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# Colombians Fleeing Homeland

## *U.S. Officials Worry About Tide of Immigration Flowing North*

By WILLIAM BRANIGIN
*Washington Post Staff Writer*

Driven by worsening economic conditions and political violence, growing numbers of Colombians are fleeing their country in an exodus that U.S. officials fear may turn into an immigration crisis.

The U.S. Embassy in Bogota has been swamped with requests for visitor's visas and is turning down record numbers of applicants because of suspicions they intend to stay in the United States permanently. "There's a potential for mass departures," a federal immigration official said. "Planes are booked solid. Everyone's trying to get out."

Colombian American groups and other Latino activists are urging the federal government to accommodate the fleeing Colombians by offering temporary refuge to those who reach the United States and by softening the criteria for granting political asylum. In several U.S. cities last week, thousands of Colombians and their supporters held rallies to demand "temporary protected status," which allows people from war-torn or disaster-ravaged countries to live and work in the United States for up to 18 months.

But the State Department says it has no plans to recommend temporary protected status for Colombians, and the Immigration and Naturalization Service says it cannot bend the asylum rules to cover people affected by "generalized" strife or economic conditions, rather than persecution aimed specifically at them.

In a letter to President Clinton last week, Rep. Lincoln Diaz-Balart (R), whose South Florida district includes thousands of Colombians, attributed an "exodus of refugees" from Colombia to "escalating guerrilla violence" and "rampant kidnapping." He said asylum approval rates for Colombians are "exceptionally low" and called for immediate action "to correct this disparity."

The INS said the asylum approval rates in recent years have been comparable to those for other nationalities and have risen sharply since 1997. In the first six months of this fiscal year, 35 percent of Colombian asylum applications were approved, the same as the worldwide average for that period, INS officials said.

From January through April, an estimated 65,000 Colombians left the country, many bound for the United States.

From January through April, an estimated 65,000 Colombians left the country, many bound for the United States, and Colombian officials estimate that up to 300,000 others could leave by the end of the year. Nearly 1 million people have been driven from their homes by fighting between the army and leftist rebels, a conflict that has dragged on for three decades but now seems to have shifted to the rebels' favor. Authorities in neighboring Venezuela, Ecuador and Panama have expressed concern about a swelling flow of refugees across their borders.

In Bogota, the U.S. Embassy reports that visa applications this summer have jumped to 50,000 a month, double the rate of a year ago and far more than consular officers can process. The embassy's appointments calendar for interviews with visa applicants is fully booked until January, a State Department official said.

The long visa lines in front of the U.S. and other embassies reflect growing disillusionment among Colombia's middle class, officials said. While the guerrilla war is an enduring factor, much of the impetus for the flight appears to come from the country's deteriorating economy. Since the early 1990s, Colombia's foreign debt and its unemployment rate have doubled, reaching nearly $34 billion and 20 percent respectively. After years of steady growth, the economy shrank by nearly 6 percent in the first quarter of this year.

In demonstrations on Colombia's independence day last Tuesday in Miami, Washington, Houston, Atlanta, Chicago and New York, organizers called on the administration and Congress to pay more attention to the country's problems and provide refuge for the thousands of Colombians who have arrived here. According to Juan Carlos Zapata, head of the Colombian American Service Association in Miami, an estimated 15,000 Colombian families have arrived or overstayed their visas in South Florida in the past few months.

Fewer than 15,000 Colombians a year are admitted as legal immigrants, the INS says. It estimates that about 60,000 live in the United States illegally.

# 4 Accused of Mailing Guns to Ireland

*Reuters*

MIAMI, July 27—Authorities have arrested a fourth person believed to belong to a suspected Irish guerrilla ring that allegedly sent shotguns, pistols and rifles to Ireland packaged as toys, an official said today.

The man, identified as Martin Mullin, was arrested in Philadelphia, said Alicia Valle, special counsel to the U.S. Attorney's Office in Miami.

On Monday, law enforcement agents arrested Belfast-born Anthony Smyth, Siobhan Browne, originally from Cork, and Conor Anthony Claxton, also Irish, in Fort Lauderdale on charges of illegally exporting guns through the mail, the FBI said.

They are being held without bond and are scheduled to appear at a pretrial detention hearing in Fort Lauderdale on Thursday. They face up to 20 years in prison if convicted.

A legal source said the alleged gun-runners were believed to be linked to the Irish Republican Army, which is fighting to end British rule of Northern Ireland.

The Washington Post
WEDNESDAY, JULY 28, 1999

U.S. Department of Justice
Immigration and Naturalization Service

HQRRT 30/2.3

425 I Street NW.
Washington, DC 20536
MAY 26 1999

Mr. Thom White Wolf Fassett
General Secretary
General Board of Church and Society
of The United Methodist Church
100 Maryland Avenue, NE
Washington, DC 20002

Dear Mr. Fassett:

This is in response to your April 20 letter to the Attorney General requesting Temporary Protected Status (TPS) for Central American nationals affected by Hurricane Mitch, and the treatment of newly arriving Central Americans. Your letter was referred to the Immigration and Naturalization Service (INS) for response.

On November 5, 1998, following the devastation caused by Hurricane Mitch, temporary suspension of removal, from the United States, was granted to nationals of Guatemala and Honduras. The initial suspension period expired on November 10, 1998, however, was subsequently extended through January 7, 1999, adding El Salvador and Nicaragua. The suspension of removal period was again extended through March 8, 1999.

Honduras and Nicaragua received TPS designation effective January 5, 1999, through July 5, 2000, the maximum period for which TPS may be designated. This designation was extended to nationals of those countries who have had continuous physical presence since January 5, 1999, and have continuously resided in the United States since December 30, 1998. Those eligible may apply for TPS during the registration period that began January 5, 1999, through July 5, 1999.

The Administration, through consultations between the White House and the Department of Justice, concluded that Guatemala and El Salvador were capable of beginning to receive their nationals, upon expiration of the suspension of removal period on March 8. In accordance with current law, designations for TPS are granted through consultations between the Attorney General and appropriate government agencies (see Section 244(b)(1) of the

Immigration and Nationality Act). Under Section 244 provisions, the Attorney General may grant TPS only if stipulated criteria have been met. At this time, there is no basis upon which TPS may be extended to nationals of Guatemala and El Salvador.

The United States moved broadly and quickly in providing assistance to those countries affected by Hurricane Mitch. Please be assured that the Administration will continue to monitor conditions in these countries.

Sincerely,

William R. Yates
Acting Deputy Executive Associate Commissioner
Immigration Services Division
Office of Field Operation

U.S. Department of Justice
Immigration and Naturalization Service

Office of the Commissioner

425 I Street NW
Washington, DC 20536

# TESTIMONY
# OF
# PAUL VIRTUE
# GENERAL COUNSEL
# IMMIGRATION AND NATURALIZATION SERVICE
# DEPARTMENT OF JUSTICE

**A HEARING ON**
**PAST DESIGNATION OF TEMPORARY PROTECTED STATUS AND FRAUD IN PRIOR AMNESTY PROGRAMS**

**BEFORE**
**THE HOUSE IMMIGRATION AND CLAIMS SUBCOMMITTEE**
**HOUSE JUDICIARY COMMITTEE**

**THURSDAY, MARCH 4, 1999**
**2237 RAYBURN HOUSE OFFICE BUILDING**
**10:00AM**

Mr. Chairman, Congresswoman Jackson Lee, and Members of the Subcommittee, I am pleased to have the opportunity to talk to you today about the Temporary Protected Status (TPS) program, the legalization program, and the efforts of the Immigration and Naturalization Service (INS) to combat fraud under these programs while ensuring that benefits are extended to eligible applicants. I will also address what INS will do to detect fraudulent applications for permanent residence under the Nicaraguan Adjustment and Central American Relief Act (NACARA) and the Haitian Refugee Immigration Fairness Act (HRIFA).

Before I provide a detailed report on the subjects of today's hearing, let me summarize the major points. First, I want to assure you that INS shares your concerns about fraudulent claims, not just under the programs that are the subject of this hearing, but in all of our immigration benefit programs.

In recent years, INS, with the strong support of Congress, has strengthened both its capacity to prevent fraud and its ability to pursue successful legal action against those who engage in fraudulent practices. While our fraud prevention efforts have been enhanced in recent years, there is room for further improvement, and we look forward to working with you during the 106th Congress to ensure that the valuable benefits we offer are provided only to those immigrants who are eligible. Preventing and punishing fraud are critical for maintaining the integrity of our nation's immigration laws.

While the TPS program has not experienced a large amount of fraud, INS has nevertheless taken steps to ensure the integrity of the TPS process for the large number of people affected by the decision to designate Nicaragua and Honduras for TPS. This decision, made in response to the widespread devastation caused by Hurricane Mitch could affect more than 100,000 Nicaraguans and Hondurans who resided in the United States as of December 30, 1998.

TPS was created by the Immigration Act of 1990, which amended the Immigration and Nationality Act (INA) to give the Attorney General the exclusive statutory authority to grant temporary protection fr... return to dangerous circumstances that affect a whole country or region of a country. Once the Attorney General determines that conditions in a country, or a specific region within a country, meet the criteria of the law, TPS is then designated, entitling eligible nationals to a stay of deportation and work authorization. TPS does not lead to permanent residency. Since the program's inception, the Attorney General has designated 13 foreign states and one region within a state, Kosovo province, for TPS.

To prevent fraud, INS officers review the TPS applicant's documentation, conduct database checks in the agency's Central Index System, and schedule applicants for fingerprinting before determining their *prima facie* eligibility. For the most recent designation of Nicaragua and Honduras, applicants must prove that they resided in the United States prior to December 30,1998, and have been continuously present since January 5, 1999, by providing supporting documents such as passports, employment records, rent receipts and school records. If there is any irregularity or question about the veracity of the supporting documents, the Service Center can refer the application to an INS district office for an in-person interview and, if appropriate, investigation.

When applicants appear at an Application Support Center (ASC) to be fingerprinted, they must prove their identity by providing photo identification. If the applicant's identity is questionable, or if they have no photo identification, the Service Center can refer the applicant to a district office for an interview. On the basis of these and other fraud-prevention measures INS believes that the risk of fraud in the TPS program is minimal.

INS vigilance in anticipating fraud in the TPS and other benefit programs is based on our experience with the legalization program, which was created under the Immigration Reform and Control Act of 1986 (IRCA). IRCA aimed to solve the problem of illegal immigration through a two-pronged approach. First, a system of employer sanctions was established to reduce the power of the job "magnet" to attract illegal immigrants to the United States. To address the illegal population already present in the country, the law provided a means by which long-term illegal residents, as well as certain agricultural workers, could obtain lawful permanent resident status, thus becoming "legalized."

There is no question that the provisions of IRCA were subject to widespread abuse, especially the Special Agricultural Worker (SAW) program that granted agricultural workers who had performed 90 days of qualifying agricultural employment within a specific period temporary lawful status that automatically converted to permanent lawful status after one year. Nearly 1.3 million applications were filed under SAW status, about double the number of foreign farm workers usually employed in the United States in any given year. As of September 30, 1997, more than 1 million SAW applicants had received permanent resident status. The difference represents cases that were denied or remain pending.

Much of the fraud that occurred under IRCA is attributable to statutory limitations the law placed on INS, restrictions that the TPS program doesn't impose on us. To establish eligibility for SAW status, IRCA allowed applicants to merely file an affidavit if no other documents were available. The confidentiality restrictions of law also prevented INS from pursuing cases of possible fraud detected during the application process. The agency was further thwarted by the courts, which ruled that INS could not deny an application simply because the supporting documentation was from a claimed employer suspected or convicted of fraud.

There are two critical distinctions between TPS and the legalization and SAW program that make TPS fraud less likely. First, IRCA offered the possibility of permanent residency, a much more valuable benefit than the temporary work authorization provided by TPS, and as such making it more likely someone might engage in fraud to obtain it. Second, and perhaps most important, by applying for TPS, many applicants identify themselves to INS as being illegal, so once the TPS period expires they may not be eligible for other immigration benefits and they could be targeted for removal. Once TPS is terminated all applicants revert to their previous immigration status.

Both NACARA and HRIFA offer permanent residence as a benefit, which is more attractive than the temporary work authorization provided to TPS beneficiaries. INS has prepared special guidelines for the adjudication of applications under these two statutes that are aimed at deterring and detecting fraud. Any NACARA or HRIFA case where there is a discrepancy in the documentation, or a question as to the nationality of the applicant, is referred to a local INS office and the applicant is called in for an interview. In addition, INS is providing special training to its personnel so that they understand fully the statutes, regulations, and field guidance.

<u>Temporary Protected Status</u>

In administering the TPS program, the Immigration and Naturalization Service (INS) seeks to provide temporary humanitarian relief as directed by the statute while remaining sensitive to concerns regarding fraud. INS recognizes that TPS is an exceptional action on the part of the U.S. government and is careful to make judicious recommendations to the Attorney General for the exercise of TPS authority. I will address the INS procedures both generally and in the particular context of Honduras and Nicaragua. These are the most recent TPS designations. Since the beginning of the program, the Attorney General has designated thirteen foreign states and one region of a state, Kosovo province, for TPS. Ten of the fourteen designations are currently in effect.

The INS has adjudicated over 220,000 applications for TPS. Since the expiration of the El Salvadoran designation which accounts for approximately 187,000 applications, INS has received slightly more than 30,000 applications for TPS, not including recent applications from Honduras and Nicaragua.

<u>Country Designation</u>

The Immigration Act of 1990 contained provisions that created section 244 of the Immigration and Nationality Act (Act), Temporary Protected Status (TPS). Section 244 of the Act provides the statutory authority for the Attorney General to allow individuals to remain in this country because of their nationality or the particular region they come from in a country.

The statute requires the Attorney General to make specific findings regarding conditions in the particular country or region before any designation can be made. To make informed decisions about which countries should be designated and when such designations should expire or be extended, INS confers regularly with the Department of State and other appropriate government agencies about conditions in specific countries. In the course of considering specific countries, INS evaluates TPS recommendations made by other branches of the government, members of the public and non-governmental organizations. Despite the sometimes large number of countries discussed, the INS forwards few recommendations to the Attorney General because of the specific findings required to provide this extraordinary relief. Once INS determines that a country meets the criteria, we forward our recommendation to the Attorney General for a decision.

When a designation is made, the Attorney General must also determine the length of the designation, which can last from a minimum of six months to a maximum of eighteen months. Most designations have been made for a period of 12 months. A designation may be extended by the Attorney General, after a review of country conditions.

Who Is Eligible for TPS?

Nationals of designated states and persons who have no nationality and last habitually resided in the designated state are eligible for TPS provided they meet certain basic statutory criteria. Proof of one's nationality is absolutely necessary in determining eligibility. The applicant must demonstrate that he or she has been continuously physically present in the United States since the effective date of the designation and has continuously resided in the United States since the date that the Attorney makes a TPS designation. Next, the individual must be admissible as an immigrant, although several grounds of inadmissibility may be waived. The criminal grounds of inadmissibility and those grounds relating to national security may not be waived. Finally, the applicant must apply for TPS during the initial registration period. If the designation is extended and an individual was present in a valid immigration status at the time of the initial designation, that individual can apply during the extension as part of late initial registration. The Attorney General can set out the parameters for the registration period in the announcement of the designation.

Certain individuals are not eligible for TPS. A person convicted of one felony or two or more misdemeanors in the United States is not eligible for TPS. Individuals barred from asylum are also barred from TPS.

To remain eligible for TPS, applicants must maintain continuous physical presence and must register annually with the INS. The Attorney General must withdraw TPS if it is determined that the beneficiary was not eligible for the benefit when he applied, has failed to maintain continuous physical presence in the U.S., or has failed to register annually with the Service in cases of an extension of TPS or designations longer than one year.

## TPS Benefits for Non-Criminal Aliens

TPS is a temporary form of relief that does not lead to permanent residence. In other words, TPS does not prevent an individual from becoming a permanent resident, but it does not provide a basis for adjustment. Applicants granted TPS receive a stay of removal and employment authorization. Detained applicants granted TPS are released from INS detention.

The statute further directs INS to provide temporary treatment benefits to applicants who demonstrate *prima facie* eligibility for TPS. Temporary benefits include the stay of removal and employment authorization. Under the regulations, the INS must make a determination on an individual's *prima facie* eligibility based on a complete application. A complete application requires evidence of the applicant's nationality, evidence of their residence and presence in the United States, completed forms and fees or fee waivers and their appearance for fingerprints.

Designation of Honduras and Nicaragua

INS receives TPS applications at its district offices for all TPS designations except for Nicaragua and Honduras. After determining prima facie eligibility for TPS, INS officers adjudicate the application for employment authorization. If the applicant is eligible, both applications are forwarded to the Nebraska Service Center (NSC). If the applicant is not eligible because he or she is not a national of a designated state, has been convicted of a felony or two misdemeanors, or does not have documentation to support the required length of presence or residence in the U.S., the district adjudicator denies the application. The district adjudicator conducts an interview, and when necessary, will confront an applicant with any questions or discrepancies. In instances where a pattern of fraud is suspected, the district adjudicator can refer the matter to Investigations.

In the announcement of the designations of Nicaragua and Honduras, the Attorney General estimated that more than 100,000 people present in the United States could apply for TPS. Due to the potentially large number of Honduran and Nicaraguan applicants, the Service decided to consolidate initial application processing at our four service centers..

Processing Applications at the Service Centers

Service procedures for determining an applicant's *prima facie* eligibility emphasize security. Officers at the service centers will review the applicant's documentation, conduct database checks in the INS Central Index System (CIS), and confirm that the applicant has been fingerprinted before determining the applicant's *prima facie* eligibility. If there is any irregularity or question about the veracity of the documents submitted with an application, the service center refers the application to an INS district office for an interview and if appropriate, an investigation.

Then INS officer must consider various criteria before determining *prima facie* eligibility. The INS officer evaluates the authenticity of the applicant's identity and nationality documentation. The INS has supplied the adjudicators with samples of valid identity documents from Nicaragua and Honduras. The officer next must determine from a review of supporting documentation whether the applicant has continuously resided in the United States since December 30, 1998 and has been continuously present since January 5, 1999. Supporting documentation include passport stamps, I-94 cards indicating entry, employment records, rent receipts, school records, medical records and other miscellaneous evidence. The officer must then determine the applicant's admissibility as an immigrant. This determination is based on the answers to a series of questions contained on the application for TPS, Form I-821, and a check of the CIS. The CIS database contains information such as nationality, alien number, and manner of entry on individuals previously encountered by INS. The CIS check can verify several of the applicant's responses as well as report on the applicant's prior immigration status.

Fingerprint Checks

The Service relies upon two security measures within the fingerprinting procedures to insure against fraud: identity verification and background check. After the Service receives a TPS application, the applicant is scheduled for fingerprinting. The Service does not consider an application to be complete until the applicant's fingerprints are taken. This means that an applicant cannot be granted temporary benefits until and unless they appear at an application support center (ASC) to provide fingerprints. At the ASC, the applicant must show their fingerprinting notice and a photo identification to verify their identity. If the applicant's identity is questionable or there is no identification, the case will be referred to the district office for an interview.

As with other benefit applications, the Service forwards the applicant's fingerprints to the FBI for criminal background checks. A final determination on an applicant's eligibility for TPS will be made only after the results from the FBI are reviewed. If no criminal record is discovered and the applicant is otherwise eligible, TPS will be granted.

When the Designation Is Terminated

Upon termination of the program, the TPS beneficiary reverts to his or her previous immigration status. If the alien is without status, removal priorities determine if the Service targets him or her for immediate removal.

Fraud Deterrence Efforts

INS has taken extra measures to prevent such in the designations of Nicaragua and Honduras. The Attorney General first limited the registration period to six months. Limiting the registration period will discourage persons who were not in the U.S. at the time of the designation from coming to this country throughout the designation period and registering for TPS and will compress the period in which fraud will be an issue. In all previous designations, the registration period has lasted for the entire designation period. Even in those designations with longer registration periods, INS has not encountered high levels of fraud.

Certain steps have been taken within the affected countries. Cables were sent to both countries by the Department of State at the time of the designations with warnings that those not present in the United States at that point would not be eligible for relief. In a press conference in Central America on January 29, 1998, Commissioner Meissner also warned individuals not already in the United States not to risk the journey north because they would not qualify for TPS.

Requiring the applicant to appear for fingerprints and verifying their identity at an ASC is a deterrent for those submitting fraudulent applications. The applicant will have to produce photo identification and will have to sign the appointment notice. If the service center adjudicator suspects fraud, he or she may request that the database be searched for duplicate names, addresses, preparers, or zip codes. If ASC personnel questions the identity documents produced at the time of fingerprinting they will inform the service center. The service center can refer the applicant for an interview in the district. As I mentioned earlier, the Service has provided the adjudicators with examples of valid nationality documents from both Honduras and Nicaragua. INS is confident that these measures will be effective to combat fraud.

As demonstrated, the application processing system set up by the Service contains several internal security checks designed to discourage and combat fraud. In addition to these, the Service also combats fraud by anticipating the fraud issues of specific designations. Often the most useful fraud prevention can only be discovered as applications are processed and trends become evident. For example, after the designation of Bosnia-Herzegovina, the Service found it difficult to determine if applicants with Yugoslavian passports were from Bosnia-Herzegovina. To address this, the Service issued memoranda describing various Yugoslavian passports and deciphering the various codes found on them. The Service also issued a map of Bosnia-Herzegovina as well as a list of towns. This strategy proved effective, and for the designation of Kosovo, the Service distributed maps of Kosovo and information on passports from the

Republic of Serbia and the Republic of Montenegro. Providing support to officers as they determine the veracity of the documents before them is one of the most important ways of preventing fraud for any benefit. For TPS, this support is essential.

## Concluding Remarks on TPS

While providing the extraordinary, yet temporary TPS relief, INS is committed to deterring and preventing fraud. Approximately 1.3 percent of TPS applications since 1992 have been denied for fraud. Further, as explained above, we have taken many steps to discourage and prevent fraudulent TPS claims. On the basis of these efforts, INS believes that the integrity of the TPS program is firmly intact.

NEWS from 21st District ▪ Texas
Congressman
**Lamar Smith**
2231 Rayburn House Office Building ▪ Washington, D.C. ▪ 202-225-4236

*Chairman Smith and Ranking Member Jackson-Lee listen to testimony.*

FOR IMMEDIATE RELEASE March 4, 19

**OPENING STATEMENT
OF CHAIRMAN LAMAR SMITH
AT THE MARCH 4, 1999 HEARING
ON TEMPORARY PROTECTED STATUS AND
FRAUD IN PRIOR AMNESTY PROGRAMS
SUBCOMMITTEE ON IMMIGRATION AND CLAIMS**

Our hearing today is to consider the impact of past designations of Temporary
Status. We will also examine the amount of fraud in prior amnesty programs.

The question is not whether TPS should be granted; in many instances it shoul
question is whether it is really temporary and to what extent TPS invites fraud.

These issues are of more than historical interest. The Administration recently g
Nicaraguans and Hondurans. Has the INS made serious efforts to deport those
TPS has expired? The Administration has to administer the amnesty for Nicara
Cubans granted in 1997. Will fraud flourish, as it has in the past?

The Administration is now advocating an additional amnesty for more than hal
illegal aliens. If the Administration persists, what will be the consequences? L
the regrettable precedent, how much fraud will result? Will TPS be temporary

TPS was added to the Immigration and Nationality Act in 1990, after lengthy
Congress. Since then, the Attorney General has designated fourteen nations for
However, the public has little information about how many aliens have registe
and what happens to them when the TPS designation ends. Congress has never
well the statute is working.

The law requires the Attorney General to submit annual reports to Congress on
states designated for TPS and the reasons for designation, as well as the numb
granted TPS. We learned only yesterday that the Attorney General delivered o
August 1992. As of August 1, 1992, almost 200,000 aliens had been granted T

Salvadorans had TPS from January 1, 1991, until June 30, 1992, and ADeferre
Departure@ through the end of 1994. Now, the Salvadorans who received TP
demanding amnesty, which the Administration supports. As a backup plan, the
Administration has decided to presume that all of them would experience Aext
hardship@ if deported. This sets a terrible precedent because other aliens gran
course demand similar treatment.

Fraud in prior amnesty programs is also an important issue for the Subcommitt the granting of amnesty to individuals who do not qualify. There was fraud in general amnesty program and in the Special Agricultural Workers or ASAW program contained in the Immigration Reform and Control Act of 1986 (IRCA

According to a 1996 article in the *Dallas Morning News*, the SAW program in Aso riddled with fraud that even applicants who didn=t know that strawberrie on trees qualified.@ An expert on the issue proclaimed that A>It was the big immigration fraud ever in the United States.=@ As a result, more than three t number of aliens originally estimated to be eligible were granted amnesty.

In May 1998, the INS published its interim regulation on the amnesty provisio and Nicaraguans in the Nicaraguan Adjustment and Central American Relief

The regulation states that the INS will not conduct a personal interview of all a that unofficial documents will be accepted for proof of nationality and continu presence. On June 9, 1998, I expressed my concern to the INS Commissioner t open invitation for fraud and requested a written response by the end of that m INS= plan to combat fraud in this program.

More than eight months later, I received a response to my letter on February 2 the INS had received notice of the issues to be covered at this hearing. The IN admits that the Apotential for fraud does exist.@ The INS should reassess its interview all applicants.

The INS has a great deal of work to do. However, a large workload is not an e stamp all applications and encourage fraud. The American people deserve bett INS.

The gentlewoman from Texas, Ms. Jackson-Lee, is recognized for her opening

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Committee on the Judiciary, Chairman, Subcommittee on Immigration and Claims * Chairman, Committee on Standards of Official Conduct * Committee on Science

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