RSC
Republican Study Committee
Rep. John Shadegg (R-AZ), Chairman
Neil Bradley, Executive Director
432 Cannon House Office Building
Washington, D.C. 20515
http://www.house.gov/burton/RSC/
(202) 226-9717

April 25, 2002

Talking Points Regarding INS Reorganization Bill

(H.R. 3231—Passed the House 405-9)

- The INS in its current format is simply not able to fulfill its enforcement duties.

- **When the INS fails, America's national security is threatened.**

- **As many as 10 of the 19 hijackers involved in the September 11th terrorist attacks had expired visas.** Those individuals who do not leave the country after their visas have expired represent 40% of the 5 million illegal immigrants currently in the U.S.[1]

- A man who got past security at O'Hare last fall with seven knives, a stun gun, and tear gas was a Nepalese citizen whose student visa had expired.[2]

- "Violent criminal aliens have been deported from the United States without the required escorts on commercial flights, posing a potential danger to the traveling public, the Justice Department's inspector general said on Thursday. Inspector General Glenn Fine announced the results of a review that found that managers at three of four U.S. Immigration and Naturalization Service (INS) districts disregarded the escort procedures in 1999 and 2000."[3]

- Several hundred thousand illegal aliens are estimated to settle permanently in the U.S. annually.[4]

- According to the non-partisan Center for Immigration Studies (http://www.cis.org), "In a newly released report, the Census Bureau estimated that perhaps **115,000 people from Middle Eastern countries live in the United States illegally**."

- The INS had a backlog of 4.9 million applications and petitions at the end of fiscal year 2001.[5]

- According to several universities, the INS routinely takes 6 months to respond to notifications from their registrars that foreign students are not attending classes.[6]

- **Giving the INS more money or more employees will not fix the problem.** The growth of the INS has exploded in recent years, and yet serious INS failures persist.
  --Growth of the INS: $1.5 billion and 18,000 staffers in FY1993
  $5.0 billion and nearly 34,000 staffers in FY2001[7]

- Much of the INS' failure stems from the conflict between its enforcement and service missions. The INS is unable to adequately perform either of its missions.

- According to INS manager Nina Moniz, the job of the INS is "to explain to people why they are here illegally, help them change that, and help them to get benefits."[8]

- The solution to this conflict lies in splitting the INS' enforcement functions from its services functions (producing passports, etc.) so that both functions could work better.

- The INS is a bloated, monolithic bureaucracy that needs to be streamlined. The House passed bill begins this process.

- By separating immigration services from enforcement, managers will no longer be pulled in two different directions and will be able to focus on more limited (and therefore more achievable) goals.

- Each bureau will have a distinct mission, will be able to craft its own policies, will have its own budget and its own dedicated employees who cannot be shifted to the other bureau. No longer will service be sacrificed for the sake of enforcement, or enforcement for the sake of service, as has happened so often in the past.

- H.R. 3231's creation of an Associate Attorney General in the Department of Justice who handles *only* immigration affairs raises these issues to the level and attention that they deserve in the Department of Justice. This will also create more accountability for the actions taken by the bureaus than currently exists in the INS.

- H.R. 3231 also requires the application of Internet-based technologies to track immigration applications as well as to eventually permit applicants to file on-line, thereby improving customer service.

- While the reform passed by the House is a first step, some Members continue to work for a more fundamental overhaul that would place:
  --*All* immigration services functions in the State Department (services are currently split between INS and State);
  --*All* enforcement of labor standards in the Labor Department (INS enforces some labor laws related to employment of immigrants); and
  --*All* immigration enforcement functions at the Justice Department.

- This type of fundamental reform was endorsed by The Jordan Commission (for which the House-passed bill is named).

---

[1] *Washington Times* report by Jerry Seper, November 7, 2001
[2] *Associated Press* report, November 7, 2001
[3] *Reuters* story by James Vicini, June 14, 2001
[4] *Steven Camarota, American Enterprise Magazine, December 2000*
[5] House Committee Report 107-413
[6] House Immigration Reform Caucus, Memo, April 1, 2002
[7] *Congressional Research Service, Report RS20279*
[8] Interview on Denver's KOA radio, July 23, 2001