutionary initiative by putting the Border Patrol Chief in a direct line of authority for all enforcement activities. The CIR also calls for higher visibility and management attention focused on the provision of services and benefits to immigrants and to ensure organizational safeguards exist so that fee-account-receipts support fee-related activities. The proposed division of responsibilities and improved financial systems will help achieve these goals. Under the proposed organizational structure, the EACs for Enforcement and Services would be responsible for the following:

- **Executive Associate Commissioner for Enforcement** would coordinate all enforcement operations and staff (Border Patrol, investigation, inspections, intelligence and detention).
 - ~~A Deputy Executive Commissioner, who would also be the Border Patrol Chief,~~ would have line authority for all enforcement activities to ensure coordination between enforcement components.
 - Three Regional Enforcement Commissioners would be responsible for coordinating INS enforcement functions within the regions. A Deputy Regional Commissioner would also be the Regional Border Patrol Chief with line authority in that region.
 - INS enforcement functions would be organized along the Border Patrol sector model with sector chiefs for each function reporting to the region.



- **Executive Associate Commissioner for Services and Benefits** would be responsible for providing efficient service and effective and accurate delivery of benefits to the immigration community.
 - Regional Service Centers, that will play an expanded role as direct mail benefit processing comes on line, will report to this EAC.

- Foreign Operations, which has a dual benefits and enforcement responsibilities for refugees, asylees and international anti-terrorism efforts would report to this EAC.
- All existing District Office operations (31 district offices or the expanded 80 suboffices currently under development) would report directly to the Deputy EAC. This direct reporting line relationship will minimize differences in standards and procedures which currently exists within INS' districts and regions.

NEXT STEPS: We would recommend that this reorganization proposal be shared with the Domestic Policy Council (DPC) to be incorporated into their interagency review of the CIR report recommendations. If they concur with these suggested structural changes, we would propose sending the DPC recommendations to DOJ and INS at passback for reaction and ultimately to include an Administration reorganization proposal for INS as part of the FY 1999 Budget.